

Official Record 267-1939

20190001281

B: 267 P: 1939

FILED FOR RECORD IN

HOLMES COUNTY, OH

ANITA HALL, COUNTY RECORDER

03/22/2019 03:21 PM

ANNEXATION . 144.00

PAGES: 14

IN THE MATTER OF THE ANNEXATION OF)
TERRITORY TO THE VILLAGE OF BALTIC)) FISCAL OFFICER'S CERTIFICATE
)
OHIO, BY BUCKEYE HOMESTEAD, ET AL.)
	Baltic, Ohio
	February 19, 2019

I, Rose Baxter, Fiscal Officer of the Village of Baltic, Ohio, hereby certify that the following is a true and exact copy of the proceedings for annexation of the land described in the petition for annexation as was filed with me according to law. I further certify that the Copy of Ordinance No. 19-1197 of the Village of Baltic, Ohio, entitled ACCEPTING APPLICATION FOR ANNEXATION OF TERRITORY OWNED BY ATLEE A YODER & ADA MAE YODER, MARVIN A. MILLER & MICHELE A. MILLER, AND JOSEPH N. MILLER, AND DECLARING AN EMERGENCY hereinafter set forth is a true and exact copy of said ordinance which was passed by the Council of the Village of Baltic, Ohio, on February

Rose Baxter

Fiscal Officer of the Village of Baltic



IN THE MATTER OF ANNEXATION OF PROPERTY

INTO THE VILLAGE OF BALTIC, OHIO

To: Holmes County **Commissioners**

Petition for Annexation

100% OWNERS PETITION FOR ANNEXATION (O.R.C. 709.023)

WHEREAS, the undersigned Petitioners hereby request the annexation of their properties in Clark Township into the Village of Baltic in accordance with Ohio Revised Code Section 709.02 -709.11, and specifically following the procedures of Section 709.023; and

WHEREAS, there is attached to and made a part of this Petition, a legal description of the perimeter of the territory to be annexed, and plat of the same, which is contiguous with the Village of Baltic, Ohio, labeled "Exhibit A"; and

WHEREAS, Douglas D. Frautschy, 206 E. Main St., P. O. Box 462, Sugarcreek, Ohio 44681, is the agent for the Petitioners; and

WHEREAS, all persons signing this Petition have read the following warning:

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.

WHEREAS, the petitioners have signed their names on the dates set out below:

date: 1/-/-18AdaMae Yodak date: 11-12 date: 10/19/18 mobile a Mille date: 10 18 18 Michele A. Miller Joseph N. Miller date: //-/-/8

