



ORDINANCE 2024-01

OF THE VILLAGE OF ASHVILLE



AN ORDINANCE TO ACCEPT THE GEORGE HARDBARGER AND SAMANTHA HARDBARGER (HEREINAFTER REFERRED TO AS "LANDOWNER") AND BRUCE A. MOORE, GORDON AND REESE SKULLY MANSUKHANI (HEREINAFTER THE "AGENT") APPLICATION FOR ANNEXATION BY THE LANDOWNER AND AGENT, ET ALL FOR ANNEXATION OF CERTAIN TERRITORY CONTAINING 2.432 +/- 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 Agent, et al on September 22, 2023, with Commissioners of Pickaway County and approved by the County Commissioners on October 24, 2023, **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, **Exhibit A**.

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 Planned Unit Development District (PUD) under Ashville's Codified Ordinance, Chapter 1165, 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:

Seconded to the Motion Offered by:

Upon roll call on the adoption of the ordinance, 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 type="checkbox"/>	<input type="checkbox"/>	Colton Henson	<input type="checkbox"/>	<input type="checkbox"/>	Randy S. Loveless	<input type="checkbox"/>	<input type="checkbox"/>	R. David Rainey	<input type="checkbox"/>	<input type="checkbox"/>	Matt Scholl	<input type="checkbox"/>	<input type="checkbox"/>	Vacant	<input type="checkbox"/>	<input type="checkbox"/>

ADOPTED THIS THE 8TH DAY OF JANUARY, 2024

EFFECTIVE THIS THE 8TH DAY OF JANUARY, 2024

ATTEST:


April D. Grube, Clerk-Fiscal Officer
DATE: _____
APPROVED:

Stephen E. Welsh, Mayor
DATE: _____

Prepared: 11/21/2023
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 8th day of January 2024, and that I am duly authorized to execute this certificate.



(Original signature of April D. Grube)

Clerk-Fiscal Officer
(TITLE)

Commissioners:
Jay H. Wippel
Harold R. Henson
Gary K. Scherer

Administrator:
April Dengler
Clerk:
Angela Karr



Date: November 1, 2023

To: -Bruce A. Moore, Agent for Petitioner, Gordon and Reese Skully Mansukhani, 41 South High Street, Suite 2495, Columbus, Ohio 43215
-Village of Ashville, P.O. Box 195, Ashville, Ohio 43103
-Harrison Township Trustees, P.O. Box 22, Ashville, Ohio 43103
-Tim McGinnis, Pickaway County Development & Planning Director
-Chris Mullins, Pickaway County Engineer

From: Pickaway County Commissioners

Re: **Resolution No. PC-102423-118 approving Annexation Petition – George & Samantha Hardbarger, for Annexation of 2.432 +/- ac. of Harrison Township into Village of Ashville**

Enclosed please find Resolution No. PC-102423-118 approving the annexation petition filed on September 22, 2023 with the Pickaway County Board of Commissioners.

If you should have any questions, please contact Angela Karr, Clerk, at 740-477-3649 (Direct) or by email at akarr@pickaway.org.

Sincerely,

Angela Karr
Clerk

Enclosure

Commissioners:
Jay H. Wippel
Harold R. Henson
Gary K. Scherer

Administrator:
April Metzger
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

The Pickaway County Board of Commissioners met in Regular Session in their office located at 139 West Franklin Street, Circleville, Ohio, on Tuesday, October 24, 2023, with the following members present: Mr. Jay H. Wippel and Mr. Gary K. Scherer. April Metzger, County Administrator, was also in attendance. Mr. Harold R. Henson was absent from today’s session.

During business conducted while in session, the commissioners reevaluated the annexation of 2.432 acres into the Village of Ashville. A public hearing was held October 24, 2023, for the Expedited Type 2 Annexation petition filed in their office on September 22, 2023, for the annexation of 2.432 +/- acres of Harrison Township into the Village of Ashville. Bruce A. Moore, Gordon and Reese Skully Mansukhani, is the agent for the petitioners, George Hardbarger and Samantha Hardbarger, 14018 Ashville Pike, Ashville, Ohio 43103.

