



# ORDINANCE 2022-01

## OF THE VILLAGE OF ASHVILLE



AN ORDINANCE TO ACCEPT THE CLIFTON BROTHERS LAND LLC, LANDOWNERS (HEREINAFTER REFERRED TO AS "LANDOWNER") AND LARRY & SCOTT WILLS (HEREINAFTER THE "DEVELOPER") APPLICATION FOR ANNEXATION BY THE LANDOWNER AND DEVELOPER, ET ALL FOR ANNEXATION OF CERTAIN TERRITORY CONTAINING 21.419 +/- ACRES IN THE HARRISON TOWNSHIP, COUNTY OF PICKAWAY, STATE OF OHIO TO THE VILLAGE OF ASHVILLE AND DECLARING AN EMERGENCY.

WHEREAS, a petition for annexation of certain property in Harrison Township was duly filed by The Landowner and Developer, et al on September 21, 2021 with Commissioners of Pickaway County and approved by the County Commissioners on October 26, 2021 as an Expedited Type II Annexation § ORC 709.023, **Exhibit A**.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ASHVILLE, PICKAWAY COUNTY, STATE OF OHIO THAT:

### SECTION ONE

The Village of Ashville accepts the annexation of the territory described in the Petition by owner of Real Estate in Territory Proposed for Annexation to the Village of Ashville. To: The Board of Commissioners of Pickaway County, **Exhibit B**.

### SECTION TWO

That the Village Clerk is hereby authorized and directed to make three copies of this Ordinance, to each of which shall be attached a copy of the petition, the plat or map accompanying the petition for annexation as an Apartment Residential District (AR) under Ashville's Codified Ordinance, Chapter 1143, a copy of the petition, the plat map of map accompanying the petition for annexation, a copy of the transcript of the proceedings of the Board of County Commissioners relating to thereto, and a certificate to the correctness thereof. The Clerk shall then forthwith delivery one copy to the County Auditor, one copy the County Recorder and one copy to the Secretary of State, and shall file notice of this annexation with the Board of Elections after it becomes effective, and the Clerk shall do all other things required by law.

### SECTION THREE

That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the Village and its inhabitants for the reason that there exists an imperative necessity for the earliest passage of this Ordinance to meet the obligations of the Village and will go into effect immediately upon its passage by Council.

Offered by: Nelson R. Embrey

Seconded to the Motion Offered by: Matt Scholl

Upon roll call on the adoption of the ordinance, the vote was as follow:

Roger L. Clark Yes  No  Nelson R. Embrey Yes  No  Randy S. Loveless Yes  No  R. David Rainey Yes  No  Matt Scholl Yes  No  Steve Welsh Yes  No

PASSED THIS 24<sup>th</sup> DAY OF JANUARY, 2022

ATTEST:

April D. Grube, Clerk-Fiscal Officer

DATE: 1/28/2022

APPROVED:

Charles K. Wise, Mayor

DATE: 28 JAN 2022

Prepared: 11/08/2021

Revised Date:

Review Date:

### CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify, that the foregoing is a true and correct copy of the ordinance adopted by the Village of Ashville Council held on 24<sup>th</sup> day of January 2022, and that I am duly authorized to execute this certificate.



Clerk-Fiscal Officer

(Original signature of April D. Grube)

(TITLE)

Commissioners:  
Jay H. Wippel  
Harold R. Henson  
Brian S. Stewart

Administrator:  
April Dengler  
Clerk:  
Angela Karr



*Pickaway County*  
**Board of County Commissioners**  
139 West Franklin Street  
Circleville, Ohio 43113  
Telephone: 740-474-6093 FAX: 740-474-8988  
1-800-472-6093  
www.pickaway.org



Date: November 4, 2021

To: - Philip Hartman/Jesse J. Shamp, Agent for Petitioner, Frost Brown Todd, 10 W. Broad Street, Suite 2300, Columbus, Ohio 43215  
-Village of Ashville, P.O. Box 195, Ashville, Ohio 43103  
-Harrison Township Trustees, P.O. Box 22, Ashville, Ohio 4303  
-Tim McGinnis, Pickaway County Development & Planning Director  
-Chris Mullins, Pickaway County Engineer

Re: **Resolution of Annexation Petition – Clifton Brothers Land LLC, for Annexation of 21.419 +/- ac. of Harrison Township into Village of Ashville**

Please feel free to contact me with any questions you may have in this regard.

