

ORDINANCE NO. 22-14
AN ORDINANCE TO AUTHORIZE THE DETACHMENT OF PROPERTY
CONSISTING OF 45.503 ACRES IN THE CITY OF PIQUA TO
WASHINGTON TOWNSHIP, MIAMI COUNTY, OHIO

WHEREAS, the City of Piqua Commission approved Ordinance No. 7-13 on July 2, 2013, authorizing the annexation of 45.503 acres from Washington Township for purposes of building a new water treatment plant; and

WHEREAS, the City of Piqua Planning Commission and City Commission approved the annexation pursuant to Ohio Revised Code §709.16 which allows for annexation but places the property in a dual taxing district rather than removing the property from the township boundaries; and

WHEREAS, Ohio Revised Code §709.022 permits the annexation and the removal from the township boundaries; and

WHEREAS, in order to remove the property from the township boundaries, the annexed property will need to be detached from the City of Piqua and then re-annexed; and

WHEREAS, upon the approval of this Resolution, the Law Director will petition Washington Township and the Miami County Commissioners for detachment; and

WHEREAS, this Ordinance is an emergency as for the public interest, the detachment needs to occur so that the property does not fall within a dual taxing district.

NOW, THEREFORE, BE IT ORDAINED by the Commission of the City of Piqua, Miami County, Ohio, the majority of all members elected thereto concurring, that:

SEC. 1: Pursuant to the process of annexation provided for by Ohio Revised Code §709.38, this Commission hereby authorizes the detachment of the 45.503 acres as described in Exhibits A and B.

SEC. 2: The Miami County Commissioners had approved the annexation so the detachment process is necessary. Exhibit C.

SEC. 3: The Law Director shall prosecute the proceedings necessary to effect the detachment and file such petition necessary for detachment.

SEC. 4: This Ordinance is declared an emergency for the immediate preservation of the public peace, health or safety in the City of Piqua and so as to avoid the creation of a dual taxing district by the Miami County Auditor.

LUCINDA L. FESS, MAYOR

PASSED: _____

ATTEST: _____

REBECCA J. COOL
CLERK OF COMMISSION

Exhibit 'A'

45.503 ACRES

Situated in the Township of Washington, County of Miami, State of Ohio; also being a part of Section 1, Town 8, Range 5 East and a part of Section 36, Town 9, Range 5 East and a part of Section 6, Town 6, Range 6 East; also being those lands as conveyed to City of Piqua as described in Official Record 225 Page 484 and Official Record 232 Pages 795 through 818 and a tract of land owned by the City of Piqua (the former Piqua Hydraulic Feeder Canal) and a portion of those lands within the rights-of-way of State Route 66 (right-of-way varies) and Hardin Road No. 110 (60' right-of-way) and Hardin Road Alternate (60' right-of-way) and a portion of those lands as conveyed to State of Ohio as described in Deed Book 426 Page 70; being more particularly described as follows:

Commencing at the northeast corner of Section 1, Town 8, Range 5 East, said point also being along the southerly line of Lot 1 of Northwood Hills Subdivision Section One as recorded in Plat Book 10 Page 13, said point also being along the northerly line of a 2.6768 acre tract as conveyed to Carl D. & Michele L. Hutcherson as described in Official Record 45 Page 453; thence,

Along the division line between Section 1, Town 8, Range 5 East and Section 36, Town 9, Range 5 East, also being along the southerly lines of said Lot 1 and then along the southerly line of Lot 21 and then along a portion of the southerly line of Lot 22 of Northwood Hills Subdivision Section 2 as recorded in Plat Book 10 Page 95, also being along a portion of the northerly line of said 2.6768 acre tract, *North 89° 40' 39" West for a distance of 367.17'* to a point, said point being the northwesterly corner of said 2.6768 acre tract, said point also being the **TRUE POINT OF BEGINNING**, and from said beginning point running thence,

Along the westerly line of said 2.6768 acre tract, *South 0° 03' 26" East, for a distance of 223.26'* to the southwest corner of said 2.6768 acre tract; thence,