With no annexation agreement or cooperative economic development agreement filed with the Expedited Type 2 Annexation petition, the territory to be annexed may not, at any time, be withdrawn or excluded from the township pursuant to ORC 503.07. The annexed land thus remains subject to the township's real property taxes.

Commissioner Gary Scherer offered the motion, seconded by Commissioner Jay Wippel, to adopt the following Resolution:

Resolution No: PC-102423-118

WHEREAS, an Expedited Type 2 Annexation petition that met all of the engineering and legal requirements was properly filed in the Pickaway County Board of Commissioners' office on or about September 22, 2023, for the annexation of 2.432 +/- acres of Harrison Township to be annexed into the Village of Ashville; and,

WHEREAS, the person who signed the petition, George Hardbarger and Samantha Hardbarger, 14018 Ashville Pike, Ashville, Ohio 43103, are the owners of the property to be annexed; and,

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 23-2023 on October 6, 2023, that was received by the Pickaway County Board of Commissioners' office on October 9, 2023, 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 2,432 +/- acres of Harrison Township into the Village of Ashville, Pickaway County, Ohio, filed by Bruce A. Moore, Gordon and Reese Skully Mansukhani, agent for the petitioners, George Hardbarger and Samantha Hardbarger.

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

Attest: Angela Karr
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 #67, pages dated October 24, 2023.

Angela Karr
Angela Karr

In the Matter of
Resolution Approving the Expedited Type 2 Annexation Petition for the
Annexation of 2,432 Acres +/- in Harrison Township into the Village of Ashville –
George Hardbarger and Samantha Hardbarger, Petitioners:

Commissioners:
Jay H. Wippel
Harold R. Henson
Gary K. Scherer



Administrator:
April Metzger
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: September 27, 2023

To: -Bruce A. Moore, Agent for Petitioner, Gordon and Reese Skully Mansukhani, 41 South High Street, Suite 2495, Columbus, Ohio 43215
-Village of Ashville, P.O. Box 195, Ashville, Ohio 43103
-Harrison Township Trustees, P.O. Box 22, Ashville, Ohio 43103
-Tim McGinnis, Pickaway County Development & Planning Director
-Chris Mullins, Pickaway County Engineer

From: Pickaway County Commissioners

Re: Hearing scheduled for: **Annexation Petition – George & Samantha Hardbarger, for Annexation of 2.432 +/- ac. of Harrison Township into Village of Ashville Point**

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 September 22, 2023, is scheduled for:

Tuesday, October 24, 2023
11:00 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.

Sincerely,

Angela Karr
Clerk

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

Board of County Commissioners
Pickaway County, Ohio

23SEP22 9:13AM

PETITION FOR ANNEXATION OF 2.432 ACRES, MORE OR LESS, IN HARRISON TOWNSHIP, PICKAWAY COUNTY, OHIO TO THE CITY OF ASHVILLE, OHIO UTILIZING THE SPECIAL PROCEDURE OF OHIO REVISED CODE SECTION 709.023, ET SEQ

Now come the undersigned petitioners, being one hundred percent (100%) of the owners of certain property, as hereinafter described, who are included in determining the number of owners needed to sign a petition for annexation and requests that their property be annexed to the Village of Ashville, Ohio. The territory proposed for annexation contains 2.432 acres, more or less, in Harrison Township, Pickaway County, and is contiguous to the boundary of the Village of Ashville, Ohio for five percent, or more, of the perimeter of the territory proposed for annexation. The undersigned understand the property will not be excluded from the township.

An accurate description of the perimeter of the territory sought to be annexed is attached hereto and made a part hereof as Exhibit "A." A map or plat of the above-described territory sought to be annexed is attached hereto and made a part hereof as Exhibit "B."

The annexation will not create an unincorporated area of township that is completely surrounded by the territory proposed for annexation.

There is no annexation agreement between the Village of Ashville and the township pursuant to R.C. 709.192 applicable to this annexation or an applicable Cooperative Economic Development Agreement (C.E.D.A.) pursuant to R.C. 701.07.