Received
12-14-18
12-14-18
2:22pm

BALTIC ANNEXATION TRACTS TO BE ANNEXED

Atlee A. Yoder & Ada Mae Yoder #02-00664.003

1640 State Route 93 Baltic, OH 43804

Marvin A. Miller & Michele A. Miller #02-00664.005

307 N. Butler St. Baltic, OH 43804

Joseph N. Miller #02-00664.006

5969 County Road 68 Millersburg, OH 44654

CONTIGUOUS LAND OWNERS

Atlee A. Yoder & Ada Mae Yoder #32-00012.001

1640 State Route 93 Baltic, OH 43804

Matthew P. Miller #32-00012.000

1660 State Route 93 #02-00664.002

Baltic, OH 43804

Ray M. Miller Trucking, Inc. #02-00760.000

PO Box 295 Baltic, OH 43804

GMI Holdings, Inc. #32-00001.000

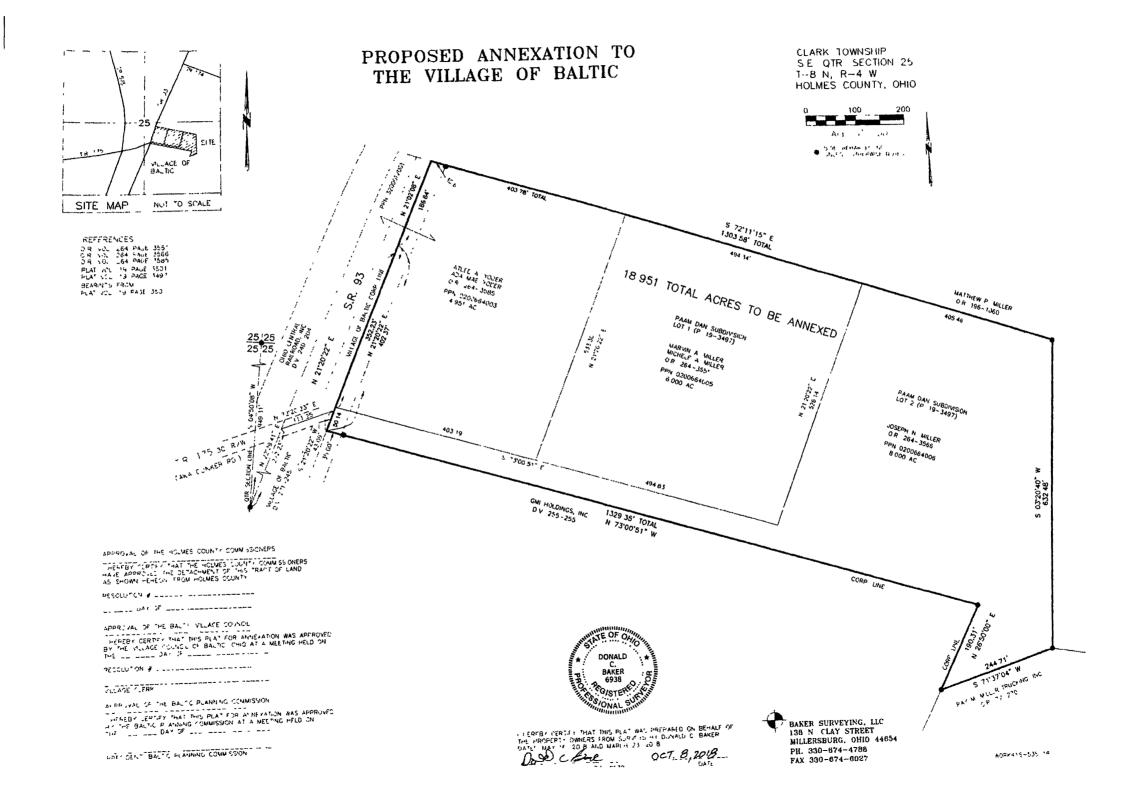
PO Box 67

Mount Hope, OH 44660

Village of Baltic #32-00013.000

102 W. Main St. Baltic, OH 43804





Description for land to be petitioned for Annexation to the Village of Baltic, Ohio.

Being a part of the southeast quarter of Section 25, Clark Township, T-8 N, R-4 W, Holmes County, Ohio.

Described as follows:

Commencing at a 5/8 inch rebar found marking the northwest corner of the southeast quarter of Section 25, thence S 04 degrees 50' 08" W 949.31 feet along the quarter section line to a 5/8 inch rebar found, thence N 22 degrees 29' 41" E 272.23 feet along Village of Baltic's (Deed vol. 271 page 245) west line to a point in the center of T.R. 175 (aka Dunker Rd.), thence N 72 degrees 20' 23" E 111.25 feet along said Village of Baltic's north line to a point in the center of S.R. 93, thence S 21 degrees 20' 22" W 43.09 feet along said Village of Baltic's east line and along the centerline of S.R. 93 to a point the TRUE POINT OF BEGINNING, witnessed by a 5/8 inch rebar found S 73 degrees 00' 51" E 35.00 feet.

thence with the following SEVEN (7) COURSES:

- 1) N 21 degrees 20' 22" E 402.37 feet along the centerline of S.R. 93 and along the Village of Baltic corporation line to a point;
- 2) N 21 degrees 02' 08" E 186.84 feet along the centerline of S.R. 93 and along said corp. line to a point, witnessed by a 5/8 inch rebar found S 72 degrees 11' 15" E 30.61 feet;
- 3) S 72 degrees 11' 15" E 1303.58 feet along Matthew P. Miller's (O.R. vol. 196 page 1060) south line to a 5/8 inch rebar found;
- 4) S 03 degrees 20' 40" W 632.48 feet along said Miller' southerly line to a 5/8 inch rebar found on Ray M. Miller Trucking, Inc.'s (O.R. vol. 77 page 270) north line;
- 5) S 71 degrees 37' 04" W 244.71 feet along said Ray M. Miller Trucking, Inc.'s north line to a 5/8 inch rebar found on the Village of Baltic corp. line and on GMI Holdings, Inc.'s (Deed vol. 255 page 255) east line;
- 6) N 26 degrees 50' 00" E 190.31 feet along said corp. line and along said GMI Holdings, Inc.'s east line to a 5/8 inch rebar found;
- 7) N 73 degrees 00' 51" W 1329.35 feet along said corp. line and along said GMI Holdings, Inc.'s north line to the TRUE POINT OF BEGINNING.

This proposed annexation contains 18.951 acres, but subject to all highways and easements of record.

Being all of a 4.951 acre tract conveyed to Atlee A. Yoder and Ada Mae Yoder in O.R. vol. 264 page 3585 (PPN 0200664003), and being all of a 6.000 acre tract (Lot 1 of Paam Dan Subdivision, P. 19-3497) conveyed to Marvin A. Miller and Michele A. Miller in O.R. vol. 264 page 3551 (PPN 0200664005), and being all of a 8.000 acre tract (Lot 2 of Paam Dan Subdivision, P. 19-3497) conveyed to Joseph N. Miller in O.R. vol. 264 page 3566 (PPN 0200664006).

Bearings from Plat vol. 19 page 3501.

See Holmes County Plat Book	19	, page 570 [for survey
This description prepared by Dor	iald C.	Baker, P.S. 6938.	
September 26, 2018			

Donald C. Baker

Donald C. Baker

Donald C. Baker

Donald C. Baker

P.S. 6938

DATE March 22 a AUDITOR Jackie M

3/21/2019,
3/21/2019,
Flat flequends

192,

EXHIBIT

Parcel	Property Owner	Tax Mailing Address	Permanent Parcel Number	Number of Acres	Deed Reference
	Atlee A. Yoder & Ada Mae Yoder	1640 SR 93, Baltic, OH 43804	02-00664.003	4.951	ORV 264, Page 3585
	Marvin A. Miller & Michele A. Miller	307 N. Butler St., Baltic, OH 43804	02-00664.005	6.0	ORV 264, Page 3551
	Joseph N. Miller	5969 CR 68, Millersburg, OH 44654	02-00664.006	8.0	ORV 264, Page 3566
				,	

Pg 6 of 14

Holmes County, OH Inst # 201900001281 Pg

212

AFFIDAVIT

STATE OF OHIO)
	(SS
COUNTY OF TUSCARAWAS)

DOUGLAS D. FRAUTSCHY, of 206 E. Main St., Sugarcreek, OH 44681, being duly sworn, deposes and says the following:

- That I am the agent for petitioners Atlee A Yoder & Ada Mae Yoder, Marvin A. Miller & Michele A. Miller, and Joseph N. Miller in the annexation of their properties in Clark Township into the Village of Baltic in accordance with Ohio Revised Code Section 709.02 709.11, and specifically following the procedures of Section 709.023; and
- That on December <u>17</u>, 2018, I mailed notice of the annexation by certified mail, return receipt to Cheryl Marie Aleshire, Fiscal Officer of Clark Township, 3746 Township Road 162, Sugarcreek, OH 44681; and Rose Baxter, Fiscal Officer of the Village of Baltic, Ohio, 102 W Main St., Baltic, OH 43804;
- That on December <u>17</u>, 2018, I mailed notice of the annexation by first class US mail to the following contiguous landowners:

Atlee A Yoder & Ada Mae Yoder 1640 State Route 93 Baltic, OH 43804

Matthew P. Miller 1660 State Route 93 Baltic, OH 43804

Ray M. Miller Trucking, Inc. PO Box 295
Baltic, OH 43804

GMI Holdings, Inc. PO Box 67 Mount Hope, OH 44660

Village of Baltic, 102 W. Main St. Baltic, OH 43804

Further, Affiant sayeth naught.

