

RECORD OF RESOLUTIONS

Resolution No. 24-057 Passed on August 5th, 2024

RESOLUTION 24-057 ACCEPTING THE ANNEXATION OF 45.773 +/- PARCEL #08-00143.000 & 08-00254.000) TO THE VILLAGE OF WEST JEFFERSON, OHIO, PURSUANT TO AN ANNEXATION PETITION FILED WITH AND GRANTED BY THE BOARD OF COUNTY COMMISSIONERS OF MADISON COUNTY, OHIO, AS PROVIDED FOR IN OHIO REVISED CODE SECTION 709.023.

WHEREAS, on March 13, 2024, a petition was filed with the Board of County Commissioners of Madison County, Ohio pursuant to Ohio Revised Code 709.21 and 709.023, for the annexation of 45.773 +/- acres of territory in Jefferson Township to the Village of West Jefferson, which petition was signed by 100% of the property owners of the territory sought be annexed, a copy of which petition and accompanying map/legal description is attached hereto as Exhibit A; and

WHEREAS, pursuant to Ohio Revised Code 709.023(C), the Village of West Jefferson adopted Resolution No. 24-030 on April 1, 2024, which Resolution indicates the type and scope of services the Village of West Jefferson will provide to the territory upon annexation to the Village, and addressed any buffer requirements ("Services Resolution"), which Services Resolution was timely filed with the Madison County Board of Commissioners; and

WHEREAS, on May 21st, 2024, the Madison County Board of Commissioners approved the proposed annexation; and

WHEREAS, a certified copy of the annexation proceedings was provided by Madison County to the Clerk of Council of the Village of West Jefferson on May 31st, 2024; and

WHEREAS, pursuant to Ohio Revised Code 709.04, the Clerk of Village Council has placed before Village Council the resolution of the Madison County Board of Commissioners granting the petition, as well as the annexation petition and accompanying map/plat and legal description at this next regular meeting following the expiration of sixty (60) days from receipt by the Clerk of the same; and

WHEREAS, Village Council is authorized under Ohio Revised Code 709.04 to accept or reject the Petition for annexation at this time.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of West Jefferson, County of Madison, State of Ohio, with the majority of duly elected members thereof concurring as follows:

Section I. The proposed annexation of 45.773 +/- acres from Jefferson Township, Madison County, Ohio to the Village of West Jefferson, a petition for which was filed with the Board of Commissioners, Madison County, Ohio on March 13, 2024 and approved by the Board of County Commissioners on May 21st, 2024 is hereby accepted. The petition and accompanying map/plat and legal description are attached hereto as Exhibit A, which graphically depicts and describes the territory that is the subject of the annexation.


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Section II. The Clerk of Village Council is hereby authorized and directed, pursuant to Ohio Revised Code 709.06, to make three (3) copies of this Resolution, to each of which shall be attached: a copy of the annexation petition and accompanying map/plat/legal description; the transcript of the proceedings of the Madison County Board of Commissioners; and all other resolutions and/or ordinances relating to the annexation, with a certificate as to the correctness of each of the three (3) copies, signed by the Clerk of Council and authenticated by the seal of the Village, if any. The Clerk of Council shall forthwith deliver one copy to the County Auditor, one (1) copy to the County Recorder, and one (1) copy to the Ohio Secretary of State. The Clerk of Council shall provide notice of this annexation in writing, along with a copy of the map/plat/legal description, to the Board of Elections of Madison County within thirty (30) days after it becomes effective. The Clerk of Council shall do all other things with respect to the action taken by this Resolution as may be required by law.

Section III. All formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council, and all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Passed this 5th day of August, 2024


Jennifer Warner
President of Council

8.5.24
Date

Date received by Mayor 8.8.24

Date Approved by Mayor 8.8.24


Ray A. Martin, Mayor

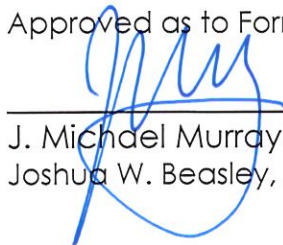
ATTEST:


Tisha Edwards
Clerk of Council

8.8.24
Date

Sections Vetoed: _____

Approved as to Form:


J. Michael Murray, Director of Law, or
Joshua W. Beasley, Assistant Director of Law

8/8/24
Date



Board of Madison County Commissioners

Resolution No. 302-24

Presented by Amy Rees, Commission Clerk

A Resolution to Approve the Annexation of 45.773 +/- acres from
Jefferson Township to the Village of West Jefferson - Case #ANX - 2-24


WHEREAS, a petition for the annexation of certain territory in Jefferson Township to the Village of West Jefferson, Madison County, Ohio, was duly filed by the property owners, as prescribed by law; and

WHEREAS, the territory proposed for annexation includes approximately 45.773 acres of land, more or less, as described in the petition and depicted in the attached Exhibit A; and

WHEREAS, the Board of County Commissioners has determined that the petition meets all the requirements set forth in Chapter 709 of the Ohio Revised Code, and that the annexation will serve the public welfare and interests of the citizens of Madison County, Jefferson Township, and the Village of West Jefferson.


NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Madison County, Ohio, that the annexation of 45.773 +/- acres of land from Jefferson Township to the Village of West Jefferson, as set forth in the petition for annexation and depicted in Exhibit A, is hereby accepted and approved.

Dated this 21st day of May, 2024.


Dr. Tony Xenikis, President
Madison County Board of Commissioners

Vote: Forrest Y, Xenikis Y, Wallace Y

I, Amy Rees, the duly qualified and acting Clerk of the Board of Madison County Commissioners, located in Madison County, Ohio, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Madison County Commissioners of said Madison County, Ohio at a regular meeting held on the 21st day of May, 2024.


Amy Rees, Clerk
Madison County Board of Commissioners

PROOF OF NOTICE
ON THE VILLAGE OF WEST JEFFERSON AND JEFFERSON TOWNSHIP
RE: NOTICE OF PETITION FOR ANNEXATION OF 45.773 +/- ACRES
FROM JEFFERSON TOWNSHIP TO THE VILLAGE OF WEST JEFFERSON

TO: Amy Rees
Madison County Commissioners, Clerk
1 N. Main St.
London, OH 43140

Now comes the undersigned Agent for the Petitioners, and hereby submits its Proof of Service of the Notice of Filing Petition for Annexation of 45.773 +/- acres from Jefferson Township to the Village of Jefferson Township. Attached hereto are copies of the notices that were sent to the Jefferson Township Fiscal Officer and the Village of West Jefferson Clerk, with exhibits.

Respectfully submitted,



Scott E. North
Porter Wright Morris & Arthur LLP
41 S. High St., 29th Floor
Columbus, OH 43215
Tel: (614) 227-2000
Fax: (614) 227-2100
snorth@porterwright.com

Agent for Petitioners

MADISON COUNTY
COMMISSIONERS
RECEIVED
MAR 13 PM 12:59

RECEIPT OF THE AFOREMENTIONED DOCUMENTS IS HEREBY ACKNOWLEDGED
THIS 13TH DAY OF MARCH, 2024.



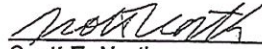
Clerk, Madison County Commissioners

NOTICE OF FILING PETITION FOR ANNEXATION
RE: ANNEXATION OF 45.773 +/- ACRES
FROM JEFFERSON TOWNSHIP TO THE VILLAGE OF WEST JEFFERSON, OHIO

TO: Tisha Edwards
Clerk of Council
28 East Main Street
West Jefferson, OH 43162

You are hereby notified that on the 13th day of March, 2024, at approximately 2:00 p.m., the undersigned, as Agent for the Petitioners, filed a Petition for Annexation in the office of the Board of County Commissioners of Madison County, Ohio. Said Petition prays for annexation to the Village of West Jefferson, Ohio, of 45.773 +/- acres in Jefferson Township. A copy of said Petition, with description and plat, is attached hereto and made a part hereof.

Respectfully submitted,



Scott E. North
Porter Wright Morris & Arthur LLP
41 S. High St., 29th Floor
Columbus, OH 43215
Tel: (614) 227-2000
Fax: (614) 227-2100
snorth@porterwright.com

Agent for Petitioners

cc: Madison County Commissioners c/o Amy Rees, Clerk (without enclosure)

RECEIPT OF THE AFOREMENTIONED DOCUMENTS IS HEREBY ACKNOWLEDGED
THIS 13 DAY OF MARCH, 2024.