The number of owners in the territory sought to be annexed is two. The number of owners in the territory sought to be annexed required to be included in determining the number of owners needed to sign a petition is two. The number of owners who signed this Petition is two.

The owners who signed this petition by their signatures expressly waive their right to appeal in law or equity from the board of county commissioners' entry of any resolution passed under R.C. 709.023 and waive any right they may have to sue on any issue relating to a municipal

corporation requiring a buffer as provided in R.C. 709.023 and further waive any right to seek a variance that would relieve or exempt them from that buffer requirement.

Bruce A. Moore, Esq., Gordon & Rees Skully Mansukhani, 41 S. High St. Suite 2495, Columbus, OH 43215, (614) 296-2386, is hereby appointed agent for the undersigned petitioners, as required by R.C. 709.02; and said petitioners' agent is hereby authorized to make any amendments and/or deletions which in his/her absolute and complete discretion are proper under the circumstances then existing. In addition, the petitioners' agent is authorized to make such amendments and/or deletions in this petition, map, plat or description in order to correct any discrepancy or mistake noted by the county engineer or others in their examination of the petition, map, plat or description. Amendments to correct the map, plat or description may be made by the presentation of an amended map or plat and description to the Board of County Commissioners on, before or after the date set for hearing of this petition unless otherwise specified by law.

“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.”

<u>NAME</u>	<u>ADDRESS</u>	<u>DATE</u>
 George Hardbarger	14018 Ashville Pike Ashville, OH 43103	<u>17 September 2023</u>
 Samantha Hardbarger	14018 Ashville Pike Ashville, OH 43103	<u>9/17/23</u>

Board of County Commissioners
Pickaway County, Ohio

'23 SEP 22 9:14 AM

Exhibit A

Legal Description

Situated in the Township of Harrison, County of Pickaway and State of Ohio and being a part of the Northeast Quarter of Section 12, Township 2, Range 22, bounded and described as follows:

Tract 1:

Situated in the Township of Harrison, County of Pickaway and State of Ohio: Beginning at the corner stone at the Northwest corner to the tract, said stone being in the East and West Section Line and the North and South Half Section Line and the center of the Circleville Northern Road; thence S. 4 deg. 10' W. 150 feet with said Half-Section Line and the center of said road to a 1 inch pipe; thence S. 85 deg. E. 297 feet to a 1 Inch pipe in the line between this land and the land of Ralph Peters, passing a 1 inch pipe at 23 1/2 feet; thence N. 4 deg. 10' E. 150 feet with said farm line to the corner stone in the Section Line; thence N. 85 deg. 20' W. 297 feet with the Section Line and the line between this tract and the land of Harry M. Trego to place of beginning. Containing 1.022 acres of land more or less. Situated in Harrison Township, Pickaway County, State of Ohio and in the Northeast Quarter of Section No. 12, Township No. 2, Range 22 M.S. and being in a 10.06 acre tract of land purchased by George Hardbarger et al of Jesse Barch, recorded in Deed Record Vol. 124, Page 580, Pickaway County. Containing 1.022 acres, more or less.

Prior Reference: O.R. Vol. 115, Page 589
O.R. Vol. 630, Page 2629
Deed Vol. 187, Page 17
Auditor's Parcel No. D12-0-001-00-107-00

Tract 2:

Situated in the Township of Harrison, County of Pickaway and State of Ohio and being a part of the Northeast Quarter of Section 12, Township 2, Range 22 bounded and described as follows: Beginning at a P.K. nail set in the centerline of the Ashville Pike S. 4° 10' W. 150.00 feet distant from the northwest corner of the northeast quarter of Section 12, Township 2, Range 22; thence S. 85° 06' 40" E. 297.70 feet (passing a 1/4" iron pin found at 22.95 feet) to a point from which a 1/2" iron pin found bears S. 85° 06' 40" E. 1.05 feet distant; thence S. 4° 00' W. 205.24 feet to a point from which a 1/2" iron pin found bears S. 85° 28' E. 0.62 feet distant; thence N. 85° 28' W. 298.28 feet (passing a 1/2" rebar set at 273.28 feet) to a point in the centerline of the road; thence N. 4° 10' E. 207.08 feet to the place of beginning. Containing 1.410 acres, more or less.

