

ORDINANCE NO. 2000-21

**ACCEPTING ANNEXATION ON APPLICATION OF THE OWNER OF
CERTAIN PROPERTY CONTAINING 101.7063 ACRES LOCATED IN
DEERFIELD TOWNSHIP TO THE CITY OF MASON, OHIO**

WHEREAS, the petition for annexation of certain territory in Deerfield Township was duly filed by Frank Batsche, Jr. and Ruth E. Batsche, Board of Education of the Mason City School District and William C. and Margaret B. Hammeran, petitioners; and

WHEREAS, the petition was duly considered by the Board of County Commissioners of Warren County, Ohio, on March 9, 1999; and

WHEREAS, the Board of County Commissioners approved the annexation of the territory to the City of Mason as hereinafter described; and

WHEREAS, the Board of County Commissioners certified the transcript of the proceedings in connection with the annexation with a map and petition required in connection therewith to the Clerk of Council, who received same on March 19, 1999; and

WHEREAS, sixty (60) days from the date of the filing have now elapsed in accordance with the provisions of Ohio Revised Code §709.04.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mason, Ohio, **six (6)** members elected thereto concurring:

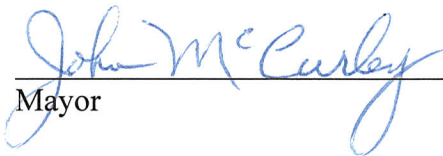
Section 1. That the proposed annexation as applied for in the petition of Frank Batsche, Jr. and Ruth E. Batsche, Board of Education of the Mason City School District and William C. and Margaret B. Hammeran, petitioners, who are the owners of the real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Warren County, Ohio, on September 25, 1998, and which petition prayed for annexation to the City of Mason, Ohio, of certain territory adjacent thereto as hereinafter described, and which petition was approved for annexation to the City of Mason by the Board of County Commissioners on March 9, 1999, and the same is hereby accepted. The territory is described in the attached Exhibit "A" which is incorporated herein by reference as part of this Ordinance.

A certified transcript of the proceedings for annexation with an accurate map of the territory, together with the petition for its annexation and other papers relating to the proceedings thereto of the County Commissioners are all on file with the Clerk of Council of this City and have been for more than sixty (60) days.

Section 2. That the Clerk of Council be and she is hereby authorized and directed to make three copies of this Ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of the proceedings of the Board of County Commissioners relating thereto and a certificate as to the correctness thereof. The Clerk of Council shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder, one copy to the Secretary of State and shall file notice of annexation with the Board of Elections within thirty (30) days after it becomes effective, and the Clerk of Council shall do all things required by law.

Section 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 14th day of February, 2000.



Mayor

Attest:



Clerk of Council

CERTIFICATE

The undersigned, Clerk of Council of the City of Mason, hereby certifies this to be a true and exact copy of Ordinance No. 2000-_____, adopted by the Council of the City of Mason on _____.

Clerk of Council

2/7/2000

RECEIVED

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PETITION FOR ANNEXATION

WARREN COUNTY
COMMISSIONERS

September 25, 1998

TO: The Honorable Board of County Commissioners of Warren County, Ohio

The undersigned Petitioner, being a majority of the owners residing and/or owning real estate in the following described territory situated in Deerfield Township, Warren County, Ohio, and adjacent to the City of Mason, Ohio, to-wit:

PARCEL I

Situated in Deerfield Township, Warren County, Ohio, being the east half of the northwest quarter of Section 26, Town 4, Range 3 and being more particularly described as follows:

Beginning at an iron pin on the north line of said Section 26 and on the Township Line between Deerfield and Turtlecreek Townships, said iron pin bearing South 85 deg. 33' 45" East a distance of 849.25 feet from a R.R. spike at the intersection of the centerline of Mason-Montgomery Road with said north section line and said Township Line; thence with the north line of said Section 26 and the Township Line between Deerfield and Turtlecreek Townships South 85 deg. 33' 13" East a distance of 1360.91 feet to an iron pin at a corner of Ghahreman Khodadad, Trustee's 146.737 acre parcel (Vol. 1259, Pg. 896, Official Records of Warren County); thence with a westerly line of said 146.737 acre parcel South 04 deg. 28' 32" West a distance of 2717.12 feet to an iron pin on the north line of Joseph A. Hermann's 134.787 acre parcel (Vol. 622, Pg. 758, Official Records of Warren County); thence with the north line of said 134.787 acre parcel North 85 deg. 34' 10" West a distance of 1360.33 feet to a wood corner post at the southeast corner of Bruce Chapman's 5.433 acre parcel (Vol. 1193, Pg. 334, Official Records of Warren County), said wood post witnessed by an iron pin bearing North 04 deg. 27' 45" East a distance of 0.50 of a foot; thence with the east line of said 5.433 acre parcel, the east line of Bruce Chapman's 5.026 acre parcel (Vol. 1193, Pg. 334, Official Records of Warren County), the east line of Mark Schappacher's 3.004 acre parcel (Vol. 322, Pg. 659, Official Records of Warren County), the east line of John G. Howard's 2.664 acre parcel (Vol. 954, Pg. 116, Official Records of Warren County), the east line of Karen Bollmer's 3.018 acre parcel (Vol. 969, Pg. 997, Official Records of Warren County), and the east line of Joseph A. and Sally J. Hermann's 3.084 acre parcel (Vol. 332, Pg. 922, Official Records of Warren County) North 04 deg. 27' 45" East a distance of 1672.02 feet to the northeast corner of Hermann's said 3.084 acre parcel, said corner witnessed by an iron pin bearing North 87 deg. 35' 30" West a distance of 10.63 feet; thence with

the east line of Frank H. Batsche, Jr. and Ruth Elizabeth Batsche's 12.313 acre parcel (Vol. 285, Pg. 106, Official Records of Warren County) and the east line of Frank H. Batsche, Jr. and Ruth E. Batsche's 5.001 acre parcel (Vol. 052, Pg. 812, Official Records of Warren County) North 04 deg. 27' 54" East a distance of 1045.48 feet to the place of beginning.

