

Resolution to adjust the boundaries of Westerville Township, thereby making them conform to the boundaries of the City of Westerville Case #BC-17-15 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the council of the city of Westerville, Ohio, by Resolution No. 2015-10, passed April 21, 2015 by a majority of its members, has petitioned the Franklin County Board of Commissioners to change the boundaries of Westerville Township, to make them conform to the boundaries of the city of Westerville, and for such other action as may be proper. The portion of the city of Westerville, Ohio, not now included within the limits of Westerville Township include that portion of Sharon Township, located in Franklin County, annexed to the city of Westerville by Resolution No. 2014-30; and,

WHEREAS, the city of Westerville filed the petition with the Franklin County Board of Commissioners on June 22, 2015 and has asked for the boundary change according to the provisions of Section 503.07 and related sections of the Ohio Revised Code and that the Board of County Commissioners can cause a proper adjustment of rights and liabilities to be made between the city of Westerville and Westerville Township; and,

WHEREAS, a certified copy of said Resolution Number 2015-10; with the proceedings of the council of the city of Westerville, Ohio was presented to and filed with the Franklin County Economic Development and Planning Department on June 22, 2015; now, therefore,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

Section 1 That it is the opinion and judgment of the Board that the extension of the partial conformity of boundaries of the city of Westerville and Westerville Township as petitioned for in the said petition by City Council, is expedient, and will be for the convenience and welfare of the inhabitants of Sharon Township and the city of Westerville.

Section 2 That the petition of the city of Westerville is proper and therefore the petition be granted and the boundary lines of Westerville Township shall be extended to conform with the bounds of the territory set forth in that petition.

Resolution to adjust the boundaries of Westerville Township, thereby making them conform to the boundaries of the City of Westerville Case #BC-17-15 (ECONOMIC DEVELOPMENT & PLANNING)

Section 3 That there are no adjustments of funds, unpaid taxes, claims, indebtedness or other fiscal matters needed to be settled by the Board, as none were requested in the respective resolutions.

Prepared by: D. Anthony Hray

Cc: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0515-15

July 07, 2015

**RESOLUTION TO ADJUST THE BOUNDARIES OF WESTERVILLE TOWNSHIP,
THEREBY MAKING THEM CONFORM TO THE BOUNDARIES OF THE CITY OF
WESTERVILLE CASE #BC-17-15**

**(Economic Development and
Planning)**

Upon the motion of Commissioner Paula Brooks, seconded by Commissioner Marilyn Brown:

Voting:

**Marilyn Brown, President
Paula Brooks**

**Aye
Aye**

Board of County Commissioners
Franklin County, Ohio

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Franklin County, Ohio on the date noted above.



Victoria Caldwell, Clerk
Board of County Commissioners
Franklin County, Ohio



Commissioner Marilyn Brown · Commissioner Paula Brooks · Commissioner John O'Grady
President

Economic Development & Planning Department
James Schimmer, Director

RESOLUTION SUMMARY

Resolution to adjust the boundaries of Westerville Township, thereby making them conform to the boundaries of the City of Westerville. Case #BC-17-15

Description:

Attached is a resolution to consider the boundary change from Westerville Township to the city of Westerville. The resolution will allow for the adjustment of the boundaries of Westerville Township, thereby making them conform to the boundaries of the city of Westerville.

Petitioning Municipality:

City of Westerville

Site:

8271-8299 Cleveland Avenue (Parcel #252-000003, 252-000004, and #272-001354), consisting of 73-acres, more or less

Background:

The city of Westerville and Sharon Township entered into an annexation agreement on May 20, 2014 (authorized by respective resolutions 05072014A and 2014-10), which stipulates that from the effective date of the annexation agreement (May 20, 2014), the city of Westerville shall only accept annexations for this area filed pursuant to, compliant with, and approved under Sections 709.021 and 709.022 of the Ohio Revised Code, commonly referred to as an Expedited Type One annexation. An Expedited Type One annexation was approved by the Franklin County Board of Commissioners for the subject site, case number ANX-EXP1-15-14, on July 8, 2014. The city of Westerville accepted the annexation by resolution 2014-30, approved on December 2, 2014. Under the terms of the aforementioned annexation agreement, the boundaries of the site must be conformed so that territory annexed to the city of Westerville from Sharon Township is transferred to Westerville Township.

Therefore, resolution 2015-10 authorizes the submission of a petition to the Board of County Commissioners of Franklin County, Ohio, requesting that the boundary lines of Westerville Township be changed to make them identical with the corporate limits of the city of Westerville for this annexation. The petition has been filed in accordance with Section 503.07 of the Ohio Revised Code.

Compulsion to act: The Ohio Revised Code requires the Board to grant this petition.

ORC §503.07 states in part:

The board, on presentation of such petition, with the proceedings of the legislative authority authenticated, at a regular or adjourned session, **shall upon the petition of a city change the boundaries of the township.**

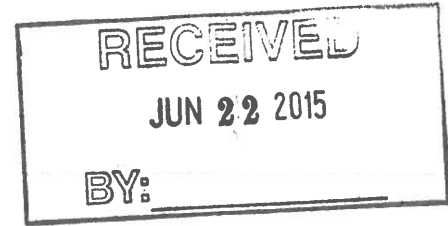
Recommendation:

Pending any questions, staff would request your **approval** of this request.



RECEIVED

JUN 22 2015

Franklin County Planning Department
Franklin County, OHMary J. Johnston, MMC
Clerk of Council, City of Westerville21 South State Street
Westerville, Ohio 43081
t. 614.901.6410
f. 614.901.6401
e. mary.johnston@westerville.org

CERTIFICATE

I, Mary J. Johnston, Clerk of Council for the City of Westerville, Ohio, and in whose custody of Files and Records of said Council are required by the Laws of State of Ohio do hereby certify that the foregoing is a true and correct copy of

RESOLUTION NO. 2015-10, "A RESOLUTION TO PETITION THE COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO FOR A CHANGE IN BOUNDARY LINES BETWEEN SHARON TOWNSHIP AND WESTERVILLE TOWNSHIP SO AS TO MAKE WESTERVILLE TOWNSHIP IDENTICAL WITH THE CORPORATE LIMITS OF THE CITY OF WESTERVILLE".

was passed by Westerville City Council on the April 21, 2015.

Mary J. Johnston, MMC
Clerk of Council

Date: June 9, 2015

RESOLUTION NO. 2015-10

A RESOLUTION TO PETITION THE COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO FOR A CHANGE IN BOUNDARY LINES BETWEEN SHARON TOWNSHIP AND WESTERVILLE TOWNSHIP SO AS TO MAKE WESTERVILLE TOWNSHIP IDENTICAL WITH THE CORPORATE LIMITS OF THE CITY OF WESTERVILLE

NOW, Therefore, Be It Resolved by the City Council of the City of Westerville:

Section 1: The Council of the City of Westerville hereby petitions the Board of County Commissioners of Franklin County, Ohio, to change the township lines of Sharon Township and Westerville Township, Franklin County, Ohio, to make Westerville Township identical with the corporation limits of the City of Westerville, pursuant to Ohio Revised Code section 503.07. The portions of the City of Westerville to be included within the limits of the municipal township are those portions of Sharon Township annexed by the City of Westerville by Ordinance 2014-30. A true copy of that Ordinance, together with a description of the area annexed, is attached to this Resolution and made a part hereof;

Section 2: That the aforementioned annexation was brought pursuant to the provisions of Ohio Revised Code Sections 709.021 and 709.022 as an "Expedited Procedure No. 1" and an Annexation Agreement (the "Agreement") between the City of Westerville and the Board of Trustees of Sharon Township, which Agreement provides for the conformance of the boundaries of the annexed land in accordance with Ohio Revised Code Section 503.07.