If you should have any questions, please contact Angela Karr, Clerk, at 740-477-3649 (Direct) or by email at [akarr@pickawaycountyohio.gov](mailto:akarr@pickawaycountyohio.gov).

Sincerely,

Angela Karr  
Clerk

**WHEREAS**, the petition contains the signatures of all of the property owners in the territory to be annexed; and,

**WHEREAS**, the territory to be annexed does not exceed 500 acres; and,

**WHEREAS**, the territory to be annexed share a common boundary with the municipality for a continuous length of at least 5% of the perimeter of the territory to be annexed; and,

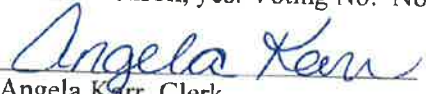
**WHEREAS**, the annexation will not create an unincorporated area of the township that is completely surrounded by the territory to be annexed; and,

**WHEREAS**, the Village of Ashville Council adopted Resolution 15-2021 on October 18, 2021 that was received by the Pickaway County Board of Commissioners' office on October 26, 2021, adopting the statement of municipal services it will provide to the territory to be annexed; and,

**WHEREAS**, no street or highway will be divided by the boundary between the municipality and township so as to create a road maintenance problem; then,

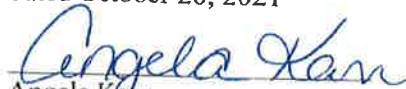
**THEREFORE BE IT RESOLVED**, that the Pickaway County Board of Commissioners hereby approves the Expedited Type 2 Annexation of 21.419 +/- acres of Harrison Township into the Village of Ashville, Pickaway County, Ohio, filed by Philip K. Hartmann, Frost Brown Todd Attorneys, the agent for the petitioner, Ronald L. Clifton, owner of Clifton Brothers Land, LLC.

Voting on the motion was as follows: Commissioner Stewart, yes; Commissioner Wippel, yes; Commissioner Henson, yes. Voting No: None. Motion carried.

Attest:   
Angela Karr, Clerk

*~Certification~*

I, Angela Karr, Clerk to the Pickaway County Board of Commissioners, hereby certify that this is a true and accurate record of the proceedings of the board and may be found in Journal #66, pages dated October 26, 2021

  
Angela Karr

Pickaway County Commissioners  
139 W Franklin St  
Circleville OH 43113

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USPS CERTIFIED MAIL



9214 8901 9403 8358 3507 98

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VILLAGE OF ASHVILLE  
PO BOX 195  
ASHVILLE OH 43103-0195

ifton Brothers Land LLC

Commissioners:  
Jay H. Wippel  
Harold R. Henson  
Brian S. Stewart



Administrator:  
April Dengler  
Clerk:  
Angela Karr

*Pickaway County*  
**Board of County Commissioners**  
139 West Franklin Street  
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Telephone: 740-474-6093 FAX: 740-474-5988  
1-800-472-6093  
www.pickaway.org

Date: October 1, 2021

To: - Philip K. Hartmann, Agent for Petitioner, Frost Brown Todd Attorneys, 10 West Broad Street, Suite 2300, Columbus, Ohio 43215  
-Village of Ashville, Franklin Christman, P.O. Box 195, Ashville, Ohio 43103  
-Harrison Township Trustees, P.O. Box 22, Ashville, Ohio 4303  
-Tim McGinnis, Pickaway County Development & Planning Director  
-Chris Mullins, Pickaway County Engineer

From: Pickaway County Commissioners

Re: Hearing scheduled for: **Expedited Type 2 Annexation Petition – Ronald L. Clifton, Clifton Brothers Land LLC. for Annexation of 21.419 +/- ac. of Harrison Township into Village of Ashville**

Please let this serve as notice that the Hearing related to the above-noted annexation petition that was filed in the Pickaway County Commissioners' Office on March 4, 2019 is scheduled for:

**Tuesday, October 26, 2021**  
**10:30 a.m.**  
**Pickaway County Commissioners' Office**  
**139 W. Franklin Street**  
**Circleville, Ohio 43113**

If you should have any questions, please contact Angela Karr, Clerk, at 740-477-3649 (Direct) or by email at [akarr@pickawaycountyohio.gov](mailto:akarr@pickawaycountyohio.gov).

