

VILLAGE OF ELMORE
(PORTAGE RIVER SOUTH)

ORDINANCE NO. 05-20

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 27, 2020

To Pass. 6 Yeas 0 Nays

Date: 7/27/20



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 27, 2020.

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

From: Mark Mulligan mullilaw@gmail.com
Subject:
Date: June 8, 2020 at 1:48 PM
To:



6622 West Harbor Road
Port Clinton, Ohio 43452
Office (419) 898-9200
Fax (419) 898-2259

LEGAL DESCRIPTION for Village of Elmore

Annexation Parcel

Known as and being a parcel in the Northeast Quarter of Section 24, T6N, R13E, Harris Township, Ottawa County, Ohio and being more particularly described as follows:

Commencing at a found concrete monument marking the Northeast Corner of Section 24, T6N, R13E, Harris Township, Ottawa County, Ohio and also being the point and place of beginning of the parcel herein described;

Thence proceeding South 00 degrees 11 minutes 46 seconds East in the East line of the Northeast Quarter of said Section 24, said East line also being a Corporation line of the Village of Elmore, 60.77 feet to a found concrete monument marking the southerly corner of a parcel now or formerly owned by Dennis L. and Ruth A. Despones as described in Ottawa County Official Record Volume 1696 at Page 25, said southerly corner also being the Northwest Corner of Section 19, T6N, R14E;

Thence proceeding South 00 degrees 12 minutes 32 seconds East in the East line of the Northeast Quarter of Section 24, said East line also being the easterly line of a parcel now or formerly owned by Michael R. and Mary Anne Madden as described in Ottawa County Official Record Volume 1751 at Page 188, 31.14 feet to a found mag nail and shiner marking its intersection with the centerline of Portage River South Road, C.R. #18, (60 foot right-of-way);

Thence proceeding South 58 degrees 39 minutes 42 seconds West in the centerline of Portage River South Road, C.R. #18, said centerline also being the southerly line of the previously mentioned parcel, 76.44 feet to a point in the centerline of Portage River South Road, C.R. #18;

Thence proceeding South 47 degrees 11 minutes 42 seconds West in the centerline of Portage River South Road C.R. #18 and the easterly line of the previously mentioned parcel and also the easterly line of a parcel now of formerly owned by Charles W. and Nancy J. Almroth as described in Ottawa County Official Record Volume 1712 at Page 813, 344.68 to a point;

Thence proceeding South 48 degrees 13 minutes 50 seconds West in the centerline of Portage River South Road C.R. #18 and in the easterly line of the previously mentioned parcel 90.18 feet to a point in the northerly line of a parcel now or formerly owned by Kendyl S. and Dawn M. Peters as described in Ottawa County Deed Volume 332 at Page 119;

Thence proceeding South 43 degrees 17 minutes 49 seconds East in the northerly line of the previously mentioned parcel passing through a found iron pin at 20.55 feet, 253.51 feet to a found iron pin the the easterly line of the previously mentioned parcel;

Thence proceeding South 48 degrees 23 minutes 11 seconds West in the easterly line of the previously mentioned parcel, 75.00 feet to a found iron pin in the easterly line of a parcel now or formerly owned by Steven and Kristine Holland as described in Ottawa County Deed Volume 360 at Page 889;

Thence proceeding South 05 degrees 32 minutes 39 seconds West in the easterly line of the previously mentioned parcel, 211.45 feet to a point in the southerly line of the previously mentioned parcel, said point referenced by a found iron pin 0.13 feet South and 0.50 feet West;

Thence proceeding North 60 degrees 48 minutes 51 seconds West in the southerly line of the previously mentioned parcel and also the southerly line of a parcel now or formerly owned by Michael J. Boyle and Clark Madison as described in Ottawa County Official Record Volume 1598 at Page 128, passing through a found iron pipe at 394.07 feet, 419.54 feet to a point in the centerline of Portage River South Road, C.R. #18;

Employee Owned and Operated

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Thence proceeding South 48 degrees 13 minutes 50 seconds West on the centerline of Portage River South Road, C.R. #18, 58.17 feet to a point in the easterly line of a parcel now or formerly owned by Joseph J. and Marie P. Schedel Foundation as described in Ottawa County Deed Volume 361 at Page 728;

Thence proceeding North 41 degrees 12 minutes 30 seconds West in the easterly line of the previously mentioned parcel, passing through a found iron pipe at 30.92 feet, 117.17 feet to a point in the centerline of the Portage River and also being a southerly line of a parcel now or formerly owned by River Bottom Properties LLC as described in Ottawa County Official Record Volume 1497 at page 619;

Thence proceeding along the meandering centerline of the Portage River in the following courses to wit:

N 36° 31' 34" E 178.09 feet;

N 09° 11' 34" E 458.30 feet to a point in the North line of the Northeast

Quarter of said Section 24, said North line also being a corporation line of the Village of Elmore;

Thence proceeding North 87 degrees 57 minutes 34 seconds East in the North line of the Northeast Quarter of said Section 24 and also the Corporation line of the Village of Elmore, passing through a found iron pipes at 428.92 feet and 512.30 feet, 595.77 feet to the point and place of beginning. Said parcel contains 7.759 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 West line of the Northeast Quarter of Section 24, T6N, R13E, Harris Township, Ottawa County, Ohio bears South 00 degrees 12 minutes 32 seconds East and is based a survey done May, 2020.


Allan W. Weirich, P.S. #7427