Clerk of Council
Village of West Jefferson

DESCRIPTION OF 45.794 ACRES
LYING EAST OF STATE ROUTE 29
AND NORTH OF U.S. 40

Situated in the State of Ohio, County of Madison, Township of Jefferson, being part of Virginia Military Survey No. 3888, 10929 and 12148, and being part of a 103.260 acre tract conveyed to Thirty-Four Corp. (68%) and M 3 T Corp. (32%), by deed of record in Official Record 165, Page 2379, and all of a 1.000 acre tract conveyed to Thirty-Four Corp. (68%) and M 3 T Corp. (32%), by deed of record in Official Record 402, Page 381, Recorder's Office, Madison County, Ohio, and being bounded and more particularly described as follows:

Beginning for reference, at a P.K. nail found, at the original centerline intersection of State Route 29 (60 feet wide) and U.S. 40 (width varies);

Thence with the following two (2) courses and distances, along the centerline of said U.S. 40:

- 1) North 86°32'33" East, a distance of 715.25 feet, to a railroad spike found, at an angle point;
- 2) North 86°33'55" East, a distance of 518.86 feet, to a railroad spike found, at a southwesterly corner of said 103.260 acre tract, and the southeasterly corner of a 35.694 acre tract conveyed to Teagosei America Inc., by deed of record in Deed Book 296, Page 433, and being the Point of True Beginning;

Thence North 11°22'11" East, a distance of 1627.56 feet, along the line common to said 103.260 acre and 35.694 acre tracts, and along the easterly line of a 93.847 acre tract conveyed to The Nature Conservancy, by deed of record in Deed Book 47, Page 542, to a 3/4 inch iron pin found, at the northwesterly corner of said 103.260 acre tract;

Thence with the following two (2) courses and distances, along the lines common to said 103.260 acre and 93.847 acre tracts:

- 1) North 71°06'34" East, a distance of 668.55 feet, passing a 1 inch iron pin found with a cap stamped "5969" and a distance of 334.17 feet, to a 1 inch iron pin found with a cap stamped "5969";
- 2) North 86°04'32" East, a distance of 539.58 feet, passing a 1 inch iron pin found with a cap stamped "5969" at a distance of 412.47 feet, to a rebar set, at the northeasterly corner of said 103.260 acre tract, and the northwesterly corner of a 39.31 acre tract conveyed to MT JL, LLC, by deed of record in Official Record 419, Page 278;

Thence South 09°21'22" West, a distance of 1801.00 feet, passing a 1 inch iron pin found with a cap stamped "5969" at the northeasterly corner of said 1.000 acre tract at a distance of 1503.63 feet, and a 1 inch iron pin found with a cap stamped "5969" on the northerly right-of-way of said U.S. 40 at a distance of 1759.98 feet, along the line common to said 103.260 acre and 39.31 acre tracts, and the easterly line of said 1.000 acre tract, to a MAG nail set, at the southerly common corner of said 1.000 acre and 39.31 acre tracts, and in the centerline of said U.S. 40;

Thence South 86°33'55" West, a distance of 1201.08 feet, along the centerline of said U.S. 40, and the line common to said 1.000 acre and 103.260 acre tracts, then across said 103.260 acre tract, and then along the southerly line of said 103.260 acre tract, to the Point of True Beginning, containing 45.794 acres, of which 1.149 acres lies within the right-of-way of U.S. 40, 21.621 acres lies within Virginia Military Survey No. 3888, 22.710 acres lies within Virginia Military Survey No. 10929 and 1.463 acres lies within Virginia Military Survey No. 12148, more or less, and being subject to all easements, restrictions and rights-of-way of record.

The bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS). Said bearings originated from a field traverse which was referenced to said Coordinate System by GPS observations and observations of selected stations in the Ohio Department of Transportation Real-Time-Network. The portion of the centerline of U.S. 40, having a bearing of South 86°33'55" West and monumented as shown hereon, is designated the "basis of bearing" for this description.

All rebar set are 5/8 inch DIA. 30 inches in length, with a red plastic cap stamped with the name "Landmark Survey".

The above description is based on an actual field survey performed in February of 2024.



LANDMARK SURVEY GROUP, INC.

Scott D. Grundel 3/11/24
Scott D. Grundel, P.S. Date
Registered Surveyor No. 8047