Sincerely,

Angela Karr  
Clerk

Enclosure (*excerpt, petition, maps, legal description and adjacent parcel owner list*)

25 P 21 3:35P

**EXPEDITED TYPE II PETITION FOR ANNEXATION (SECTION 709.023)  
TO THE VILLAGE OF ASHVILLE OF 21.419 ACRES, MORE OR LESS,  
FROM HARRISON TOWNSHIP, PICKAWAY COUNTY**

*TO THE BOARD OF COUNTY COMMISSIONERS  
OF PICKAWAY COUNTY, OHIO*

The undersigned, petitioners in the premises, and being THE SOLE OWNERS OF REAL ESTATE in the territory described, consisting of 21.419 acres, more or less, with a total length of the annexation perimeter of 4066.35 feet, more or less, in the Township of Harrison, which area is contiguous along 2282.95 feet, more or less, such that approximately 56.1% of the perimeter of the area is contiguous to the Village of Ashville, do hereby pray that said territory be annexed to the Village of Ashville, according to the statutes of the State of Ohio and that no island of unincorporated area will be created by this annexation.

A full and accurate description and a plat of said territory so prayed to be annexed are attached hereto as Exhibit "A" and "B" and made part hereof.

In support of said Petition, the petitioner states that there are within the territory so prayed to be annexed ONE (1) OWNER OF REAL ESTATE.

Philip K. Hartmann, whose address is 10 West Broad Street, Suite 2300, Columbus, Ohio 43215, is hereby appointed Agent for the undersigned petitioners as required by Ohio Revised Code section 709.02(C)(3). Said agent is hereby authorized to make any amendment and/or deletion which in his absolute and complete discretion is necessary or proper under the circumstances then existing, and in particular to make such amendment in order to correct any discrepancy or mistake noted by the PICKAWAY County Engineer in his examination of an amended plat and description to the Board of Pickaway County Commissioners on, before, or after the date set for hearing on this Petition.

**"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."**

21SEP21 3:35P

**PARCEL D1200010014700 (FULL PARCEL – 21.419 ACRES)**

**NAME**

**DATE**

  
 Ronald L. Clifton on behalf of  
 Clifton Brothers Land LLC

9-14-21

Clifton Brothers Annexation	Physical Address	Property Owner	Mailing Address
<b>Property to be Annexed</b>			
D1200010014700	0 State Route 52, Ashville, Ohio 43103	Clifton Brothers Land LLC	P O Box 5, Ashville, Ohio 43103
<b>Adjacent Parcels</b>			
D1300100007200	3219 State Route 752, Ashville, Ohio 43103	The Village of Ashville	P O Box 195, Ashville, Ohio 43103
<b>Across State Route 752 From Property (West to East)</b>			
D1200010013600	3134 State Route 752, Ashville, Ohio 43103	Kimberly K. Welch	9560 Meiswander Road, Ashville, Ohio 43103
D1200010013501	3188 State Route 752, Ashville, Ohio 43103	Martha M. Seccrest	P O Box 143, Ashville, Ohio 43103
D1200010013500	3220 State Route 752, Ashville, Ohio 43103	Gustave H. and Dawn Peterson	8220 State Route 752, Ashville, Ohio 43103
<b>Across Railroad Tracks to West (North to South)</b>			
D1300270004203	0 Commerce Court, Ashville, Ohio 43103	Prairie Acres LLC	184 West Main Street, Ashville, Ohio 43103
D1300270004204	102 Commerce Court, Ashville, Ohio 43103	RK Information Services, LLC	11437 Matville Road, Orient, Ohio 43146
D1300270004205	0 Commerce Court, Ashville, Ohio 43103	Prairie Acres LLC	184 West Main Street, Ashville, Ohio 43103
D1300050111201	3005 State Route 752, Ashville, Ohio 43103	Prairie Acres LLC	184 West Main Street, Ashville, Ohio 43103

ORDINANCE 2022-01

ANNEXATION DESCRIPTION ~ 21.419 ACRES

Situated in the State of Ohio, County of Pickaway, Township of Harrison, and being part of Section 12, Township 2, Range 22, and being all of that 21.419 acre tract of land (Parcel # D12-0-001-00-147-00) conveyed to Clifton Brothers Land L.L.C., of record in Official Record 775, Page 1149 (all references used in this description refer to the records of the Recorder's Office, Pickaway County, Ohio), said 21.419 acre tract being more particularly described as follows:

Beginning at a 5/8 inch rebar found at a northwesterly corner of that 11.268 tract of land conveyed to the Village of Ashville, of record in Official Record 694, Page 977, and annexed into the Village of Ashville by Ordinance No. 2015-09, and shown for record in Official Record 721, Page 1151, also being in the easterly line of the CSXT Railroad;

Thence with the easterly line of said CSXT Railroad, North 4°29'28" West, passing an iron pipe set at 746.28 feet, a total distance of 806.28 feet to a pk nail set in the centerline of State Route 752;

Thence with the centerline of said State Route 752, the following three courses:

- 1) Suth 89°11'34" East, a distance of 156.51 feet to a pk nail set;
- 2) Along the arc of a curve to the right having a radius of 25000.00 feet, a central angle of 1°42'39", an arc length of 746.46 feet, and the chord of which bears South 88°20'14" East, a chord distance of 746.43 feet to a pk nail set;
- 3) South 87°28'55" East, a distance of 64.59 feet to a pk nail set at a northwesterly corner of said 11.268 acre Village of Ashville tract, also being an angle point in the existing Village of Ashville Corporation Line;

Thence with westerly and northerly lines of said 11.268 acre Village of Ashville tract, also with the existing Village of Ashville Corporation Line, the following six courses:

- 1) South 28°56'14" East, passing over a 5/8 inch rebar found at 23.42 feet, a total distance of 52.61 feet to a 5/8 inch rebar found;
- 2) South 2°31'05" West, a distance of 155.12 feet to a 5/8 inch rebar found;
- 3) South 87°28'55" East, a distance of 94.89 feet to a 5/8 inch rebar found;
- 4) South 24°41'17" East, a distance of 188.43 feet to an iron pipe set;
- 5) Along the arc of a curve to the right having a radius of 2715.00 feet, a central angle of 10°50'10", an arc length of 513.48 feet, and the chord of which bears South 20°42'29" East, a chord distance of 512.71 feet to a 5/8 inch rebar found;
- 6) North 86°28'02" West, a distance of 1279.87 feet to the point of beginning, and containing 21.419 acres of land, more or less.

Subject to all restrictions, easements, and rights of way of previous record or otherwise legally established.

Basis of Bearings: The centerline of State Route 752 was assigned a bearing of South 87°28'55" East as described for record in Official Record 775, Page 1149, Recorder's Office, Pickaway County, Ohio.

All iron pipes set are 3/4 inch inside diameter by 30 inches in length with an orange plastic cap marked "Geo Graphics".