Along the southerly line of said 2.6768 acre tract, *North 89° 56' 34" East, for a distance of 471.26'* to a point along the centerline of Hardin Road No. 110 (60' right-of-way); thence,

Along the centerline of Hardin Road No. 110, *North 30° 02' 53" East, for a distance of 74.47'* to a point; thence,

Along the centerline of Hardin Road No. 110, *North 14° 34' 50" East, for a distance of 160.40'* to a point along the northerly line of Section 6, Township 6, Range 6 East; thence,

Along the northerly line of said Section 6, *South 89° 40' 39" East, for a distance of 30.95'* to a point along the easterly line of Hardin Road No. 110, said point also being along the division line between the City of Piqua and Washington Township; thence the following 8 courses along the easterly right-of-way line of Hardin Road No. 110 and the division line between the City of Piqua and Washington Township,

South 14° 34' 50" West, for a distance of 172.10' to a point; thence,

South 30° 02' 53" West, for a distance of 828.21' to a point; thence,

South 33° 23' 13" West, for a distance of 310.44' to a point; thence,

South 31° 28' 33" West, for a distance of 167.15' to a point; thence,

South 18° 18' 04" West, for a distance of 313.51' to a point; thence,

Exhibit 'A'

Along a curve to the left, said curve being non-tangent to the previous course, said curve having a *radius of 3407.75'*, *an arc length of 213.12'*, *a central angle of 3° 35' 00"*, and *a chord that bears South 16° 30' 34" West for a distance of 213.09'* to a point; thence,

South 15° 54' 28" East, for a distance of 48.21' to a point; thence,

South 10° 18' 16" West, for a distance of 207.00' to a point along the northerly right-of-way line of State Route No. 66 (right-of-way varies) and along the division line between the City of Piqua and Washington Township; thence,

Along the northerly right-of-way line of State Route No. 66, also being along the division line between the City of Piqua and Washington Township, *South 17° 21' 48" East, for a distance of 473.81'* to a point; thence,

Along the same, *South 24° 38' 18" East, for a distance of 111.95'* to a point along a southerly line of a 162.823 acre tract as conveyed to State of Ohio as described in Deed Book 426 Page 70; thence,

Along a portion of a southerly line of said 162.823 acre tract and then along the extension of said southerly line, *South 65° 28' 57" West, for a distance of 90.00'* to a point along the centerline of State Route No. 66; thence,

Along the centerline of State Route No. 66, also being along the division line between the City of Piqua and Washington Township starting at a distance of 549.67' from the beginning of this course, *North 24° 38' 18" West, for a distance of 2243.10'* to a point of curvature; thence,

Along the centerline of State Route No. 66, also being along the division line between the City of Piqua and Washington Township, following a curve to the left having a *radius of 5729.58'*, *an arc length of 789.87'*, *a central angle of 7° 53' 55"*, and *a chord that bears North 28° 35' 16" West for a distance of 789.24'* to a point at the intersection of the centerlines of State Route No. 66 and Hardin Road Alternate; thence,

Along the centerline of Hardin Road Alternate, *South 54° 09' 29" East, for a distance of 444.05'* to a point; thence,

Along the centerline of Hardin Road Alternate, *South 54° 11' 39" East, for a distance of 289.80'* to a point, said point being the southeasterly corner of a 1.026 acre tract as conveyed to Warren O. Price, Jr. & Marilyn J. Price, Trustees as described in Deed Book 729 Page 233; thence,

Along the easterly line of said 1.026 acre tract, *North 1° 09' 46" West, for a distance of 334.79'* to a point along the southerly line of a 25.078 acre tract as conveyed to John M. & Deborah Owsiniany as described in Official Record 284 Page 791, said point also being along the division line between Section 1, Town 8, Range 5 East and Section 36, Town 9, Range 5 East; thence,