Section 3. That the Clerk of Council is directed to file a certified copy of this Resolution with the Board of County Commissioners of Franklin County, Ohio, forthwith;

Section 4. That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: April 21, 2015

Craig P. Treneff
Craig P. Treneff
Chair of Council

APPROVED Bruce E. Bailey
Bruce E. Bailey
Director of Law

Mary J. Johnston
Mary J. Johnston, MMC
Clerk of Council

RECEIVED

ORDINANCE NO. 2014-30

JUN 22 2015 **TO ACCEPT THE ANNEXATION INTO THE CITY OF WESTERVILLE OF CERTAIN TERRITORY IN SHARON TOWNSHIP CONTAINING 73 ACRES, MORE OR LESS, LOCATED AT 8271 AND 8299 CLEVELAND AVENUE, AND TO DECLARE AN EMERGENCY**

Franklin County Planning Department
Franklin County, OH

WHEREAS, a petition for annexation into the City of Westerville of certain territory of approximately 73, more or less, acres in Sharon Township was duly filed with the Franklin County Economic Development and Planning Department, by Jackson B. Reynolds III, agent for the owners; and

WHEREAS, the petition was duly considered and by Resolution 0474-14, approved by the Board of County Commissioners of Franklin County, Ohio, on July 8, 2014; and

WHEREAS, the Board of County Commissioners certified a transcript of the proceedings in connection with said annexation with the map, petition and resolution to the Clerk of Council of the City of Westerville, who received the same on July 14, 2014; and

WHEREAS, sixty (60) days from the date of the delivery of such annexation documents have now lapsed in accordance with Section 709.04 of the Ohio Revised Code;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WESTERVILLE, OHIO:

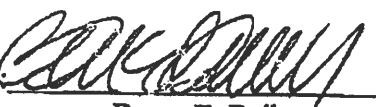
Section 1. That the annexation of certain territory adjacent to the City (described in Exhibit "A" attached to this Ordinance and made a part hereof), approved by the Board of County Commissioners of Franklin County, Ohio, in Resolution 0474-14 on July 8, 2014, be, and the same is hereby accepted.


Section 2. That the Clerk of Council be, and hereby is, authorized and directed to make copies of this Ordinance and the transcript of proceedings of the Board of County Commissioners relating thereto with appropriate certificate as to the correctness thereof and forthwith deliver the same in accordance with the provisions Chapter 709 of the Revised Code and, thereafter, to provide such notices as are required by Chapter 709 of the Revised Code.

Section 3. That this Ordinance is immediately necessary to provide for the preservation of the public health, safety and welfare by providing for the immediate implementation of necessary zoning which will enable the development of property at its highest and best use, wherefore, this ordinance is hereby declared to be an emergency measure which shall take effect and be in force immediately upon passage.

PASSED: December 2, 2014

APPROVED:


Bruce E. Bailey
Director of Law


Craig P. Treneff
Chair of Council

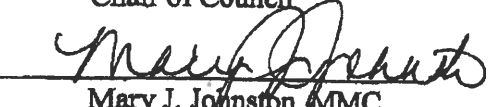

Mary J. Johnston, MMC
Clerk of Council

EXHIBIT A

RECEIVED

MAY 3 2013

Franklin County Engineer
Dean G. Ringle, RE, FS.ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, RE, FS.
FRANKLIN COUNTY ENGINEERBy 33 Date 10/4/13

Description of a 73 acre parcel of land

FROM SHARON TOWNSHIP

TO: THE CITY OF WESTERVILLE

Remains in the Township of Sharon, County of Franklin, State of Ohio, and being part of Lot 21, Quarter Township No. 1, Township No. 2, Range 18, USMCL and being all of a 60488 Acre Parcel of Land, conveyed to Samuel K. Bigham, Tr. and Connie C. Bigham, Tr., (1/2 interest) of record in Instrument Number 201007210092330 and Samuel K. Bigham Tr., and Connie C. Bigham, Tr. (1/2 interest) by Instrument Number 200810240341779, all of a 7.732 Acre parcel of land conveyed to Brian Bigham of record in Instrument Number 201007210092328 and all of a 2.280 Acre parcel of land conveyed to Samuel K. Bigham and Connie C. Bigham, Trustees of the Connie C. Bigham Living Trust of record in Instrument Number 200007140139483 all references to records being on file in the Office of the Recorder, Franklin County, Ohio, said 73 acre parcel being more fully described hereby:

Beginning at a point at the northeast corner of Lot 156 of River Trace, Section 6, Part 2 of record in Plat Book 100, Page 29 and also being on the south line of said 7.732 acre parcel;

Thence, West with the north line of said lot 156, the south line of said 7.732 acre parcel, the north line of River Trace, Section 6, Part 1 of record in Plat Book 97, Page 64, the north line of River Trace, Section 5, of record in Plat Book 76, Page 72 and along an existing City of Westerville Corporation Line as established in Ordinance 85-4 (Official Record 5419, Page B10), a distance of 427 feet to point at the northeast corner of River Trace Section 2 of record in Plat Book 64, page 90 and the northwest corner of said River Trace Section 5;

Thence, West with the north line of said River Trace Section 2 and the south line of said 7.732 acre parcel and along an existing City of Westerville Corporation Line as established in Ordinance 85-4 (Official Record 5419, Page B10), a distance of 951 feet to a point at the northwest corner of said River Trace Section 2 and the northeast corner of River Trace Section 3 of record in Plat Book 66, Page 69;

Thence, West and along an existing City of Westerville Corporation Line as established in Ordinance 85-4 (Official Record 5419, Page B10), a distance of 849 feet to a point at the northwest corner of said River Trace Section 3 and the northeast corner of River Trace Section 4 of record in Plat Book 68, Page 16;

Thence, West with the north line of said River Trace Section 4 and along an existing City of Westerville Corporation Line as established in Ordinance 85-4 (Official Record 5419, Page B10), a distance of 637 feet to point at the northwest corner of said River Trace Section 4 and the northeast corner of a 31.356 acre parcel of land conveyed to The City of Westerville of record in Deed book 3738, Page 766;

Thence, West with the north line of said 31.356 acre parcel and along an existing City of Westerville Corporation Line as established in Ordinance 81-6 (Official Record 600, Page B09) a distance of 1367 feet to point at the northwest corner of said 31.356 acre parcel and the northeast corner of Annexment Village Number 10 of record in Plat Book 43, Page 113;

Thence, West with the north line of said Annexment Village Number 10 and along an existing City of Westerville Corporation Line as established in Ordinance 80-10 (Official Record 5419, Page B10), a distance of 1367 feet to point at the northwest corner of said 31.356 acre parcel and the northeast corner of Annexment Village Number 10 of record in Plat Book 43, Page 113;

EXHIBIT A

Record 136, Page 263) a distance of 576 feet to a point at the southeast corner of Spring Hollow Village Number 2 of record in Plat Book 57, Page 83;

Thence, North with the east line of said Spring Hollow Village Number 2 and along an existing City of Westerville Corporation Line as established in Ordinance 76-42 (Official Record 167, Page 133), a distance of 684 feet to point at the southeast corner of said Spring Hollow Village Number 2 and also being on the south line of lot 37 of Spring Hollow Village Number 3 of record in Plat book 59, Page 50;