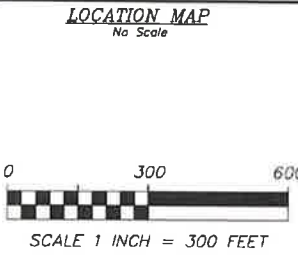
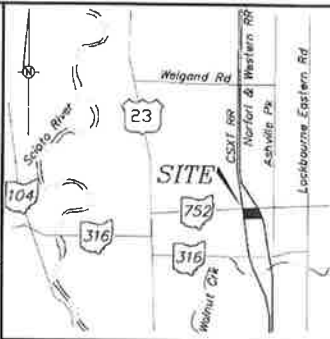
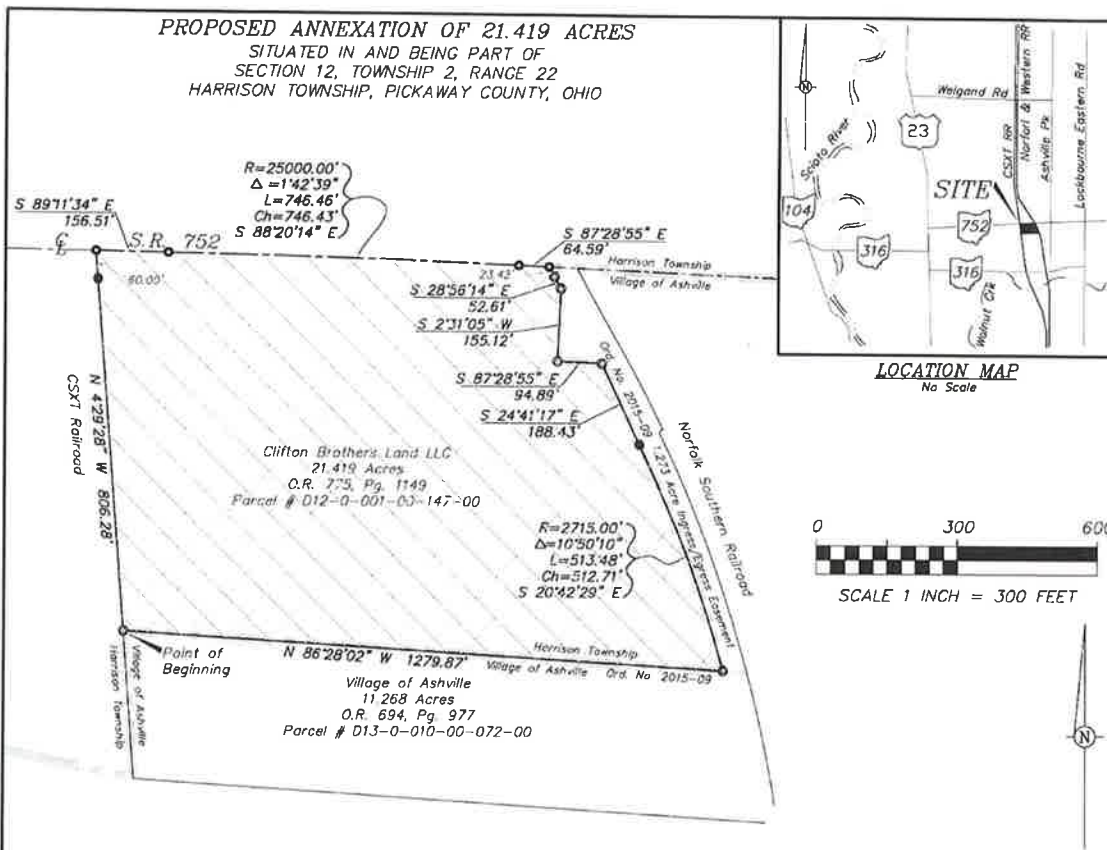
Annexation description prepared by Kevin Beechy, Ohio Professional Surveyor No. 7891, of Geo Graphics, Inc., and is based upon existing deed records and a survey of the subject 21.419 acre tract performed in December 2021.

*Kevin Beechy 12/22/21*  
Kevin Beechy Date  
Ohio Professional Surveyor No. 7891



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**PROPOSED ANNEXATION**  
**CLIFTON BROTHERS LAND LLC**  
 TO THE  
**VILLAGE OF ASHVILLE**  
 FROM  
**HARRISON TWP. PICKAWAY COUNTY 21.419 ACRES**  
 DATE \_\_\_\_\_ SCALE 1"=300'

**NOTES**  
 Basis of Bearings: The centerline of State Route 752 was assigned a bearing of South 87°28'55" East as described for record in Official Record 775, Page 1149, Recorder's Office, Pickaway County, Ohio.  
 All iron pipes set are 3/4 inch inside diameter by 30 inches in length with an orange plastic cap marked "Geo Graphics".  
 Annexation description prepared by Kevin Beechy, Ohio Professional Surveyor No. 7891, of Geo Graphics, Inc., and is based upon existing deed records and survey of the subject 21.419 acre tract performed in December 2021.  
 All linear dimensions shown are in feet or decimal parts thereof.  
 REFERENCES: As shown on the drawing.  
 Contiguity Note:  
 Total perimeter of annexation area is 4058 feet, of which 2284 feet are contiguous with the Village of Ashville by Ordinance Number 2015-09, giving 56% contiguity.

Current Owner:	Clifton Brothers Land LLC
Total Tract:	21.419 Acres
To Be Annexed:	21.419 Acres
Left in Township:	0.000 Acre
Parcel #:	D12-0-001-00-147-00

**LEGEND**

- ● 3/4" Iron Pipe Fd/Set
- ● PK Nail Fd/Set
- ▲ ▲ Railroad Spike Fd/Set
- ● 5/8" Rebar Fd/Set
- Existing Ashville Corp. Line
- Area to be Annexed (21.419 Acres)



Prepared by:  
*Kevin Beechy* 12/22/21  
 Kevin Beechy  
 Ohio Professional Surveyor No. 7891  
**Geo-Graphics Inc.**  
**Land Surveying & Civil Engineering**  
 3331 Livingston Avenue Columbus, Ohio 43227  
 Phone: 614-231-2016 Fax: 614-231-2018

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