Douglas D. Frautschy

Sworn to and subscribed in my presence this _____ day of December, 2018.



LAURA ANN BEITZEL NOTARY PUBLIC STATE OF OHIO Comm. Expires June 16, 2020

IN THE MATTER OF THE ANNEXATION)
OF TERRITORY TO THE VILLAGE OF) NOTICE OF FILING
BALTIC, OHIO) ANNEXATION PETITION

To the Clerk or Fiscal Officer of Clark Township, Ohio:

You will hereby take notice that Atlee A Yoder & Ada Mae Yoder, Marvin A. Miller & Michele A. Miller, and Joseph N. Miller as petitioners seeking the annexation of certain territory located in the Township of Clark, County of Holmes and State of Ohio, filed a petition for the annexation of such territory in the office of the Board of County Commissioners of Holmes County, Ohio, on the 14th day of December, 2018.

A copy of the petition containing a full description of the territory sought to be annexed is

This notice is given by the undersigned agent of such petitioner pursuant to Section 709.023, Ohio Revised Code.

> Douglas D. Frautschy, Agent for Petitioners

Received this 21 day of December, 2018.

Cheryl Marie Aleshire, F.O. Cheryl Marie Aleshire, Fiscal Officer

IN THE MATTER OF THE ANNEXATION)	
OF TERRITORY TO THE VILLAGE OF)	NOTICE OF FILING
BALTIC, OHIO)	ANNEXATION PETITION

To the Clerk or Fiscal Officer of The Village of Baltic, Ohio:

You will hereby take notice that Atlee A Yoder & Ada Mae Yoder, Marvin A. Miller & Michele A. Miller, and Joseph N. Miller as petitioners seeking the annexation to the Village of Baltic, Ohio, of certain territory located in the Township of Clark, County of Holmes, and State of Ohio, filed a petition for the annexation of such territory in the office of the Board of County Commissioners of Holmes County, Ohio, on the 14th day of December, 2018.

A copy of the petition containing a full description of the territory sought to be annexed is attached.

This notice is given by the undersigned agent of such petitioner pursuant to Section 709.023, Ohio Revised Code.

> Douglas D. Frautschy, Agent for Petitioners

day of December, 2018.

RECORD OF ORDINANCES

VERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 30043		
Ordinance No. 18-1174	Passed DlUmber 19	32018

RESOLUTION ADOPTING A STATEMENT OF SERVICES TO BE PROVIDED TO THE TERRITORY PROPOSED FOR ANNEXATION TO THE VILLAGE OF BALTIC IN THE PETITION OF ATLEE A. YODER & ADA MAE YODER, MARVIN A. MILLER & MICHELE A. MILLER, AND JOSEPH N. MILLER FILED WITH THE BOARD OF COUNTY COMMISSIONERS OF HOLMES COUNTY, OHIO.

WHEREAS, the Fiscal Officer of the Village of Baltic, Ohio, received notice from the agent for the petitioners that Atlee A. Yoder & Ada Mae Yoder, Marvin A. Miller & Michele A. Miller, and Joseph N. Miller have filed a Petition for Annexation under R.C. 709.023 for the annexation of 18.951 acres, more or less, to the Village of Baltic, Ohio; and

WHEREAS, Section 709.023 of the Revised Code of Ohio requires the legislative authority following the receipt of notice of a proposed annexation to adopt a statement indicating what services it will provide to the territory proposed to be annexed;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BALTIC, OHIO, AS FOLLOWS:

SECTION 1. The following municipal services will be provided to the territory proposed to be annexed by Atlee A Yoder & Ada Mae Yoder, Marvin A. Miller & Michele A. Miller, and Joseph N. Miller:

- A. Water and sewer services in accordance with the established policies now in effect with the existing corporation limits, as soon as petitioners comply with Village requirements for these services;
- B. Fire protection, as soon as the annexation takes effect.
- C. Police protection, as soon as the annexation takes effect.
- D. The territory to be annexed borders State Route 93 and no other maintained county or township road. The Village will maintain both sides of State Route 93 bordering the territory to be annexed in the same manner as it maintains other portions of State Route 93 within the Village.
- E. Zoning protection, upon completion of the procedure to assign a zoning designation to the territory. The territory to be annexed is not currently zoned by the township or county.
- F. All other municipal services, if any, presently provided to the citizens, inhabitants and firms within the Village as may be appropriate in the area proposed for annexation.

SECTION 2. This resolution shall take effect and be in force at the earliest period allowed by law.

Passed: 1) Climber 18, 2018

ATTEST: Why Mills

Fiscal Officer of the Village of Baltic, Chio, hereby certify that the foregoing is a true correct copy of Resolution 18-1174, passed by Council December 18, 2018.

Link W. W. Linker of the Village of Baltic, Chio, hereby certify that the foregoing is a true correct copy of Resolution 18-1174, passed by Council December 18, 2018.



HOLMES COUNTY COMMISSIONERS

2 COURT STREET, SUITE 14 MILLERSBURG, OHIO 44654-2001 PHONE (330) 674-0286 FAX (330) 674-0566 E-MAIL: HCC@CO.HOLMES.OH.US



Resolution for Annexation

Resolution # 01-24-19-2

A RESOLUTION APPROVING AN ANNEXATION INTO THE VILLAGE OF BALTIC

WHEREAS, Atlee A. Yoder & Ada Mae Yoder, Marvin A. Miller & Michele A. Miller, and Joseph N. Miller (the "Owners") are the sole owners of 18.951 total acres. 18.951 acres per boundary survey dated October 08, 2018 (the "Property") located in Clark Township, Holmes County, Ohio accurately depicted and described on the attached exhibits; and

WHEREAS, they have filed a Petition with this Board requesting said property be annexed into the Village of Baltic; and

WHEREAS, said Petition contains the signatures of 100% of the owners of said property who consent to the annexation and includes in bold face type a warning that the Owners have waived their right to appeal any action taken by the County Commissioners on said Petition; and

WHEREAS, said Petition is accompanied by a valid certified copy of the Annexation Agreement as described in Revised Code Section 709.192, signed by the Owners, the Clark Township Trustees and the Village of Baltic; and

WHEREAS, Revised Code Section 709.022 provides that given all of the above, the Holmes County Commissioners at its next regularly scheduled meeting after receipt of this Petition, must enter a Resolution granting annexation without hearing;

THEREFORE, BE IT RESOLVED that the Holmes County Commissioners approve the annexation of the Property into the Village of Baltic

Mr. Miller moved for adoption of the preceding Resolution. Mr. Houlf seconded the motion. Upon roll call the vote was as follows:

Raymond Eyler / Charpfully (yes/no

Joe D. Miller (yes) no

Rob Ault Kefne Vesting

The below signed Clerk to the Board hereby certifies that the preceding Resolution is a true and exact copy of a Resolution adopted during the regular business meeting of January 24, 2019 and recorded in Commissioners Journal 50 under that date.

Susan L. Schie, Clerk to the Board Holmes County Board of Commissioners

RECORD OF ORDINANCES

VERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO 30043		
Ordinance No. 19-1197	Passed Feb. 19	, 20 19

ACCEPTING APPLICATION FOR ANNEXATION OF TERRITORY OWNED BY ATLEE A. YODER & ADA MAE YODER, MARVIN A. MILLER & MICHELE A. MILLER, AND JOSEPH N. MILLER, AND DECLARING AN EMERGENCY

WHEREAS, application has been made by Atlee A Yoder & Ada Mae Yoder, Marvin A. Miller & Michele A. Miller, and Joseph N. Miller for Annexation under R.C. 709.023 for 18.951 acres, more or less, to the Village of Baltic, Ohio; and

WHEREAS, Atlee A Yoder & Ada Mae Yoder, Marvin A. Miller & Michele A. Miller, and Joseph N. Miller have met all requirements of the County Commissioners and the Ohio Revised Code for annexation;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BALTIC, OHIO, AS FOLLOWS:

SECTION 1. That the Village of Baltic has accepted the following described territory into the Village:

Being a part of the southeast quarter of Section 25, Clark Township, T-8 N, R-4 W, Holmes County, Ohio.