Along a portion of the southerly line of said 25.0783 acre tract and then along a portion of the southerly line of Lot 22 of Northwood Hills Subdivision Section 2, also being along the division line between Section 1, Town 8, Range 5 East and Section 36, Town 9, Range 5 East, *South 89° 40' 39" East, for a distance of 937.26'* to the point of beginning containing 45.503 acres of land, more or less, of which 44.881 acres is in Section 1, Town 8, Range 5 East, 0.549 acres is in Section 6, Town 6, Range 6 East, and 0.073 acres is in Section 36, Town 9, Range 5 East; as determined by Michael L. Keller, Professional Surveyor, Ohio License No. 7978, based on a survey performed by Kleingers & Associates in June, 2011

Exhibit 'A'

and September, 2012, as filed in Miami County Recorder's Record of Plats Volume _____ Page _____.

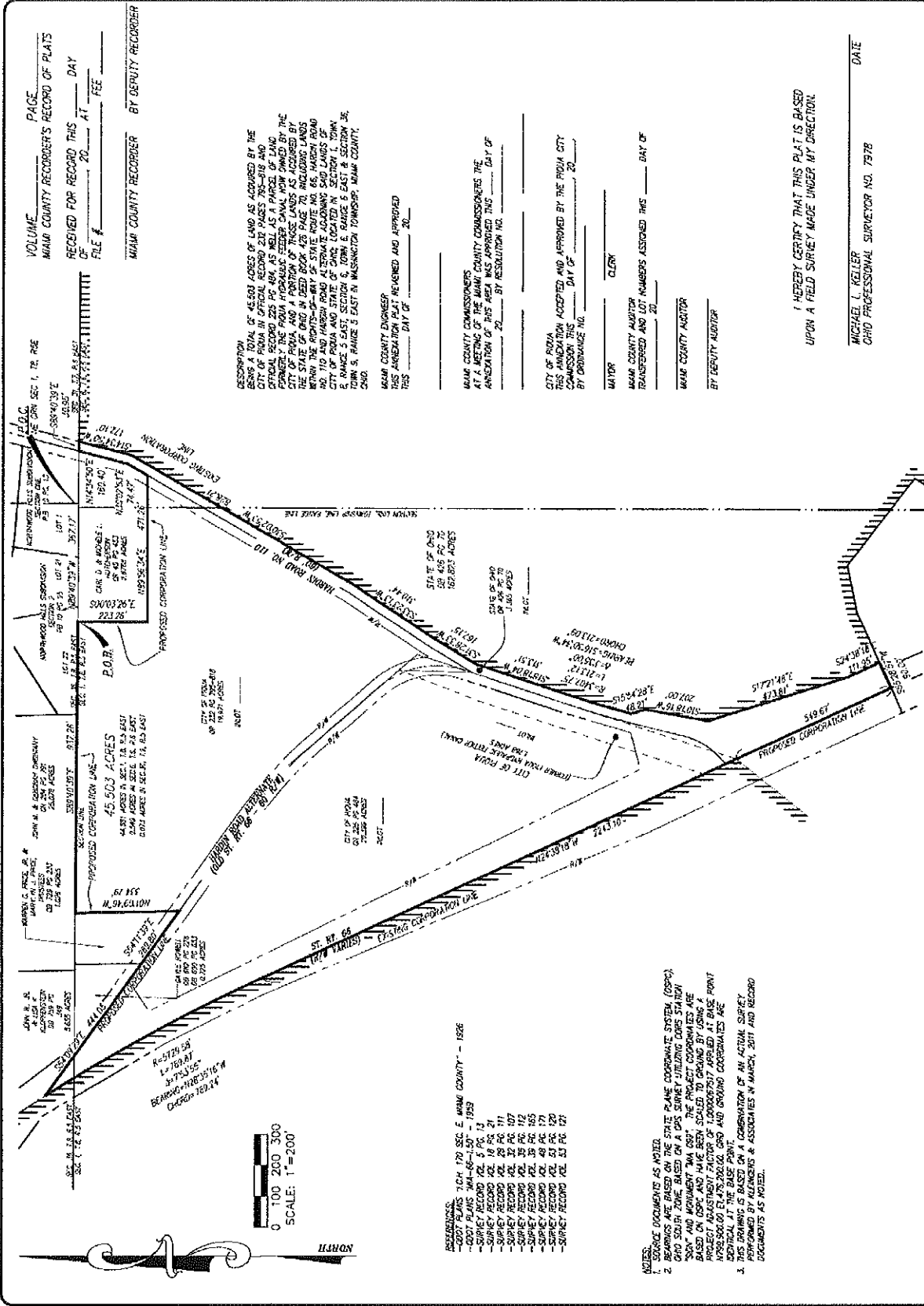
Basis of bearings for the above-described courses is the Ohio State Plane Coordinate System, Ohio South Zone (NAD83-2007) as determined by a VRS-GPS survey utilizing CORS station "SIDN" as maintained by the Ohio Department of Transportation and station "MIA 099".