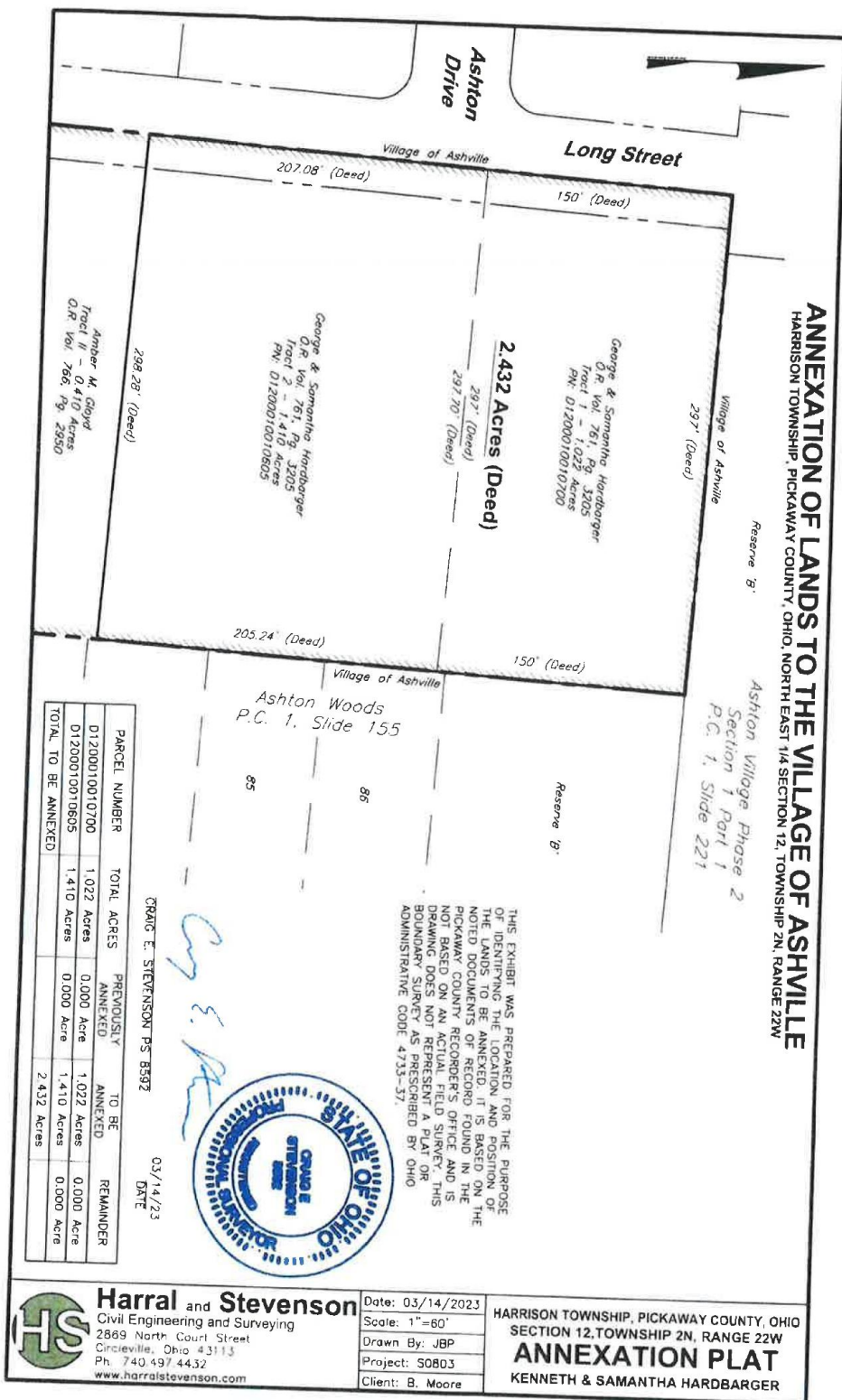
This transfer to adjoining landowner has not been approved as a permanent homesite.