Thence, East with the south line of said Spring Hollow Village Number 3 and along an existing City of Westerville Corporation Line as established in Ordinance 79-47 (Official Record 173, Page 158), a distance of 1924 feet to point at the southeast corner of said Spring Hollow Village Number 3 and the southwest corner of a 13.675 acre parcel of land conveyed to Abraham Chab of record in Deed Book 1604, Page 500;

Thence, East with the south line of said 13.675 acre parcel and along an existing City of Westerville Corporation Line as established in Ordinance 09-36 (Instrument Number 201802050013042), a distance of 698 feet to a point at a corner of said 13.675 acre parcel and the southwest corner of a 8.586 acre parcel of land conveyed to Carolyn A. Ball of record in Official Record 6634, Page 9;

Thence, East with the south line of said 8.586 acre parcel, a distance of 731 feet to a point on the auxiliary line of said 8.586 acre parcel and the southwest corner of a 6.973 acre parcel of land conveyed to Carolyn A. Ball of record in Official Record 3723, A16;

Thence, East with the south line of said 6.973 acre parcel, and also being the northwest corner of said 2.280 acre parcel a distance of 230 feet to point on the south line of said 6.973 acre parcel and the north line of said 2.280 acre parcel;

Thence, East with the south line of said 6.973 acre parcel and the north line of said 2.280 acre parcel a distance of 830 feet to point;

Thence, East a distance of 80 feet to a point in the center of Alum Creek;

Thence, South with the east line of said 2.280 acre parcel, partly with the east line of said 60.488 acre parcel, with the center of Alum Creek, and along an existing City of Westerville Corporation Line as established in Ordinance 93-40 (Official Record 29439, Page C06) a distance of 182 feet to a point;

Thence, South with the east line of said 60.488 acre parcel, partly with the east line of said 7.732 acre parcel, with the center of Alum Creek, and along an existing City of Westerville Corporation Line as established in Ordinance 93-40 (Official Record 29439, Page C06) a distance of 290 feet to a point;

Thence, South with the east line of said 7.732 acre parcel, with the center of Alum Creek, and along an existing City of Westerville Corporation Line as established in Ordinance 93-40 (Official Record 29439, Page C06) a distance of 292 feet to a point;

Thence, West and along an existing City of Westerville Corporation Line as established in Ordinance 93-40 (Official Record 29439, Page C06) a distance of 100 feet to the True Point of Beginning, comprising 73 +/- acres of land total (1.039 acre Parcel Right of Way Occupied), consisting of 7.732 acres (PID 252-000004, 0.418 acres Parcel Right of Way Occupied) parcel of

EXHIBIT A

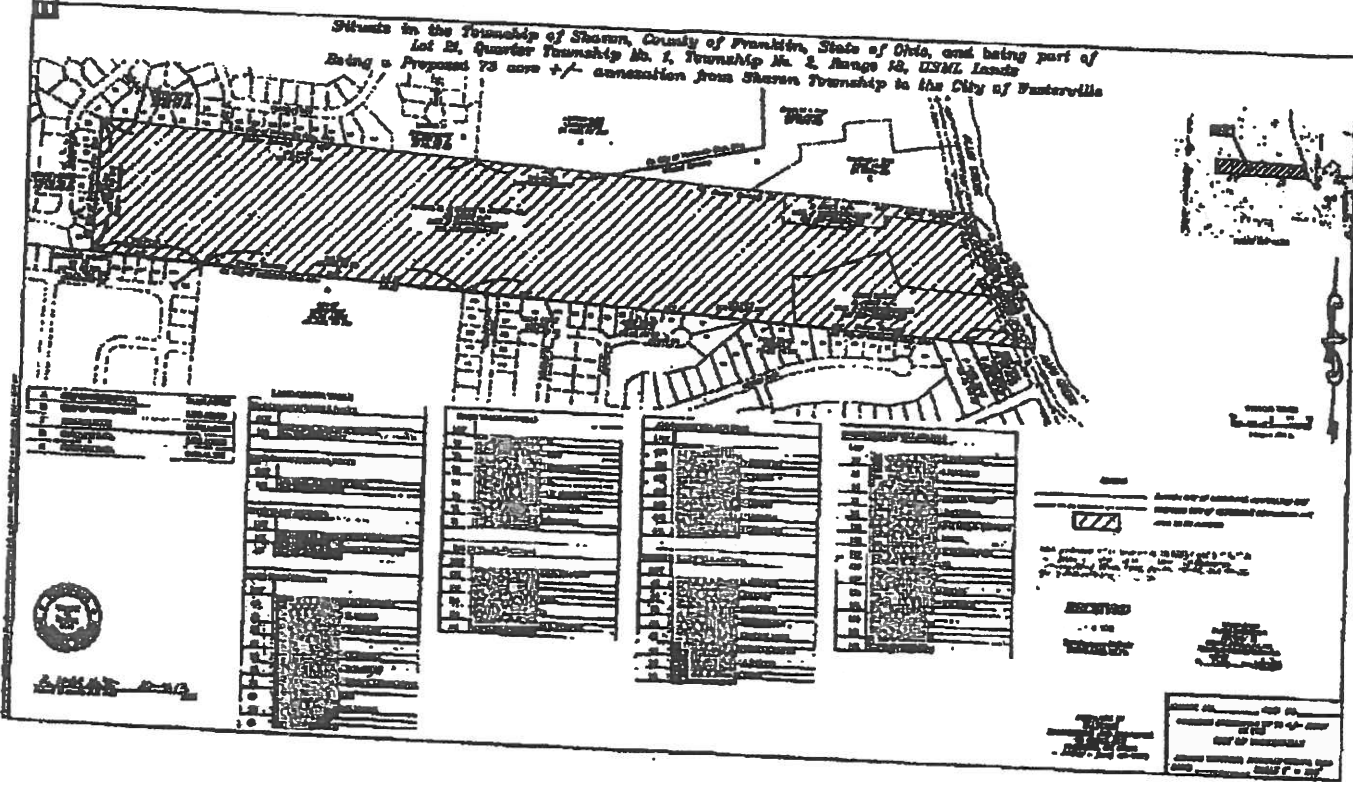
land conveyed to Brian Bigham of record in Instrument Number 201007210032122, 2.298 acres (PID 252-000803, 0.068 acres Present Right of Way Occupied) parcel of land conveyed to Samuel E. Bigham, Tr. and Cecelia C. Bigham, Tr. of record in Instrument Number 200807746139462 and 42.533 acres (PID 252-001134, 0.533 acres Present Right of Way Occupied) parcel of land, conveyed to Samuel E. Bigham, Tr. And Cecelia C. Bigham, Tr., (1/2 interest) of record in Instrument Number 201007210032130 and Samuel E. Bigham Tr., (1/2 interest) by Instrument Number 200310240341779 subject to all encumbrances and documents of record.

The above description was prepared by Wilson Engineering in July of 2013, from the best available County records. The above description is not valid for the transfer of real property, and is not to be utilized in place of a Boundary Survey as defined by the Ohio Administrative Code in Chapter 4733-37.



