

**VILLAGE OF ELMORE
(DISCHINGER/AMES)**

ORDINANCE NO. 04-20

**AN ORDINANCE IN COMPLIANCE WITH SECTIONS 709.03 and 709.023 OF THE OHIO REVISED
CODE**

WHEREAS, a petition is being filed for annexation (attached legal description) to the Village of Elmore, and

WHEREAS, pursuant to Sections 709.03 and 709.023 of the Ohio Revised Code the Village is required to adopt a statement indicating what services it will be provided to the territory proposed for annexation, upon its annexation;

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ELMORE, OTTAWA
COUNTY, OHIO:**

Section 1. That the Village of Elmore hereby states that the following services will be provided to the territory described in the aforementioned petition upon its annexation to the Village of Elmore, **TO WIT:**

- (a.) Access to a well-trained, fully equipped, and efficient police force.
- (b.) Provision for Village electric service, water service, and sanitary sewer service at rates paid by Village residents after infrastructure installed by developer or lot owners.
- (c.) Weekly garbage and bi-weekly recycling pickup to residences.
- (d.) Unlimited garbage, monthly in the winter and twice monthly in the summer. This service is subject to reasonable limits on quantity and that the materials not be hazardous. Curbside limb pick-up and fall leaf pick-up, as well as use of the Village compost pile for lawn waste.
- (e.) A comprehensive parks and recreation program.
- (f.) Any street or highway in the area proposed for annexation will be maintained by the Village.
- (g.) Street maintenance will include repair, replacement, and snow plowing.

Section 2. The appropriate date these services will be provided to the area proposed for annexation, upon annexation, is September 1, 2020.

Section 3. The present use of the property to be annexed and to become subject to zoning by the Village is compatible with the Village zoning ordinances and is compatible with township zoning regulations in the adjacent land remaining in the township from which the territory was annexed. Zoning in the territory to be annexed shall be governed by Section 519.18 of the Ohio Revised Code.

Section 4. If the territory is annexed and becomes subject to zoning by the Village and that Village zoning permits uses in the annexed territory that the Village determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within the township from which the territory was annexed, the Council of the Village will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a *buffer* separating the use of the annexed territory and the adjacent land remaining within the township. For the purposes of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements; streets and rights-of-way; and bicycle and pedestrian paths and sidewalks.

Section 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of the Village of Elmore and the State of Ohio.

PASSED: July 13, 2020

To Pass. 6 Yeas 0 Nays

Date: 7/13/20



PRESIDENT OF COUNCIL

Approved:



MAYOR

Attest:

Sheri Hayes

FISCAL OFFICER'S CERTIFICATE AS TO PUBLICATION

This is to certify that publication of the forgoing Ordinance was duly made as provided in Ordinance No. 14-09, adopted 6-8-09 by the following method:

By posting certified copies thereof in five (5) public places specified in the Codified Ordinance No. 14-09; said posting having been accomplished on the following date: July 14, 2020.

Sheri Hayes
FISCAL OFFICER

FISCAL OFFICER'S CERTIFICATE AS TO AUTHENTICITY

I hereby certify that the foregoing Ordinance is a true copy of the aforesaid Ordinance No. _____, together with a true and accurate record of the adoption by the Village of Elmore, Ohio.

FISCAL OFFICER

LEGAL DESCRIPTION for Village of Elmore

Annexation Parcel

Known as and being a parcel in the Northwest Quarter of Section 19, T6N, R14E, Harris Township, Ottawa County, Ohio and being more particularly described as follows:

Commencing at a found iron pin in a monument box marking the North Quarter Post of Section 19, T6N, R14E, Harris Township, Ottawa County, Ohio; thence proceeding South 00 degrees 36 minutes 01 seconds East in the East line of the Northwest Quarter of Section 19, said East line also being the centerline of Dischinger Road, T.R. #48, a.k.a. Ames Street, (40 foot right-of-way), 1423.35 feet to a point in the South line of a parcel now or formerly owned by Paul and Irene M. Floro as described in Ottawa County Deed Volume 326 at Page 865 and also being the point and place of beginning of the parcel herein described;

Thence proceeding South 00 degrees 36 minutes 01 seconds East in the East line of the Northwest Quarter of said Section 19, said East line also being a Corporation line of the Village of Elmore per Ordinance # 01-93 and recorded in Ottawa County Deed Volume 379 at Page 21, 130.00 feet to a point in the North line of a parcel now or formerly owned by Dennis A. Bowman as described in Ottawa County Official Record Volume 1375 at Page 319 and Page 323;

Thence proceeding South 89 degrees 23 minutes 59 seconds West in the North line of the previously mentioned parcel, 200.00 feet to a point in a East line of a parcel now or formerly owned by Kenneth E. and Carolyn J. Neeb as described in Ottawa County Official Record Volume 1494 at Page 554;

Thence proceeding North 00 degrees 36 minutes 01 seconds West in a East line of the previously mentioned parcel, 130.00 feet to a point in the South line of the parcel described in Ottawa County Deed Volume 326 at Page 865, said South line also being a Corporation line of the Village of Elmore per Ordinance # 755 and recorded in Ottawa County Deed Volume 343 at Page 191;

Thence proceeding North 89 degrees 23 minutes 59 seconds East in the South line of the previously mentioned parcel and also a Corporation line of the Village of Elmore, 200.00 feet to the point and place of beginning. Said parcel contains 0.597 acres, but is subject to all legal highways and easement of record.

The above legal description was prepared by Allan W. Weirich, Professional Surveyor #7427, and is based on the assumption that the East line of the Northwest Quarter of Section 19, T6N, R14E, Harris Township, Ottawa County, Ohio bears South 00 degrees 36 minutes 01 seconds East and is based on all pertinent deeds of Record and not an actual field survey and written May 25, 2020.


Allan W. Weirich, P.S. #7427

5-28-2020
Date




Ronald P. O'Neil, P.E., P.S.
Ottawa County Engineer

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