



Village Of Fredericksburg

206 North Mill Street
Fredericksburg, Ohio 44627



Joseph Chupp
Mayor

WAYNE COUNTY TAX MAP
Initials SDP FILE# 2024-3869
DATE 10 / 29 / 2024
IDENT. SD 19-NW-H
FB 003-D



202400010366 10/31/2024 09:14 AM
Filed for Record in WAYNE County, Ohio
Jane Carmichael Rec Fees: \$98.00
ANEX OR Vol 34 Pgs 177 - 186

October 23, 2024

RECORDERS OFFICE

Inst #202400010366

To Whom It May Concern;

I, Shawn McKelvey, Fiscal Officer of the Village of Fredericksburg, hereby certify that the attached hereto are:

1. 3 copies of the petition for annexation
2. The map or plat accompanying the petition
3. A transcript of the proceedings of the Wayne County Commissioners
4. The Resolution accepting the annexation by the Village of Fredericksburg in relation to the annexation of Permanent Parcel No. 45-00392.000, the real property owned by Spring Mtn. Holding, LLC

Fiscal Officer
Village of Fredericksburg

This Conveyance has been examined and the
Grantor has complied with Section 319.202
Of the Revised Code.
FEE \$
EXEMPT ☒

RUSSELL ROBERTSON, County Auditor

AMT. PD 500 DATE 10/31/24
RUSSELL ROBERTSON, AUDITOR
JoAnna Hatten DEPUTY
JoAnna Hatten



Paperwork for this document
originated in the Commissioner's
office. The Recorder's office is not
liable for any papers that are missing.



202400010366

BK 34 PG 178

**PETITION FOR ANNEXATION
BY: SPRING MTN. HOLDING LLC.**

(R.C. 709.021; 709.023; 709.02)

TO: Board of County Commissioners of Wayne County, Ohio

Petitioner Spring Mtn Holding LLC, by and through its member, Michelle Weaver (the "Petitioner"), pursuant to Ohio Revised Code Section 709.021 and related provisions, being the owner of certain real estate in the unincorporated township of Salt Creek which Petitioner proposes to be annexed to the Village of Fredericksburg, Ohio, hereby submits an application for annexation by petition of said real estate, pursuant to Ohio Revised Code Section 709.023 (commonly referred to as an "Expedited Type-2 Annexation") being known as Permanent parcel Number 45-00392.000 in Wayne County, Ohio.

The territory that is proposed for annexation is contiguous to the Village of Fredericksburg. An accurate legal description of the territory proposed for annexation is attached hereto as Exhibit "A" and incorporated herein by reference. An accurate map of plat of the territory proposed for annexation is attached hereto as Exhibit "B" and incorporated herein by reference. There are no other properties or parcels owned by any other persons included in this petition.

Derek S. Anderson is appointed to act as agent for Petitioner with full authority to take any action necessary for obtaining the granting of this petition.

Simultaneously with the filing of this petition, Derek S. Anderson is filing with the Clerk of the Board:

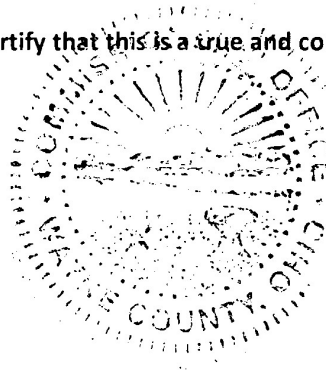
1. A list of all tracts, lots, or parcels in the territory proposed for annexation; and
2. A list of all tracts, lots, or parcels adjacent to that territory or directly across the road from it when the road is adjacent to it.

This list includes the name and mailing address of the owner of each tract, lot, or parcel, and the permanent parcel number from the Wayne County Auditor's permanent parcel numbering system for each tract, lot, or parcel.

A certified copy of the Annexation Agreement by and between Petitioner and the Village of Fredericksburg, Ohio has been submitted to the Wayne County Board of Commissioners and is incorporated herein by reference.

Pending
Receipt
8/20/24
JH
signed
copy
received & time stamped
9/18/2024
JH

I hereby certify that this is a true and correct copy of the original on file



Jamie L. Imhoff
Wayne County Commissioners
By: JAMIE L. IMHOFF, CLERK

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.

Michelle Weaver signed electronically
Spring Mtn. Holding LLC
By: Michelle Weaver
Date: 8/14/2024



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BK 34 PG 180

Exhibit A

Situated in the Township of Salt Creek, (T-15N, R-12W) Section 19, Northwest Quarter, County of Wayne and State of Ohio:

Commencing at a stone known as the Southwest corner of the Northwest Quarter of Section 19, Salt Creek Township;

Thence South $89^{\circ} 36' 21''$ East along the Quarter Section line, a distance of 568.26 feet to an iron pipe in Harrison Road (County Road 2);

Thence North $61^{\circ} 27' 36''$ East with Harrison Road, a distance of 225.39 feet to an iron corner;

Thence North $38^{\circ} 12' 36''$ East, a distance of 63.33 feet to a point on the North right of way line of Harrison Road and the Corporation Line of the Village of Fredericksburg and THE TRUE PLACE OF BEGINNING;