Containing 84.8772 acres, subject to all easements, restrictions and rights-of-way of record.

ALSO, a right-of-way 20 feet in width appurtenant thereto with provision as to maintenance thereof conveyed to Elva Casseday, her heirs and assigns, by deed dated October 24, 1896, from Lora Stitt and Newton Stitt, recorded in Deed Book Volume 77, Page 339 of the Deed Records of Warren County, Ohio.

PARCEL II

Situated in Deerfield Township, Warren County, Ohio, and being a part of Section 26, Town 4, Range 3, and being more particularly described as follows:

Beginning at a point in the centerline of Mason-Montgomery Road, said point being South 85 deg. 33' 45" East, 518.24 feet as measured along the Northerly line of said Section 26 and along the Deerfield Township-Turtlecreek Township line; and South 09 deg. 54' 13" West, 275.58 feet as measured along the centerline of Mason-Montgomery Road, from the Northwesterly corner of Section 26; thence South 85 deg. 33' 36" East and a distance of 780.79 feet to a point; thence South 04 deg. 27' 54" West and a distance of 778.45 feet to a point; thence North 87 deg. 35' 21" West and a distance of 549.93 feet to a point in the Easterly right-of-way of Mason-Montgomery Road; thence along the Easterly right-of-way of Mason-Montgomery Road, North 07 deg. 40' 33" West and a distance of 103.08 feet to a point; thence continuing along the right-of-way of Mason-Montgomery Road, North 09 deg. 54' 13" West and a distance of 637.51 feet to a point; thence South 86 deg. 35' 07" West and a distance of 30.19 feet to a point in the centerline of Mason-Montgomery Road; thence along the centerline of Mason-Montgomery Road, North 09 deg. 54' 13" West and a distance of 86.32 feet to the point of beginning and containing 11.803 acres of land.

The above described real estate is part of the same premises as recorded in OR 1411, Page 321, of the Warren County, Ohio Deed Records and identified as parcel no. 12-26-100-010 on the Tax Maps of said County.

- (1) A 20 foot wide right-of-way as mentioned in Deed Book 316, Page 155, of the Deed Records of said County.

PARCEL III

Situated in Deerfield Township, Warren County, Ohio, and being a part of Section 26, Town 4, Range 3, and bounded and described as follows:

Beginning at an iron pin at the Northwestern corner of said Section 26 and in the Deerfield Township-Turtlecreek Township line; running thence, with the Northerly line of Section 26 and with said Township line, South 85 deg. 33' 45" East, 518.24 feet to an iron spike in the centerline of Mason-Montgomery Road (County Road No. 21) at the real point of beginning for the herein described tract;

Running thence, from said real point of beginning, with said Section line and said Township line, South 85 deg. 33' 45" East (passing an iron pin at 30.00 feet) a distance of 849.25 feet to an iron pin at the Northeasterly corner of an 84.88 acre tract recorded in Deed Book 206, Page 486, of the Deed Records of said County; running thence, with the Easterly line of said 84.88 acre tract, South 4 deg. 27' 45" West 267.29 feet to an iron pin; running thence by a new division line, North 85 deg. 33' 45" West (passing an iron pin at 750.79 feet) a distance of 780.79 feet to an iron spike in the centerline of Mason-Montgomery Road and in the Easterly line of a 15.329 acre tract recorded in Deed Book 444, Page 267, of the Deed Records of said County; running thence, with the centerline of said Road and with the Easterly line of said 15.329 acre tract, North 9 deg. 54' 22" West, 275.89 feet to the point of beginning, containing five and one thousandth (5.001) acres, subject to all legal highways and easements of record. Prior Deed Reference: Deed Book 206, Page 486, Warren County Deed Records.

Grantor hereby reserves as a permanent easement for the benefit of Warren County, the following described property for public road and utility purposes: 40 feet measured from the centerline of Mason-Montgomery Road across the front of the lot.

PARCEL IV

Situated in Deerfield Township, Warren County, Ohio, being part of Section 26, Town 4, Range 3 and being more particularly described as follows:

Beginning at a point in the centerline of Mason-Montgomery Road, said point being South 85 deg. 33' 45" East, 518.24 feet from the Northwestern corner of Section 26 as measured along the Northerly line of said Section 26 and along the Deerfield Township-Turtlecreek Township line; thence along the centerline of Mason-Montgomery Road, South 09 deg. 54' 13" East and a distance of 361.90 feet to a point; thence, South 86 deg. 35' 07" West and a distance of 30.19 feet to a point in the Westerly right-of-way of said road; thence along the Westerly right-of-way North 09 deg. 54' 13" West and a distance of 366.16 feet to a point in the Northerly line of Section 26; thence along the Northerly line of Section 26, South 85 deg. 33' 45" East and a distance of 30.96 feet to the point of beginning and containing 0.251 acres of land.

The above described real estate is part of the same premises as recorded in OR 1233, Page 744, of the Warren County, Ohio, Deed Records as identified as parcel no. 12-26-100-012 on the Tax Maps of said County.