Robert W. Martin 10-4-13
 Robert W. Martin Date
 P.S. 8114

EXHIBIT B



RECEIVED

JUN 20 2014

Franklin County Planning Department
Franklin County, Ohio

RESOLUTION NO. 2014-10

**TO AUTHORIZE THE CITY MANAGER TO EXECUTE AN
ANNEXATION AGREEMENT FOR ANNEXATION OF 73+-
ACRES LOCATED ON HANAWALT ROAD NORTH OF
THE RIVER TRACE SUBDIVISION IN SHARON
TOWNSHIP**

ANX - EXP 1
15-14

WHEREAS, Samuel K. Bigham and Connie C. Bigham, Trustees of the Connie C. Bigham Living Trust and Brian Bigham, ("Owner") presently owns a 73 acre tract in Sharon Township, Franklin County, Ohio (the "Property"), contiguous with the City of Westerville; and

WHEREAS, Owner is in contract to sell the Property to M/I Homes who plans to develop the Property with residences and accordingly needs to connect to Westerville's water , sewer and electric facilities to serve such residences and, accordingly desires to annex the Property into the City of Westerville; and

WHEREAS, the Owner and M/I desire that the Property be annexed to the City as an Expedited Type I annexation pursuant to the provisions of Sections 709.021 and 709.022 of the Ohio Revised Code and, the City desires that upon annexation that the Property be removed from Sharon Township; and

WHEREAS, the Board of Trustees of Sharon Township, Franklin County, Ohio consent to the removal of the Property from Sharon Township upon the City's execution and performance of an Annexation Agreement as is authorized by Section 709.192 of the Ohio Revised Code;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WESTERVILLE, OHIO:

Section 1. That the City Manager be and hereby is authorized and directed to execute and perform an annexation agreement on behalf of the City of Westerville, substantially in the form of the Annexation Agreement as set forth in Exhibit "A" attached to this Resolution and made a part hereof.

Section 2. That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: May 20, 2014

Craig P. Treneff
Craig P. Treneff
Chairman of Council

APPROVED: Bruce E. Bailey
Bruce E. Bailey
Director of Law

Rachiel E. Gibson
Rachiel E. Gibson
Administrative Secretary



MARY J. JOHNSTON, MMC
Clerk of Council, City of Westerville

21 South State Street
Westerville, Ohio 43081
t. 614.901.6410
f. 614.901.6401
e. mary.johnston@westerville.org

CERTIFICATE

I, Mary J. Johnston, Clerk of Council for the City of Westerville, Ohio, and in whose custody of Files and Records of said Council are required by the Laws of State of Ohio do hereby certify that the foregoing is a true and correct copy of

RESOLUTION NO. 2014-10, "TO AUTHORIZE THE CITY MANAGER TO EXECUTE AN ANNEXATION AGREEMENT FOR ANNEXATION OF 73+- ACRES LOCATED ON HANAWALT ROAD NORTH OF THE RIVER TRACE SUBDIVISION IN SHARON TOWNSHIP".

was passed by the Westerville City Council on May 20, 2014.



Mary J. Johnston, MMC
Clerk of Council

Date: June 19, 2014

RECEIVED

JUN 20 2014

ANX-EXPI 15-14

Franklin County Planning Department
Franklin County, Ohio

ANNEXATION AGREEMENT

This is an Annexation Agreement (the "Agreement" herein) entered into by and between the City of Westerville, Franklin County, Ohio, an Ohio Municipal Corporation (hereinafter "Westerville") and the Board of Trustees of Sharon Township, Franklin County, Ohio, an Ohio Township (hereinafter "Sharon"), pursuant to the provisions of Ohio Revised Code Section 709.192.

WHEREAS, Westerville is desirous of obtaining the annexation of several parcels of real property totaling approximately 73 acres within Sharon located west of Hanawalt Road and being further described on Exhibit A attached hereto and incorporated herein (known singularly and collectively as the "Annexation Properties" herein), with the Annexation Properties being further shown on the annexation plat attached hereto and incorporated herein as Exhibit B, and

WHEREAS, Westerville is desirous of conforming the boundaries of all the Annexation Properties in order to exclude Sharon from such area and Sharon is willing to allow Westerville to do so, provided that Westerville pays to Sharon, in lieu of taxes and any other payments otherwise due under Ohio Revised Code Section 709.19, the sum of One Hundred Twenty-Five Thousand Dollars (\$125,000.00), and

WHEREAS, Westerville and Sharon have determined that it is in the best interest of their respective residents, citizens and taxpayers to enter into this Agreement upon the terms hereinafter set forth, and

WHEREAS, this Agreement has been approved by the Board of Trustees of Sharon Township by Resolution Number 250728/47 adopted on MAY 7, 2014 and by the City Council of the City of Westerville by Ordinance Number — adopted on MAY 20, 2014.

NOW, THEREFORE, in consideration of the mutual promises contained herein, Westerville and Sharon agree as follows:

1. This Agreement is entered into pursuant to the provisions of Ohio Revised Code Section 709.192 to permit the annexation of the Annexation Properties to Westerville with the consent of all parties pursuant to the provisions of Ohio Revised Code Sections 709.021 and 709.022. Sharon hereby specifically consents to, agrees with, and does not oppose the annexation of the Annexation Properties to Westerville, provided such annexation complies with the terms of this Annexation Agreement.
2. Westerville shall, in cooperation with the Agent for the annexation petitioner, process the annexation of the Annexation Properties under one (1) annexation petition which includes all of the Annexation Properties. The annexation petition shall be filed pursuant to and comply with the provisions of "Expedited Procedure No. 1" as contained in Ohio Revised Code Sections 709.021 and 709.022, as such provisions exist on the effective date of this Agreement.
3. Westerville shall provide Sharon with a copy of the annexation petition for the annexation of the Annexation Properties within five (5) days after such petition is filed with the clerk of the Board of the Franklin County Commissioners. Upon the filing of the petition, the petition shall be diligently processed to accomplish the annexation of the Annexation Properties to Westerville pursuant to this Agreement.
4. Prior to Westerville's application to the County Commissioners to conform the boundaries of the Annexation Properties under Ohio Revised Code Section 503.07, Westerville shall pay, or cause to be paid, to Sharon the sum of One Hundred Twenty-Five Thousand Dollars

(\$125,000.00), which amount shall be in lieu of taxes and any other payment otherwise due Sharon under Ohio Revised Code Section 709.19. The boundaries of the Annexation Properties shall not be conformed until such amount is paid to Sharon.


5. Upon the annexation to and acceptance by Westerville of the Annexation Properties and following the payment to Sharon as specified in Section 4, above, Westerville shall conform the boundaries of all the Annexation Properties in order to exclude Sharon from such area pursuant to Ohio Revised Code Section 503.07. Westerville shall make the required payment to Sharon and conform the boundaries of the Annexation Properties within six (6) months following Westerville's acceptance of the Annexation petition. Upon the exclusion of Sharon from the Annexation Properties, Westerville shall not be required to make any compensation payments to Sharon as set forth in Ohio Revised Code Section 709.19, as said Section exists on the effective date of this Agreement.
6. This Annexation Agreement may only be amended, revised or altered pursuant to an amendment in writing, executed by the parties, and properly promulgated and approved in accordance with their respective legislative authorities.
7. This Annexation Agreement shall not apply to any other annexation other than to the Annexation Properties described in Exhibit A and as shown on Exhibit B.

IN TESTIMONY WHEREOF, the parties have caused multiple counterparts hereof to be duly executed on or as of the 20 day of May, 2014.


Sharon Township Board of Trustees

City Council for the City of
Westerville, Franklin County, Ohio

By _____
John H. Oberle, Trustee

By 
City Manager

City of Westerville, Ohio

By 
Phillip W. Smith, Trustee

By 
Lori A. Gerald, Trustee

EXHIBIT A

RECEIVED

OCT 10 2013

Franklin County Engineer
Dean C. Ringle, P.E., P.S.