Described as follows:

Commencing at a 5/8 inch rebar found marking the northwest corner of the southeast quarter of Section 25, thence S 04 degrees 50' 08" W 949.31 feet along the quarter section line to a 5/8 inch rebar found, thence N 22 degrees 29' 41" E 272.23 feet along Village of Baltic's (Deed vol. 271 page 245) west line to a point in the center of T.R. 175 (aka Dunker Rd.), thence N 72 degrees 20' 23" E 111.25 feet along said Village of Baltic's north line to a point in the center of S.R. 93, thence S 21 degrees 20' 22" W 43.09 feet along said Village of Baltic's east line and along the centerline of S.R. 93 to a point the TRUE POINT OF BEGINNING, witnessed by a 5/8 inch rebar found S 73 degrees 00' 51" E 35.00 feet.

thence with the following SEVEN (7) COURSES:

- 1) N 21 degrees 20' 22" E 402.37 feet along the centerline of S.R. 93 and along the Village of Baltic corporation line to a point;
- 2) N 21 degrees 02' 08" E 186.84 feet along the centerline of S.R. 93 and along said corp. line to a point, witnessed by a 5/8 inch rebar found S 72 degrees 11' 15" E 30.61 feet;
- 3) S 72 degrees 11' 15" E 1303.58 feet along Matthew P. Miller's (O.R. vol. 196 page 1060) south line to a 5/8 inch rebar found;
- 4) S 03 degrees 20' 40" W 632.48 feet along said Miller' southerly line to a 5/8 inch rebar found on Ray M. Miller Trucking, Inc.'s (O.R. vol. 77 page 270) north line;
- 5) S 71 degrees 37' 04" W 244.71 feet along said Ray M. Miller Trucking, Inc.'s north line to a 5/8 inch rebar found on the Village of Baltic corp. line and on GMI Holdings, Inc.'s (Deed vol. 255 page 255) east line;
- 6) N 26 degrees 50' 00" E 190.31 feet along said corp. line and along said GMI Holdings, Inc.'s east line to a 5/8 inch rebar found;
- 7) N 73 degrees 00' 51" W 1329.35 feet along said corp. line and along said GMI Holdings, Inc.'s north line to the TRUE POINT OF BEGINNING.

RECORD OF ORDINANCES

		Passed	, 20
		1 usseu	, 20
of record. Being all of a 4	.951 acre tract convey	8.951 acres, but subject to all red to Atlee A. Yoder and Ada and being all of a 6.000 acre to	Mae Yoder in O.R. vo
Subdivision, P. 264 page 3551	19-3497) conveyed to (PPN 0200664005),	o Marvin A. Miller and Miche and being all of a 8.000 acre t to Joseph N. Miller in O.R. v	ele A. Miller in O.R. vo ract (Lot 2 of Paam Da
Bearings from	Plat vol. 19 page 350	1.	
See Holmes Co	ounty Plat Book <u> </u>	, page 3701 for survey.	
This descriptio September 26,		l C. Baker, P.S. 6938.	
SECTION 2. County, Ohio, and Elections as requir	certified copies o with the Secretary of	fficer is hereby authorized an f these proceedings with the I the State of Ohio, and notify	Recorder of Holmes
SECTION 3.	necessary for the inhabitants of the Vi	s hereby declared to be an em preservation of the peace, her lage of Baltic, for the reason	alth, safety and welfare
adopt this Ordinan	e and effect upon pas	sage, provided it meets with t	
adopt this Ordinan will be in full force	e and effect upon passers of Council.		