Iron pins set are 5/8" diameter rebar, 30" in length, with plastic identifier caps stamped "Kleingers & Assoc".

Subject to any easements, restrictions, covenants, ordinances, or agreements of record.

Legal description prepared by Michael L. Keller, Professional Surveyor, Ohio License No. 7978

Exhibit 'B'



VOLUME _____ PAGE _____
 MIAMI COUNTY RECORDER'S RECORD OF PLATS
 RECEIVED FOR RECORD THIS _____ DAY _____
 OF _____ 20 _____ AT _____ FEE _____
 BY DEPUTY RECORDER

MIAMI COUNTY RECORDER
 BY DEPUTY RECORDER

DESCRIPTION
 BEING A TOTAL OF 45.503 ACRES OF LAND AS ACQUIRED BY THE
 CITY OF Piqua IN OFFICIAL RECORD 210 PAGES 795-818 AND
 OFFICIAL RECORD 225 PAGES 484, AS WELL AS A PARCEL OF LAND
 OFFICIAL RECORD 210 PAGES 795-818 AND OFFICIAL RECORD 225
 PAGES 484, AND A PORTION OF THESE LANDS AS ACQUIRED BY
 THE STATE OF OHIO IN DEED BOOK 428 PAGE 70, INCLUDING LANDS
 WITHIN THE RIGHTS-OF-WAY OF STATE ROUTE NO. 66, HARBOR ROAD
 AND HARBOR ROAD ALTERNATE ADJOINING SAID LANDS OF
 THE CITY OF Piqua AND STATE OF OHIO, LOCATED IN SECTION 1, TOWN
 8, RANGE 5 EAST IN WASHINGTON TOWNSHIP, MIAMI COUNTY,
 OHIO.

MIAMI COUNTY ENGINEER
 THIS ANNEXATION PLAT REVIEWED AND APPROVED
 THIS _____ DAY OF _____ 20____

MIAMI COUNTY COMMISSIONERS
 AT A MEETING OF THE MIAMI COUNTY COMMISSIONERS THE
 ANNEXATION OF THIS AREA WAS APPROVED THIS _____ DAY OF
 _____ 20____ BY RESOLUTION NO. _____

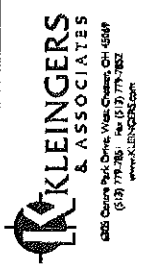
CITY OF PIQUA
 THIS ANNEXATION ACCEPTED AND APPROVED BY THE Piqua CITY
 COMMISSIONERS THIS _____ DAY OF _____ 20____
 BY ORDINANCE NO. _____

MAYOR _____ CLERK _____
 MIAMI COUNTY AUDITOR _____ DAY OF _____
 TRANSFERRED AND LOT NUMBERS ASSIGNED THIS _____ DAY OF _____

MIAMI COUNTY AUDITOR
 BY DEPUTY AUDITOR

I HEREBY CERTIFY THAT THIS PLAT IS BASED
 UPON A FIELD SURVEY MADE UNDER MY DIRECTION.