Prior Reference: O.R. Vol. 115, Page 590
O.R. Vol. 630, Page 2629
Deed Vol. 276, Page 87
Auditor's Parcel No. D12-0-001-00-107-00

Exhibit B

Board of County Commissioners
Pickaway County, Ohio

4#11:6 223SEP22 9:14#



Parcel ID #	Owner Name	Owner Tax Mailing Address	Owner Mailing Address	Property Address or Site Address
D1200010010700	George & Samantha Hardbarger	14018 Ashville Pk., Ashville, OH 43013	14018 Ashville Pk., Ashville, OH 43013	
D1200010010605	George & Samantha Hardbarger	14018 Ashville Pk., Ashville, OH 43013	14018 Ashville Pk., Ashville, OH 43013	0 Ashville Pk.
D1300360002700	Ashton Village Phase 2 Homeowners Association		c/o Towne Properties 777A Dearborne Park Lane Worthington, OH 43085	
D1300360003600	Ashton Village Phase 2 Homeowners Association		c/o Towne Properties 777A Dearborne Park Lane Worthington, OH 43085	
D1300340002000	Mark Conrad	555 Davidson Dr., Ashville, OH 43103	555 Davidson Dr., Ashville, OH 43103	555 Davidson Dr.
D1300340001900	Daniel Mabe	551 Davidson Dr., Ashville, OH 43103	551 Davidson Dr., Ashville, OH 43103	551 Davidson Dr.
D1300340001800	Christopher and Christina Weaver	547 Davidson Dr., Ashville, OH 43103	547 Davidson Dr., Ashville, OH 43103	547 Davidson Dr.
D1200010010604	Amber Gloyd	24 Bloomfield Hills Dr., Ashville, OH 43013	14100 Ashville Pk., Ashville, OH 43103	0 Ashville Pk.
D1300050000212	Linda Summers	2 Ashton Dr., Ashville, OH 43103	523 Long St., Ashville, OH 43103	523 Long St.
D1300050000211	Sheiby Shoemaker	1 Ashton Dr., Ashville, OH 43103	2 Ashton Dr., Ashville, OH 43103	2 Ashton Dr.
D1300050000205	Joel Olsen	1 Ashton Dr., Ashville, OH 43103	1 Ashton Dr., Ashville, OH 43103	1 Ashton Dr.

Board of County Commissioners
Pickaway County, Ohio

'23SEP22 9:14AM

Angela Karr

From: Franklin Christman <FChristman@Ashvilleohio.gov>
Sent: Monday, October 9, 2023 10:59 AM
To: Angela Karr
Cc: Nelson R. Embrey II; April Grube; Samantha Pemberton; Bruce Moore
Subject: RE: Annexation Petition - Hardbarger Trustee 2.430 Acres
Attachments: Resolution 23-2023 Service Resolution for Hardbarger signed.pdf

[CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe]

Sorry the previous email did not update the "Subject" Information

Hello Angela,

We have received the petition request for ±2.430 acres into the Village of Ashville(D1200010010605 & D1200010010700). I have attached Resolution 23-2023 to indicate services and utilities available. Let me know if you need additional information. Thanks.

Anticipating the Future

Franklin Christman Go to our website, Facebook, or Twitter by clicking on the Log



Village of Ashville

P.O. Box 195
 200 East Station Street
 Ashville, OH 43103
 (North of the Ashville Park)
 Office: 740/983-6367 • Fax: 740/983-4703
 Police: 740/983-3112 • Emergency: 911
 Cell Phone: 740/207-1842
 Street Department: 740/601-5650
 Utility Department: 614/214-9223



Franklin Christman
 Village Administrator
 Direct Number: 740/983-7132
 Email Address = fchristman@ashvilleohio.gov
 Website = www.ashvilleohio.gov