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER

By BB Date 10/14/13

Description of a 73 acre parcel of land

From: SHARON TOWNSHIP

TO: THE CITY OF WESTERVILLE

Situate in the Township of Sharon, County of Franklin, State of Ohio, and being part of Lot 21, Quarter Township No. 1, Township No. 2, Range 18, USML and being all of a 60.488 Acre Parcel of Land, conveyed to Samuel K. Bigham, Tr. and Connie C. Bigham, Tr., (1/2 interest) of record in Instrument Number 201007210092330 and Samuel K. Bigham Tr., and Connie C. Bigham, Tr. (1/2 interest) by Instrument Number 200310240341779, all of a 7.732 Acre parcel of land conveyed to Brian Bigham of record in Instrument Number 201007210092328 and all of a 2.280 Acre parcel of land conveyed to Samuel K. Bigham and Connie C. Bigham, Trustees of the Connie C. Bigham Living Trust of record in Instrument Number 200007140139682 all references to records being on file in the Office of the Recorder, Franklin County, Ohio, said 75 acre parcel being more fully described herein;

Beginning at a point at the northeast corner of Lot 156 of River Trace, Section 6, Part 2 of record in Plat Book 100, Page 29 and also being on the south line of said 7.732 acre parcel;

Thence, West with the north line of said lot 156, the south line of said 7.732 acre parcel, the north line of River Trace, Section 6, Part 1 of record in Plat Book 97, Page 64, the north line of River Trace, Section 5, of record in Plat Book 76, Page 72 and along an existing City of Westerville Corporation Line as established in Ordinance 85-4 (Official Record 5419, Page B10), a distance of 427 feet to point at the northeast corner of River Trace Section 2 of record in Plat Book 65, page 90 and the northwest corner of said River Trace Section 5;

Thence, West with the north line of said River Trace Section 2 and the south line of said 7.732 acre parcel and along an existing City of Westerville Corporation Line as established in Ordinance 85-4 (Official Record 5419, Page B10), a distance of 951 feet to a point at the northwest corner of said River Trace Section 2 and the northeast corner of River Trace Section 3 of record in Plat Book 66, Page 69;

Thence, West and along an existing City of Westerville Corporation Line as established in Ordinance 85-4 (Official Record 5419, Page B10), a distance of 849 feet to a point at the northwest corner of said River Trace Section 3 and the northeast corner of River Trace Section 4 of record in Plat Book 68, Page 16;

Thence, West with the north line of said River Trace Section 4 and along an existing City of Westerville Corporation Line as established in Ordinance 85-4 (Official Record 5419, Page B10), a distance of 637 feet to point at the northwest corner of said River Trace Section 4 and the northeast corner of a 31.356 acre parcel of land conveyed to The City of Westerville of record in Deed book 3738, Page 766;

Thence, West with the north line of said 31.356 acre parcel and along an existing City of Westerville Corporation Line as established in Ordinance 81-6 (Official Record 600, Page 109) a distance of 1367 feet to point at the northwest corner of said 31.356 acre parcel and the northeast corner of Annehurst Village Number 10 of record in Plat Book 45, Page 115;

Thence, West with the north line of said Annehurst Village Number 10 and along an existing City of Westerville Corporation Line as established in Ordinance 80-10 (Miscellaneous

EXHIBIT A

Record 136, Page 203) a distance of 576 feet to a point at the southeast corner of Spring Hollow Village Number 2 of record in Plat Book 57, Page 85;

Thence, North with the east line of said Spring Hollow Village Number 2 and along an existing City of Westerville Corporation Line as established in Ordinance 76-42 (Miscellaneous Record 167, Page 153), a distance of 684 feet to point at the northeast corner of said Spring Hollow Village Number 2 and also being on the south line of lot 37 of Spring Hollow Village Number 3 of record in Plat book 59, Page 50;

Thence, East with the south line of said Spring Hollow Village Number 3 and along an existing City of Westerville Corporation Line as established in Ordinance 79-47 (Miscellaneous Record 173, Page 188), a distance of 1954 feet to point at the southeast corner of said Spring Hollow Village Number 3 and the southwest corner of a 13.675 acre parcel of land conveyed to Abruzzi Club of record in Deed Book 1608, Page 500;

Thence, East with the south line of said 13.675 acre parcel and along an existing City of Westerville Corporation Line as established in Ordinance 09-36 (Instrument Number 201002050015042), a distance of 698 feet to a point at a corner of said 13.675 acre parcel and the southwest corner of a 8.566 acre parcel of land conveyed to Carolyn A Ball of record in Official Record 0676, F09;

Thence, East with the south line of said 8.566 acre parcel, a distance of 731 feet to a point on the southerly line of said 8.566 acre parcel and the southwest corner of a 6.973 acre parcel of land conveyed to Carolyn A Ball of record in Official Record 3725, A16;

Thence, East with the south line said 6.973 acre parcel, and also being the northwest corner of said 2.280 acre parcel a 250 feet to point on the south line of said 6.973 acre parcel and the north line of said 2.280 acre parcel;

Thence, East with the south line of said 6.973 acre parcel and the north line of said 2.280 acre parcel a distance of 830 feet to point;

Thence, East a distance of 80 feet to a point in the center of Alum Creek;

Thence, South with the east line of said 2.280 acre parcel, partly with the east line of said 60.488 acre parcel, with the center of Alum Creek, and along an existing City of Westerville Corporation Line as established in Ordinance 95-40 (Official Record 29439, Page C06) a distance of 182 feet to a point;

Thence, South with the east line of said 60.488 acre parcel, partly with the east line of said 7.732 acre parcel, with the center of Alum Creek, and along an existing City of Westerville Corporation Line as established in Ordinance 95-40 (Official Record 29439, Page C06) a distance of 290 feet to a point;

Thence, South with the east line of said 7.732 acre parcel, with the center of Alum Creek, and along an existing City of Westerville Corporation Line as established in Ordinance 95-40 (Official Record 29439, Page C06) a distance of 292 feet to a point;

Thence, West and along an existing City of Westerville Corporation Line as established in Ordinance 85-4 (Official Record 5419, Page B10) a distance of 108 feet to the True Point of Beginning, containing 73 +/- acres of land total (1.039 acres Present Right of Way Occupied), consisting of 7.732 acres (PID 252-000004, 0.418 acres Present Right of Way Occupied) parcel of

EXHIBIT A

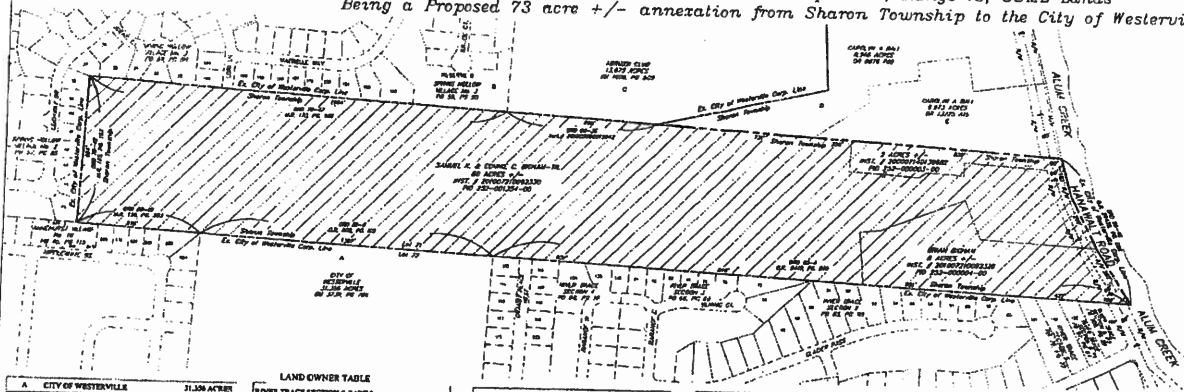
land conveyed to Brian Bigham of record in Instrument Number 201007210092328, 2.280 acres (PID 252-000003, 0.088 acres Present Right of Way Occupied) parcel of land conveyed to Samuel K. Bigham, Tr. and Connie C. Bigham, Tr. of record in Instrument Number 200007140139682 and 62.533 acres (PID 252-001354, 0.533 acres Present Right of Way Occupied) parcel of land, conveyed to Samuel K. Bigham, Tr. And Connie C. Bigham, Tr., (1/2 interest) of record in Instrument Number 201007210092330 and Samuel K. Bigham Tr., (1/2 interest) by Instrument Number 200310240341779 subject to all easements and documents of record.

