



RESOLUTION 20-2022 OF THE VILLAGE OF ASHVILLE



A RESOLUTION ADOPTING A STATEMENT OF SERVICES AND A STATEMENT REGARDING POSSIBLE INCOMPATIBLE LAND USES AND ZONING BUFFER FOR A PROPOSED ANNEXATION OF ±55.9126 ACRES OF PARCEL NUMBER D1200010007400 FROM HARRISON TOWNSHIP TO THE VILLAGE OF ASHVILLE AND DECLARING AN EMERGENCY.

WHEREAS, a petition for an Expedited II method of annexation of ±55.9126 acres shown and described in the attached Exhibits and being Parcel No. D1200010007400 ("Annexation Area") from Harrison Township to the Village of Ashville was filed with the Board of County Commissioners of Pickaway, Ohio on November 2, 2022 by Catherine A. Cunningham, agent for Petitioners Barbara Ann Hedges Arthurs and Joseph Benton Hedges; and

WHEREAS, R.C. 709.023(C) requires that, within twenty days of an annexation petition being filed, the municipal authority shall adopt a statement of services indicating which services the municipal corporation will provide to the territory proposed for annexation and an approximate date by which it will provide services to the territory upon annexation; and

WHEREAS S, R.C. 709.023(C) requires that, within twenty days of the annexation petition being filed, the municipality to which annexation is proposed must adopt an ordinance or resolution relating to land uses and buffers from uses permitted in the Village that the Village determines are clearly incompatible with the uses of adjacent land remaining in the township if the territory proposed to be annexed is currently subject to either county zoning pursuant to Chapter 303 or township zoning pursuant to Chapter 519 of the Ohio Revised Code; and

WHEREAS, R.C. 709.023(C) defines "buffer" to include open space, landscaping, fences, walls, and other structured elements, streets and street rights-of-way, and bicycle and pedestrian paths and sidewalks; and

WHEREAS, the total perimeter of the Annexation Area is approximately 7,206.23 feet more or less, of which 2,548.32 feet, more or less, is continuously contiguous with the Village, giving the Annexation Area contiguity for a continuous length of 35.4% with the Village, and the annexation will not create an unincorporated area of the township (no island) that is completely surrounded by the territory proposed for annexation.

NOW, AND HEREAFTER BE IT RESOLVED BY THE VILLAGE COUNCIL, VILLAGE OF ASHVILLE, PICKAWAY COUNTY, STATE OF OHIO THAT:

SECTION ONE

The Village of Ashville will provide the following municipal services for the ±55.9126 acres described in Exhibit A and depicted in the annexation map or plat attached as Exhibit B ("Annexation Area"), being Parcel No. D1200010007400 in unincorporated Harrison Township, Ohio immediately upon the effective date of this annexation of this property into the Village of Ashville, Ohio as provided by law:

- (a) Police. The Village of Ashville Police Department will provide, cause to provide, or contract to provide police protection services to the Annexation Area at the same or similar level now being provided to other areas of the Village with similar land use and population.
- (b) Sanitary Sewer Service. The Village of Ashville will provide, cause to provide, or contract to provide sanitary sewer service to the Annexation Area at the same or similar being provided to other areas of the Village with similar land use and population.


Prepared: 10/05/2022
Revised Date: 11/02/2022
Review Date:

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify, that the foregoing is a true and correct copy of the resolution adopted by the Village of Ashville Council held on 7th day of November 2022, and that I am duly authorized to execute this certificate.

(Original signature of April D. Grube)

Clerk-Fiscal Officer
(TITLE)



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- (c) Potable Water Service. The Village of Ashville will provide, cause to provide, or contract to provide potable water to the Annexation Area at the same or similar being provided to other areas of the Village with similar land use and population.
- (d) Street Maintenance Services. To the extent that any street or highway will be divided or segmented by the boundary line between the township and the Village of Ashville as to create a road maintenance problem, the Village of Ashville shall, as a condition of the annexation, assume the maintenance of that street or highway or to otherwise correct the problem.

The Village Council of the Village of Ashville is aware and supportive of the proposed annexation and development of the property and will have the necessary funds appropriated to provide services to the Annexation Area.

SECTION TWO

Should the Annexation Area (a) be annexed and (b) subsequently become subject to zoning pursuant to the Village of Ashville, and (c) the municipal zoning permits uses in the Annexation Area that the Village Council determines are clearly incompatible with the uses permitted under current county or township zoning in the adjacent land remaining in the township from which the property was annexed, the Ashville Village Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the Annexation Area to provide a buffer separating the use of the Annexation Area and the adjacent land remaining within the unincorporated township.

SECTION THREE

The Clerk of Council shall file a certified copy of this resolution with the Harrison County Board of Commissioners within twenty days following the date that the petition was filed.

SECTION FOUR

It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision-making bodies of the Village of Ashville which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

SECTION FIVE

All prior legislation, or any parts thereof, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereto.

SECTION SIX

Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of this municipality and the further reason that this services resolution must be filed with the Harrison County Board of Commissioners no later November 22, 2022. Wherefore, provided this Resolution receives the required affirmative votes of Council, this Resolution shall take effect and be in force immediately upon passage by Council and approval by the Mayor.

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Therefore, this resolution will take effect upon passage.