Administrative Office Ho
 Mon-Fri 8:00am-4:00pm

Confidentiality Notice: This e-mail message, from The Village of Ashville, Ashville, Ohio, including any attachments for the sole use of the intended recipient(s) and may contain confidential and privileged information. The recipient responsible to maintain the confidentiality of this information and to use the information only for authorized purposes pursuant to Ashville's confidentiality policies. If you are not the intended recipient (or authorized to receive information for the intended recipient), you are hereby notified that any review, use, disclosure, distribution, copying, printing, or action taken in reliance on the contents of this e-mail is strictly prohibited. If you have received this communication in error, please notify us immediately by reply e-mail and destroy all copies of the original message. Thank you



RESOLUTION 23-2023 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 ±1.020 & 1.410 ACRES OF PARCEL NUMBER D1200010010700 AND D1200010010605 FROM HARRISON TOWNSHIP TO THE VILLAGE OF ASHVILLE AND DECLARING AN EMERGENCY.

WHEREAS, a petition for an Expedited II method of annexation of ±1.020 and 1.410 acres shown and described in the attached Exhibits and being Parcel No. D1200010010700 and D1200010010605 ("Annexation Area") from Harrison Township to the Village of Ashville was filed with the Board of County Commissioners of Pickaway, Ohio on September 22, 2023 by Bruce Moore, agent for Petitioners Kenneth E SR Harbarger Trustee; 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, 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 ±1.020 and 1.410 acres described in Exhibit A and depicted in the annexation map or plat attached as Exhibit B ("Annexation Area"), being Parcel No. D1200010010700 and D1200010010605 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.

Prepared: 01/19/2023
Revised Date: 09/22/2023
Review Date:

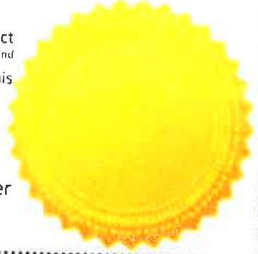
1 of 9 | Page of Minutes

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 2nd day of October 2023, and that I am duly authorized to execute this certificate.

Clerk-Fiscal Officer
(TITLE)

(Original signature of April D. Grube)



Resolution 23-2023

- (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.
- (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 Pickaway 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 Pickaway County Board of Commissioners no later than October 13, 2023. 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.

Resolution 23-2023

Therefore, this resolution will take effect upon passage.

Offered by: R. David Rainey

Seconded to the Motion Offered by: Colton Henson

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
Roger L. Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Colton Henson	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
												Steve Welsh	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ADOPTED THIS 2ND DAY OF OCTOBER, 2023.

EFFECTIVE DATE THIS 2ND DAY OF OCTOBER 2023

ATTEST:

 April D. Grube, Clerk-Fiscal Officer DATE: 10/6/2023

APPROVED:

 Nelson R. Embrey II, Mayor DATE: 10/6/2023

Resolution 23-2023

Exhibit A

BRUCE A. MOORE
BMOORE@GRSM.COM
DIRECT DIAL: (614) 917-1952

GORDON & REES
SCULLY MANSUKHANI
YOUR **LEGISLATIVE** PARTNER

September 22, 2023

RECEIVED
SEP 22 2023
BY:

VIA CERTIFIED US MAIL -7019 2280 0000 8133 9612

April D. Grube
c/o Village of Ashville, OH
PO Box 195
200 East Station Street
Ashville, OH 43103

Re: Type 2 Annexation Petition, ORC § 709.023, 2.432 Acres
14018 Ashville Pike, Ashville, OH 43103, Harrison Township to the
Village of Ashville

Dear Ms. Grube:

As agent for the petitioners, I am required by Ohio Revised Code §709.023 to provide you notice that an annexation petition was filed with the Pickaway County Commissioners on September 22, 2023 at 9:15 am (the "Petition"). A true and accurate copy of the Petition is enclosed with this letter.

The Pickaway County Commissioners will vote upon whether to approve the annexation. Please do not hesitate to contact me at (614) 296-2386 if you have any questions.