The above description was prepared by Watcon Engineering in July of 2013, from the best available County records. The above description is not valid for the transfer of real property, and is not to be utilized in place of a Boundary Survey as defined by the Ohio Administrative Code in Chapter 4733-37.



Robert W. Martin 10-4-13
Robert W. Martin Date
P.S. 8114

Situate in the Township of Sharon, County of Franklin, State of Ohio, and being part of
Lot 21, Quarter Township No. 1, Township No. 2, Range 18, USML Lands
Being a Proposed 73 acre +/- annexation from Sharon Township to the City of Westerville



A	CITY OF WESTERVILLE	31.306 ACRES
B	CITY OF WESTERVILLE	2.808 ACRES
C	ABRUZZI CLUB	12.673 ACRES
D	CAROLYN BALL	8.566 ACRES
E	CAROLYN BALL	6.973 ACRES

LAND OWNER TABLE

LAST	
156	PHILLIP B. & JULIE A. SPUGGEL Inc. 7205011901110077

RIVER TRAIL SECTION 8, PART 1	
LOT	
153	LOUISIANA CEMENT CO. CITY, MISSISSIPPI

RIVER TRACE SECTION 3	
LOT	
145	RICHARD M. & FRANCES K. GUNTRAM

151	MICHAEL G. & VERONICA C. HAMILTON 100704030039492
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RIVER TRAILS SECTION 2

LOT	
40	WILLIAM L. & DIANNA B. NARVON Date: 2/1/2007 11:11:39
59	JOHN D. & KATHLEEN L. ROUSE Date: 2/1/2007 11:11:39

56 ~~EDWARD J. MURPHY JR. BOSTON, MA~~
 57 ~~EDWARD J. MURPHY JR. BOSTON, MA~~
 58 ~~EDWARD J. MURPHY JR. BOSTON, MA~~
 59 ~~EDWARD J. MURPHY JR. BOSTON, MA~~
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 97 ~~EDWARD J. MURPHY JR. BOSTON, MA~~
 98 ~~EDWARD J. MURPHY JR. BOSTON, MA~~
 99 ~~EDWARD J. MURPHY JR. BOSTON, MA~~
 100 ~~EDWARD J. MURPHY JR. BOSTON, MA~~

54 RAYMOND L. KATHLEEN, LEONARD TH.
 53 JOHN & EILEAN M. BILLES
 52 JAMES C. & SHEILA AGILL LYONS

31 **HARVYN J. PERLEY**
INC. 1997032700727185

RIVER TRACE SECTION 3	
LOT	
77	RAKESH & BERNI RANA
78	THE 1991/1992/1993
79	EDWARD & D. COVINGTON

76	DAVID L. GAYL
75	GARY L. GAYL
74	THOMAS R. GAYL
73	RICHARD A. GAYL

72	EDWARD J. MALONE
73	EDWARD J. MALONE
74	EDWARD J. MALONE
75	EDWARD J. MALONE
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92	EDWARD J. MALONE
93	EDWARD J. MALONE
94	EDWARD J. MALONE
95	EDWARD J. MALONE
96	EDWARD J. MALONE
97	EDWARD J. MALONE
98	EDWARD J. MALONE
99	EDWARD J. MALONE
100	EDWARD J. MALONE

RIVER TRACE SECTION 4	
LOT	
126	DONALD E. & CAMELLA A. HEASLEY 1000 S. 10TH ST. MILWAUKEE, WIS.
127	MICHAEL J. HANSEN

123	RAY, DAVID A. BARTOL
134	RAY, DAVID A. BARTOL
136	RAY, DAVID A. BARTOL
115	RAY, DAVID A. BARTOL

[illegible]

APRIST VILLAGE NO.10	
LOT	
635	KATHY J. MINNIN last 20051005020916

636	PAUL A. A. MARSHALL CHAMBERLAIN
637	PAUL A. A. MARSHALL CHAMBERLAIN
638	THOMAS L. MCKEOWN
639	JAMES A. A. MARSHALL CHAMBERLAIN

640	DAVID & PATRICIA L MARSOLO
641	CHARLES & WENDY M GRIFFITH

SPRING HOLLOW VILLAGE NO.2	
LIST	
45	ROBERT C. & FRANK M. SHAWA 1115 22ND ST CHICAGO, ILL 60612

44 [REDACTED] 1959-1960
43 CHARLES S. & RUTH ANDERSON
42 HAYD L. & DONNA J. KENNEDY
41 WILLIAM F. & KIM S. STOCKLACHER

41 MARCELA MAY & MARGARET E. SMITH
40 JAMES M. IN & EMILY A. POTTER
39 STEVEN & ANNE M. LUDIN
38

10

SPRING HOLLOW VILLAGE NO.3
LOT
39 DOMINICK & DAWN K. FALGOUT

33	MICHAEL D. & LISA M. MARUCCI JACK, 197912200317000
34	LAY E. HENDRICKS JACK, 197912200317000
33	DEBORAH A. JR. & LINDA A. VIERA JACK, 197912200317000

32	JOHN C. & BLADINE M. BOYER
166	JOHN C. & BLADINE M. BOYER
168	JOHN C. & BLADINE M. BOYER
169	JOHN C. & BLADINE M. BOYER

136	SANDRA L. MASTERSON DOB: 19720418-110200
137	DONALD E. HUBBARD DOB: 19510505-1415
138	GARY W. & DONNA M. HEATH DOB: 19510101-100155

135	ANDREW A. FUCHS 1000 1000 1000 1000	BLACK BEAN
134	EDDIE YOUNG 1000 1000 1000 1000	
133	SHARON L. WEAVER 1000 1000 1000 1000	

152



R. G. W. Muth 10-4-13
Robert G. Muth, JR. 10/4/13

LEGEND

EXISTING CITY OF RESTONVILLE CORPORATION LINE

PROPOSED CITY OF RESTONVILLE CORPORATION LINE

AREA TO BE ANNEXED

[illegible]