Offered by: Nelson R. Embrey

Seconded to the Motion Offered by: Roger L. Clark

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

Council Member	Yes	No	Council Member	Yes	No	Council Member	Yes	No	Council Member	Yes	No	Council Member	Yes	No	Council Member	Yes	No
Roger L. Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Nelson R. Embrey	<input type="checkbox"/>	<input type="checkbox"/>	Randy S. Loveless	<input checked="" type="checkbox"/>	<input type="checkbox"/>	R. David Rainey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Matt Scholl	<input type="checkbox"/>	<input type="checkbox"/>	Steve Welsh	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Excused Absences																	

THIS 7TH DAY OF NOVEMBER, 2022.


ATTEST:



April D. Grube, Clerk-Fiscal Officer

DATE: 11/8/2022

APPROVED:



Charles K. Wise, Mayor

DATE: 08/10/22

COTTRILL SURVEYING, INC

15882 US Route 62 SE, Mt. Sterling, Ohio 43143, Ph. 740.869.3811, www.cottrillsurveying.com

**Annexation of 55.9126 Acres
Surveyed for Grand Communities**

The following described 55.9126 acre tract is situated in the State of Ohio, Pickaway County, Harrison Township, Section 7, Township 9N, Range 21W, being part of a 57.0151 acre tract (Parcel D1200010007400 and Parcel D1300300011400 in Village of Ashville) conveyed to Joseph Benton Hedges and Barbara Ann Hedges Arthurs by Official Record 798 page 349, and being more particularly described as follows:

Beginning at a mag nail set in the line between Section 7, Township 9N, Range 21W and Section 12, Township 2N, Range 22W, being in the corporation line of the Village of Ashville and in the southbound lane of Circleville Avenue (Township Road 31, 50 feet wide) and being the Northwest corner of said 57.0151 acre tract, said mag nail bears South 03° 26' 22" West a distance of 1707.93 feet from an iron pin found at the centerline intersection of Circleville Avenue and State Route 752;

Thence, with a proposed corporation line and the North line of said 57.0151 acre tract, **South 86° 00' 02" East**, passing the centerline of Circleville Avenue in the Southwest corner of a 64.30 acre tract conveyed to Robert C Hess, Trustee by Official Record 671 page 1374 at 4.60 feet, passing a 14 inch octagonal concrete fence post found at 23.31 feet, a total distance of **1130.88 feet** to an iron pin and cap set at the Southwest corner of an original 75 acre tract conveyed to Robert C Hess, Trustee by Official Record 671 page 1374;

Thence, with a proposed corporation line and the South line of said 75 acre tract, **South 87° 18' 58" East**, passing the Southwest corner of a 55.50 acre tract conveyed to Robert C Hess, Trustee by Official Record 671 page 1374 at 1401.18 feet, a total distance of **1565.23 feet** to an iron pin and cap set at the northwest corner of a 41.2770 acre tract conveyed to Jeffrey Call by Official Record 790 page 3581;

Thence, with a proposed corporation line and said 41.2770 acre tract with the following three courses:

- 1) **South 03° 19' 43" West** a distance of **187.56 feet** to an iron pin and cap set;
- 2) **South 55° 57' 15" West** a distance of **1030.69 feet** to an iron pin and cap set;
- 3) **South 37° 52' 55" West** a distance of **483.65 feet** to an iron pin and cap set in the North line of a 123.847 original acre tract conveyed to Jeffrey Call by Official Record 789 page 4897;

Thence, with a proposed corporation line and the North line of said 123.847 original acre tract, **North 86° 24' 33" West**, passing the Northeast corner of a 14.696 acre tract conveyed to Village Chapel Church by Official Record 755 page 2171 and being a corner to the Corporation line of Village of Ashville at 214.54 feet, continuing with said existing corporation line, passing the Northeast corner of a 0.6 acre tract (Hedges Cemetery) and corner to said Corporation line at 1406.79 feet, continuing with a proposed corporation line and said North line of Cemetery a total distance of **1452.15 feet** to an iron pin and cap set at the Southeast corner of Tract 7 of Hedges Home Sites Subdivision as recorded in Plat Book 4 page 46 and being a corner to said Corporation line;

**Annexation
Petition
Exhibit A**

Thence, with the East line of said subdivision and with said existing corporation line, **North 03° 41' 28" East** a distance of **744.90 feet** to a 1/2 inch diameter iron pipe found at the Northeast corner of Tract 1 of said Subdivision;

Thence, continuing with said existing corporation line and across said 57.0151 acre tract with the following two courses:

- 1) **North 03° 41' 28" East** a distance of **304.97 feet** to a point;
- 2) **North 85° 46' 00" West** a distance of **158.01 feet** to the southbound lane of Circleville Avenue and in the line between Section 7, Township 9N, Range 21W and Section 12, Township 2N, Range 22W;

Thence, with said Section line and said existing corporation line, **North 03° 41' 28" East** a distance of **148.19 feet** returning to the **Point of Beginning**, containing **55.9126 Acres** more or less to be annexed into the Village of Ashville.

Bearings are based on a GPS observation on August 24, 2017, WGS 1984 Geodetic North.

This deed is subject to and with the benefit of all legal highways, restrictions, easements, limitations, and reservations, of record, if any and to zoning restrictions which have been imposed thereon, if any.

All iron pins set are 5/8-inch diameter rebar with yellow plastic cap stamped "Cottrill Surveying"

This description is based on a field survey performed November 23, 2021 and described June 28, 2022 by Nathan L. Cottrill, PS registration #8821. (Job #S2220609-ANNEX)



Nathan L. Cottrill

 Nathan L. Cottrill, PS #8821

SURVEY PLAT AND LEGAL DESCRIPTION
MATHEMATICALLY APPROVED
PICKAWAY COUNTY ENGINEER
 BY: JAF DATE 10/11/2022