**PLEASE NOTE, THIS IS NOT AN ANNEXATION OF YOUR PROPERTY.
IT IS AN ANNEXATION OF ONLY THE PARCELS LISTED IN THE PETITION.**

Sincerely,

GORDON REES SCULLY MANSUKHANI, LLP


Bruce A. Moore

Enclosures: 1

Resolution 23-2023

Board of County Commissioners
Pickaway County, Ohio

23 SEP 22 9:15 AM

PETITION FOR ANNEXATION OF 2.432 ACRES, MORE OR LESS, IN HARRISON TOWNSHIP, PICKAWAY COUNTY, OHIO TO THE CITY OF ASHVILLE, OHIO UTILIZING THE SPECIAL PROCEDURE OF OHIO REVISED CODE SECTION 709.023, ET SEQ

Now come the undersigned petitioners, being one hundred percent (100%) of the owners of certain property, as hereinafter described, who are included in determining the number of owners needed to sign a petition for annexation and requests that their property be annexed to the Village of Ashville, Ohio. The territory proposed for annexation contains 2.432 acres, more or less, in Harrison Township, Pickaway County, and is contiguous to the boundary of the Village of Ashville, Ohio for five percent, or more, of the perimeter of the territory proposed for annexation. The undersigned understand the property will not be excluded from the township.

An accurate description of the perimeter of the territory sought to be annexed is attached hereto and made a part hereof as Exhibit "A." A map or plat of the above-described territory sought to be annexed is attached hereto and made a part hereof as Exhibit "B."

The annexation will not create an unincorporated area of township that is completely surrounded by the territory proposed for annexation.

There is no annexation agreement between the Village of Ashville and the township pursuant to R.C. 709.192 applicable to this annexation or an applicable Cooperative Economic Development Agreement (C.E.D.A.) pursuant to R.C. 701.07.

The number of owners in the territory sought to be annexed is two. The number of owners in the territory sought to be annexed required to be included in determining the number of owners needed to sign a petition is two. The number of owners who signed this Petition is two.

The owners who signed this petition by their signatures expressly waive their right to appeal in law or equity from the board of county commissioners' entry of any resolution passed under R.C. 709.023 and waive any right they may have to sue on any issue relating to a municipal





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Exhibit A Continued

corporation requiring a buffer as provided in R.C. 709.023 and further waive any right to seek a variance that would relieve or exempt them from that buffer requirement.

Bruce A. Moore, Esq., Gordon & Rees Skully Mansukhani, 41 S. High St. Suite 2495, Columbus, OH 43215, (614) 296-2386, is hereby appointed agent for the undersigned petitioners, as required by R.C. 709.02; and said petitioners' agent is hereby authorized to make any amendments and/or deletions which in his/her absolute and complete discretion are proper under the circumstances then existing. In addition, the petitioners' agent is authorized to make such amendments and/or deletions in this petition, map, plat or description in order to correct any discrepancy or mistake noted by the county engineer or others in their examination of the petition, map, plat or description. Amendments to correct the map, plat or description may be made by the presentation of an amended map or plat and description to the Board of County Commissioners on, before or after the date set for hearing of this petition unless otherwise specified by law.

"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."

<u>NAME</u>	<u>ADDRESS</u>	<u>DATE</u>
 George Hardbarger	14018 Ashville Pike Ashville, OH 43103	17 Sept 2023
 Samantha Hardbarger	14018 Ashville Pike Ashville, OH 43103	9/17/23

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Exhibit A Continued

Exhibit A

Legal Description

Situated in the Township of Harrison, County of Pickaway and State of Ohio and being a part of the Northeast Quarter of Section 12, Township 2, Range 22, bounded and described as follows:

Tract 1:

Situated in the Township of Harrison, County of Pickaway and State of Ohio; Beginning at the corner stone at the Northwest corner to the tract, said stone being in the East and West Section Line and the North and South Half Section Line and the center of the Circleville Northern Road; thence S. 4 deg. 10' W. 150 feet with said Half-Section Line and the center of said road to a 1 inch pipe; thence S. 85 deg. E. 297 feet to a 1 Inch pipe in the line between this land and the land of Ralph Peters, passing a 1 inch pipe at 23 1/2 feet; thence N. 4 deg. 10' E. 150 feet with said farm line to the corner stone in the Section Line; thence N. 85 deg. 20' W. 297 feet with the Section Line and the line between this tract and the land of Harry M. Trego to place of beginning. Containing 1.022 acres of land more or less. Situated in Harrison Township, Pickaway County, State of Ohio and in the Northeast Quarter of Section No. 12, Township No. 2 Range 22 M.S. and being in a 10.06 acre tract of land purchased by George Hardbarger et al of Jesse Barch, recorded in Deed Record Vol. 124, Page 580, Pickaway County. Containing 1.022 acres, more or less.

Prior Reference: O.R. Vol. 115, Page 589
O.R. Vol. 630, Page 2629
Deed Vol. 187, Page 17
Auditor's Parcel No. D12-0-001-00-107-00

Tract 2:

Situated in the Township of Harrison, County of Pickaway and State of Ohio and being a part of the Northeast Quarter of Section 12, Township 2, Range 22 bounded and described as follows: Beginning at a P.K. nail set in the centerline of the Ashville Pike S. 4° 10' W. 150.00 feet distant from the northwest corner of the northeast quarter of Section 12, Township 2, Range 22; thence S. 85° 06' 40" E. 297.70 feet (passing a 1/4" iron pin found at 22.95 feet) to a point from which a 1/2" iron pin found bears S. 85° 06' 40" E. 1.05 feet distant; thence S. 4° 00' W. 205.24 feet to a point from which a 1/2" iron pin found bears S. 85° 28' E. 0.62 feet distant; thence N. 85° 28' W. 298.28 feet (passing a 1/2" rebar set at 273.28 feet) to a point in the centerline of the road; thence N. 4° 10' E. 207.08 feet to the place of beginning. Containing 1.410 acres, more or less.

This transfer to adjoining landowner has not been approved as a permanent homestead.

Prior Reference: O.R. Vol. 115, Page 590
O.R. Vol. 630, Page 2629
Deed Vol. 276, Page 87
Auditor's Parcel No. D12-0-001-00-107-00

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Exhibit A Continued

Parcel ID #	Owner Name	Owner Tax Mailing Address	Owner Mailing Address	Property Address or Site Address
D1200010010700	George & Samantha Harzbarger	14018 Ashville Pl., Ashville, OH 43013	14018 Ashville Pl., Ashville, OH 43013	
D1200010010605	George & Samantha Harzbarger	14018 Ashville Pl., Ashville, OH 43013	14018 Ashville Pl., Ashville, OH 43013	0 Ashville Pl.
D1300340001900	Ashton Village Phase 2 Homeowners Association		c/o Towne Properties 777A Worthington, OH 43085	
D1300340001800	Ashton Village Phase 2 Homeowners Association		c/o Towne Properties 777A Worthington, OH 43085	
D1300340001700	Mark Conrad	555 Davidson Dr., Ashville, OH 43103	555 Davidson Dr., Ashville, OH 43103	555 Davidson Dr.
D1300340001600	Daniel Nabe	551 Davidson Dr., Ashville, OH 43103	551 Davidson Dr., Ashville, OH 43103	551 Davidson Dr.
D1300340001500	Christopher and Christina Wesner	547 Davidson Dr., Ashville, OH 43103	547 Davidson Dr., Ashville, OH 43103	547 Davidson Dr.
D1200010010604	Amber Gloyd	24 Bloomfield Hills Cr., Ashville, OH 43013	14100 Ashville Pl., Ashville, OH 43103	0 Ashville Pl.
D1300050000212	Linda Summers		523 Long St., Ashville, OH 43103	523 Long St.
D1300050000211	Shelby Shuemiller	2 Ashton Dr., Ashville, OH 43103	2 Ashton Dr., Ashville, OH 43103	2 Ashton Dr.
D1300050000205	Joel Olsen	1 Ashton Dr., Ashville, OH 43103	1 Ashton Dr., Ashville, OH 43103	1 Ashton Dr.