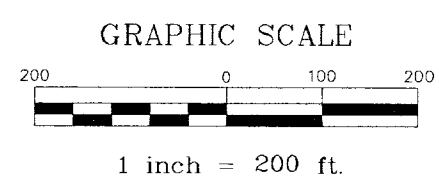
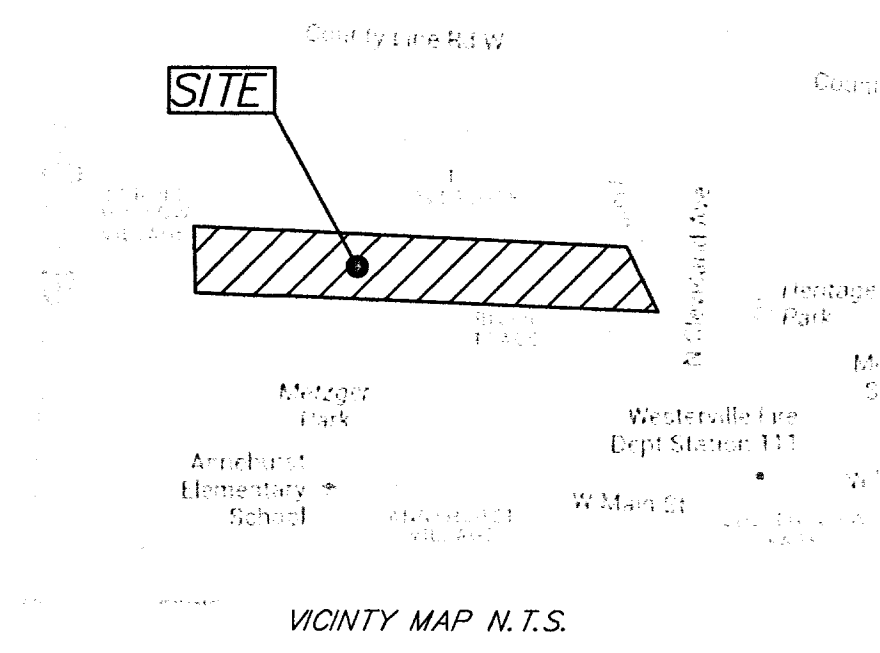
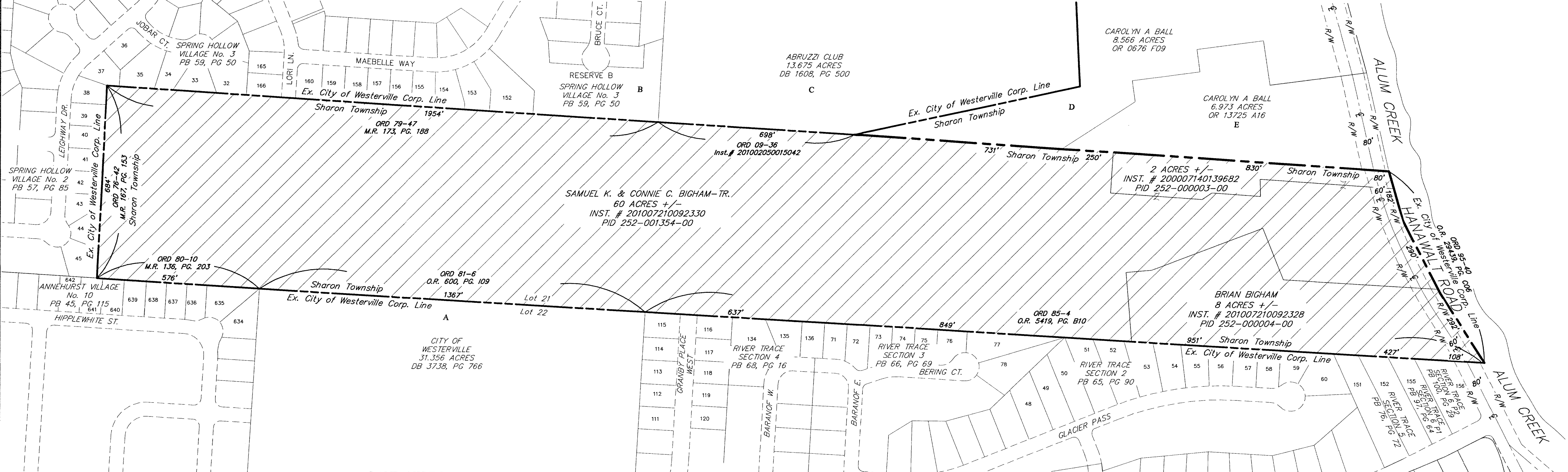
RECEIVED

2013
Fremont County Engineer

PREPARED BY
WATCON
ENGINEERING AND SURVEYING
83 STILL AVE
COLUMBUS, OH 43226
- PUONE - (614) 414-7979

ANNEX NO. _____ ORD. NO. _____
PROPOSED ANNEXATION OF 73 +/- ACRES
TO THE
CITY OF WESTERVILLE
SHARON TOWNSHIP, FRANKLIN COUNTY, OHIO
DATE _____ SCALE _____

Situate in the Township of Sharon, County of Franklin, State of Ohio, and being part of Lot 21, Quarter Township No. 1, Township No. 2, Range 18, USML Lands Being a Proposed 73 acre +/- annexation from Sharon Township to the City of Westerville



A	CITY OF WESTERVILLE	31.356 ACRES
B	CITY OF WESTERVILLE	2.808 ACRES
C	ABRUZZI CLUB	13.675 ACRES
D	CAROLYN BALL	8.566 ACRES
E	CAROLYN BALL	6.973 ACRES

LAND OWNER TABLE

RIVER TRACE SECTION 6, PART 2		
LOT		
156	PHILLIP D. & JULIE A. SPIEGEL Inst. 200405190114937	
RIVER TRACE SECTION 6, PART 1		
LOT		
155	LOGAN L. & SUSAN E. BELL Inst. 200206270157998	
RIVER TRACE SECTION 5		
LOT		
152	RICHARD M. & FRANCES E. GUNTRUM Inst. 199403220098619	
151	MICHAEL G. & VERONICA C. HAIRSTON Inst. 200704050059492	
RIVER TRACE SECTION 2		
LOT		
60	WILLIAM L. & DIANNA G. NAROTSKI Inst. 201303070088207	
59	JOHN D. & RACHELLE L. ROUSE Inst. 200707130123239	
58	STEVEN C. & DENA M. BARCLAY Inst. 199606240144040	
57	RONALD P. FARKAS Inst. 200709180164373	
56	DANIEL D. & CYNTHIA K. RUSSO Inst. 199308240199969	
55	FREDERIC C. & DIANA F. SHIRLEY Inst. 199607150155984	
54	RAYMOND L. & KATHERINE L. LEONARD TR Inst. 198710080188526	
53	JOHN & EILEEN N. MILES Inst. 201301110006390	
52	JAMES G. & SHEELAGH I. LYONS Inst. 199306160150250	
51	MARLYN J. PERRY Inst. 199103270072185	

RIVER TRACE SECTION 3		
LOT		
77	RAKESH & RENU RANA Inst. 199812040313599	
76	JERMAINE D. COVINGTON Inst. 201302080022810	
75	GARY L. & GAYLA J. WHITACRE Inst. 199904090089225	
74	THOMAS E. BAXTER TR. Inst. 201110270137697	
73	RICHARD D. & DENISE A. RUSSELL Inst. 199210200209763	
72	TROY & CONNIE D. SALYERS TR. Inst. 200902100017243	
71	DARREN & HEIDI R. THOMPSON Inst. 200507270149834	

RIVER TRACE SECTION 4		
LOT		
136	DONALD R. & CAMILLE A. HEASLEY Inst. 198906290116090	
135	MICHAEL HRABCAK Inst. 200307210223864	
134	DAVID & LAURA WARTEL Inst. 200506010105649	
116	GERALD L. NIEMAN TR. Inst. 200109070208186	
115	RUSSELL A. & SANDRA L. POPP TR. Inst. 201304120060380	

ANNEHURST VILLAGE NO.10		
LOT		
635	KATHY J. MINKIN Inst. 200510050209514	
636	JAMES A. & SANDRA J. CHIAMPO Inst. 200607270146962	
637	PAUL A. & MARILYN K. OINES Inst. 197805020009816	
638	THOMAS J. MCSWEENEY Inst. 197911290034497	
639	JAMES P. & SUE A. JABLONSKI Inst. 198403280066184	
640	DAVID & PATRICIA J. MARSOLO Inst. 198406010087502	
641	CHARLES J. & MARY M. GRIFFITH Inst. 200410260246755	