DATE _____
 MICHAEL L. KELLER
 OHIO PROFESSIONAL SURVEYOR NO. 7978



Page 1 of 1
 SCALE: 1"=100'
 DATE: 09/10/12
 DRAWN: MLK
 DESIGNED: MLK
 CHECKED: MLK
 JOB NO.: 110048.003

ANNEXATION TO THE CITY OF PIQUA
 45.503 ACRES
 SECTION 1, TOWN 8, RANGE 5 EAST,
 SECTION 6, TOWN 8, RANGE 6 EAST &
 SECTION 36, TOWN 9, RANGE 5 EAST
 WASHINGTON TOWNSHIP, MIAMI COUNTY, OHIO

REVISIONS

STATE OF OHIO
 MICHAEL L. KELLER
 7978
 OHIO PROFESSIONAL SURVEYOR

- REFERENCES:
 -CITY PLATS 7104 170 SEC. E. MIAMI COUNTY - 1956
 -CITY PLATS 7104 170 SEC. E. MIAMI COUNTY - 1956
 -SURVEY RECORD VOL. 18 PG. 13 1953
 -SURVEY RECORD VOL. 18 PG. 21
 -SURVEY RECORD VOL. 28 PG. 111
 -SURVEY RECORD VOL. 32 PG. 107
 -SURVEY RECORD VOL. 32 PG. 156
 -SURVEY RECORD VOL. 48 PG. 171
 -SURVEY RECORD VOL. 53 PG. 120
 -SURVEY RECORD VOL. 53 PG. 121

NOTES:
 1. SURVEY DOCUMENTS AS NOTED.
 2. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM (SPCS), OHIO SOUTH ZONE, BASED ON A GPS SURVEY UTILIZING CORS STATION "SDV" AND MONUMENT "MA 087". THE PROJECT COORDINATES ARE BASED ON SPCS AND HAVE BEEN SCALD TO GROUND BY USING A KROSSLAND SURVEYING SYSTEM OF LOGBOOKS/POST HOLES AT PULSE POINT INTERSECTION. THE MONUMENT AND GROUND COORDINATES ARE IDENTICAL AT THE BASE POINT.
 3. THIS DRAWING IS BASED ON A COMBINATION OF AN ACTUAL SURVEY PERFORMED BY KLEINGERS & ASSOCIATES IN MARCH, 2011 AND RECORD DOCUMENTS AS NOTED.

PETITION FOR ANNEXATION
Municipal Corporation Annexation Procedure

The City of Piqua, being the owner of real estate in the territory hereinafter described, and the State of Ohio, by and through the Department of Administrative Services, being the owner of real estate in the territory hereinafter described, said City of Piqua and State of Ohio territories hereinafter referred to as the "Territory", hereby petition for the annexation the following described Territory to the City of Piqua, Miami County, Ohio, pursuant to the process of annexation provided for by R.C. §§ 709.14, 709.15, and 709.16 .

Petitioner has attached hereto as Exhibit "A" and makes a part of this petition an ordinance adopted in a public meeting by a majority of the members elected to the legislative authority of the municipal corporation, to authorize the annexation requested by this petition and direct the city law director to prosecute the proceedings necessary to effect it, as required by R.C. 709.14.

Petitioner has attached hereto as Exhibit "B" and makes a part of this petition written consent to the granting of the annexation filed by the director of administrative services, the appointed authority acting on behalf of the state, to authorize the annexation requested by this petition, as required by R.C. 709.16.

The described Territory is contiguous with the City of Piqua, Ohio. Petitioner has attached hereto Exhibit "A" and makes a part of this petition a legal description of the perimeter and an accurate map or plat of the Territory sought to be annexed, as required by R.C. 709.15.

Pursuant to the ordinance adopted by the municipal corporation Stacy Wall, Law Director, City of Piqua, 201 W. Water Street, Piqua, Ohio 45356, 937-778-2042, has been appointed agent for the undersigned Petitioner as required by R.C. 709.14, with full power and authority hereby granted to said agent to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase, or delete the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this Petition.

Stacy m. Wall
Stacy Wall, Law Director
City of Piqua, Ohio

OHIO AGENT
SUBMISSION
ALL INFORMATION
8.27.13
Date
RECEIVED