SPRING HOLLOW VILLAGE NO.2		
LOT		
45	ROBERT C. & DIANE M. SINAGRA Inst. 198509050130369	
44	JEFFERY W. & PAMELA J. CAIN Inst. 199810300277610	
43	CHARLES S. & RUTH ANNE AGIN Inst. 199609040187783	
42	DAVID L. & DONNA J. ZIMMERMAN Inst. 200106010121760	
41	WILLIAM F. & KIM E. STOCKSLAGER Inst. 200408100186448	
40	MARCELLA MAY & GORDON E. SMITH Inst. 200711010190124	
39	JAMES M. III & EMILY A. POTTER Inst. 200708030136684	
38	STEVEN D. & ANNE M. GWIN Inst. 200709100158970	

SPRING HOLLOW VILLAGE NO.3		
LOT		
37	DOMINIC P. & DAWN E. PALUMBO Inst. 201304010053058	
35	MICHAEL D. & LISA M. MASUCCI Inst. 199912290317899	
34	RAY E. MCMILLEN Inst. 199105150094595	
33	FREDERICK A. JR. & LINDA A. VIEROW Inst. 199704280081027	
32	JOSEPH C. & NANCY J. RACHETER Inst. 200706270112346	
166	MICHAEL S. MAYHUGH & LISA A. MOWERY Inst. 201212110189724	
160	JOHN L. & ELAINE M. BOYER Inst. 199407010168312	
159	JEFFERY L. & LAURIE K. GUBERNATH Inst. 200205150122149	
158	SANDRA L. MASTERSON Inst. 199706030012920	
157	DOUGLAS R. BLEGEN Inst. 200511300251435	
156	GARY W. & DONNA M. SMITH Inst. 198504170080335	
155	ANDREW A. & MICHELE E. REZIN Inst. 198404180073316	
154	ROBIN E. YOCUM Inst. 200604190073078	
153	SHANE G. WEALTI Inst. 201003090027738	
152	GARY H. BAAS TR. Inst. 201111150147718	

LEGEND

----- EXISTING CITY OF WESTERVILLE CORPORATION LINE

----- PROPOSED CITY OF WESTERVILLE CORPORATION LINE

AREA TO BE ANNEXED

Total perimeter of annexation is 10,906' of which 8,251' is contiguous with the City of Westerville by Ordinance Numbers 85-4, 81-6, 1380, 76-42, 79-47, and 09-36, giving 76% perimeter contiguity.

RECEIVED

OCT 0 2013

Franklin County Engineer
Dean C. Ringle, PE, PS.

ANNEXATION
FLAT & DESCRIPTION
ACCEPTANCE
DEAN C. RINGLE, PE, PS.
FRANKLIN COUNTY ENGINEER

By RB Date 10/7/13

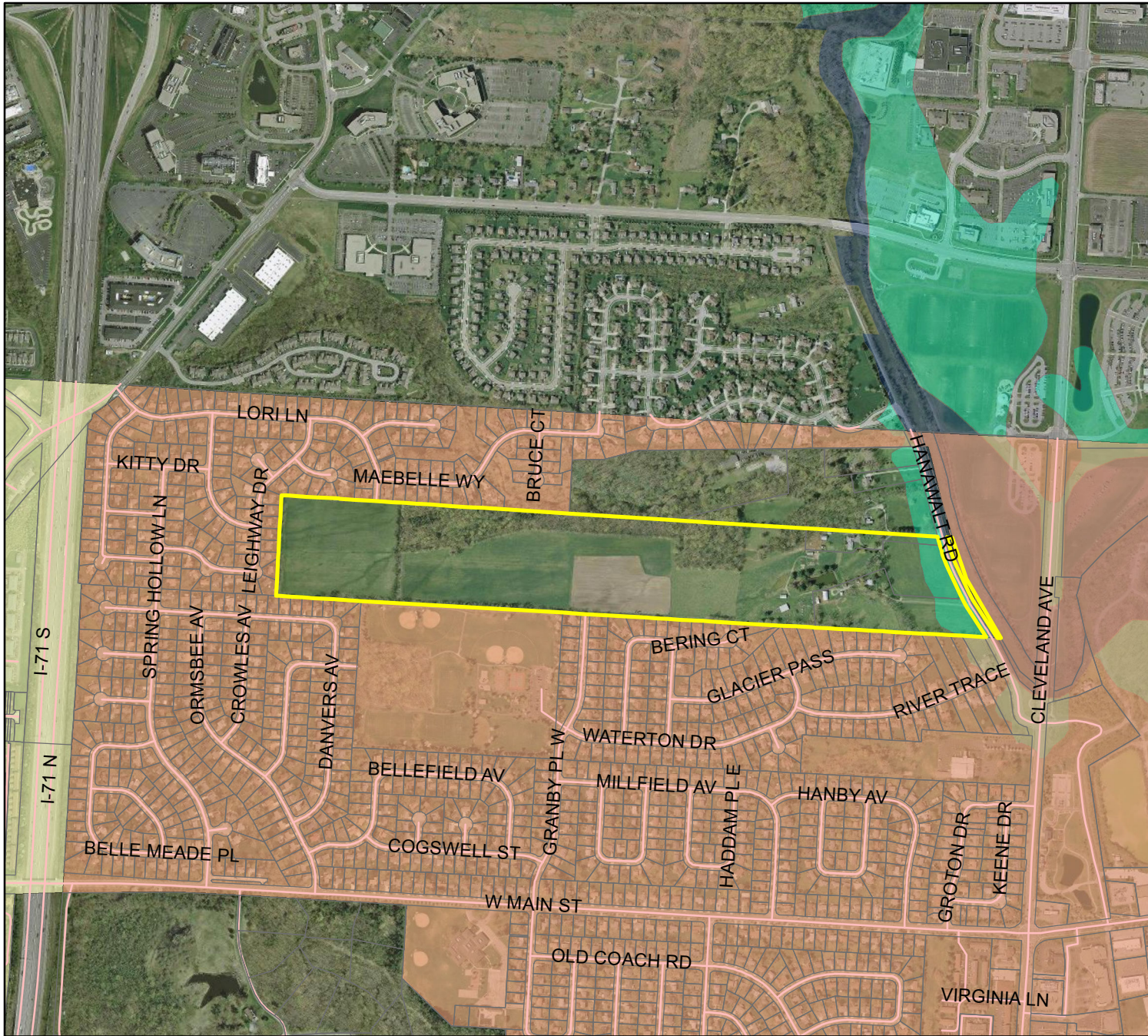
PREPARED BY
WATCON
ENGINEERING AND SURVEYING
83 SHULL AVE
COLUMBUS, OH 43230
~ PHONE ~ (614) 414-7979

ANNEX. NO. _____ ORD. NO. _____

PROPOSED ANNEXATION OF 73 +/- ACRES
TO THE
CITY OF WESTERVILLE

SHARON TOWNSHIP, FRANKLIN COUNTY, OHIO
DATE: _____ SCALE 1" = 200'

Robert W. Martin P.S. 8114 10-4-13
Date



BC-17-15

Petition for a change in boundary lines between Sharon Township and Westerville Township so as to make Westerville Township conform with the corporate limits of the City of Westerville.

73+/- acres
Sharon Township

8271-8299 Cleveland Avenue

Parcels

Streets

Corporate Boundaries

Columbus

Westerville

Franklin County Floodplain

Floodway Fringe

Floodway

Note: Boundary shown is approximate area to be annexed. See petition plat for exact area.