THENCE WITH THE FOLLOWING SIX (6) COURSES:

1. North $38^{\circ} 12' 36''$ East, a distance of 197.37 feet to a 5/8 inch iron bar with ident cap "Rudolph" found;
2. North $21^{\circ} 01' 00''$ East, a distance of 327.62 feet to an iron corner found;
3. South $86^{\circ} 24' 45''$ East, a distance of 60.95 feet to a point;
4. South $27^{\circ} 00' 00''$ West, a distance of 45.91 feet to a 5/8 inch iron bar with ident cap "Rudolph" found;
5. South $17^{\circ} 53' 57''$ West, a distance of 336.72 feet to a point on the North right-of-way of Harrison Road and the corporation line;
6. South $61^{\circ} 27' 36''$ West, along the North right of way line of Harrison Road and the corporation line, a distance of 200.43 feet to a point and THE TRUE PLACE OF BEGINNING.

This parcel contains 0.678 acres, more or less, but subject to legal highways, easements or restrictions if any of record.

All capped iron bars set are a 5/8 inch iron bar, 30 inches in length, with a yellow plastic cap marked "RUDOLPH 6449".

Basis of Bearings South $89^{\circ} 36' 21''$ East along the Quarter Section line is from.

This description prepared from a field survey by: R.G. Rudolph Surveying, Inc. by Ronald G. Rudolph, P.S. 6449, February 7, 2007, Job No. 18884.

For Survey, see Volume "FF", Page 410.

Permanent Parcel No. 45-00392.000

Prior Instrument Reference: Volume 919, Page 2357, Official Records, Wayne County, Ohio.

List of tracts, lots and parcels adjacent or directly across the road from territory proposed for annexation

Owner Name	Mailing Address	Permanent Parcel Number	Parcel Location
Board of Trustees of Salt Creek Township	P.O. Box 179 Fredericksburg, OH 44627	45-00838.9999-000	Adjacent
Hillside Farms & Properties LLC	P.O. Box 6 Holmesville, OH 44633	45-00306.000	Adjacent
Robin Industries Inc.	6500 Rockside Rd STE 230 Independence, OH 44131	46-00194.000	Directly Across Road

EXHIBIT B

0.678 Ac Total to be Annexed

CERTIFIED THIS 18th DAY OF September 2024 BY THE WAYNE COUNTY COMMISSIONERS.

BY: [Signature]
JONATHAN HOFSTETTER

BY: [Signature]
RON AMSTUTZ

RESOLUTION No. 2024-498

BY: [Signature]
DAVE McMILLEN

APPROVED THIS 3 DAY OF October 2024 BY THE VILLAGE OF FREDERICKSBURG.

BY: [Signature]
JOE CHUPP, MAYOR

ORDINANCE No.: _____

RECEIVED FOR RECORDING THIS _____ DAY OF _____ 2024 BY THE WAYNE COUNTY TAX MAP OFFICE.

BY: _____
STACY PEPPARD

RECEIVED FOR TRANSFER THIS _____ DAY OF _____ 2024 BY THE WAYNE COUNTY AUDITOR.

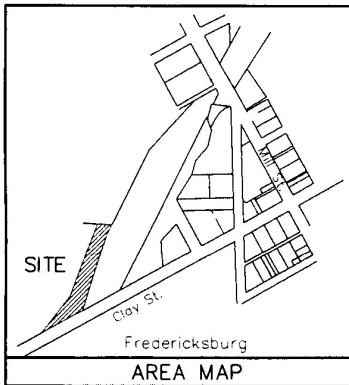
BY: _____

FEE _____

Filed for record in
WAYNE COUNTY, OHIO
JANE CARMICHAEL, RECORDER
DATE _____ AT _____
INSTRUMENT # _____
PLAT VOL. _____ PAGE _____
FEE \$ _____

BY: _____
JANE CARMICHAEL

Hillside Farm & Properties LLC
OR 771/914



Board of Trustees
Salt Creek Township, Ohio
OR 921/1118, 3405, 3407
PP# 45-00838.000

Tax Map Parcel A
3.139 Ac
PP# 46-00369.000
Spring Mtn. Holding LLC
OR 919/2357

Tax Map Parcel H-1
0.678 Ac
PP# 45-00392.000



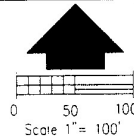
Note:
This map was drawn from record survey FF-410 for the express purpose to show an area to be annexed to the Village of Fredericksburg and is not intended to be a boundary survey pursuant to section 4733-37 of the Ohio Revised Code.

Annexation to the Village of Fredericksburg
Salt Creek Township
NW Qtr. Sec. 19, T-15N, R-12W
Wayne County, Ohio

I believe this survey to be correct
to the best of my knowledge.

[Signature]
Edward A. Gasbarre, P.S. 7036

8/28/24
Date



R.W.
Gasbarre
& Associates, Inc.

Professional Land Surveyors
401 South Market St. - P.O. Box 44
Wooster, Ohio 44691
PH 330-264-9499

Basis of Bearings: common with record survey FF-410

Drawing Annexation_224067dwg

Date: August 28, 2024



202400010366
BK 34 PG 182

Resolution

No. 2024-498

Board of Wayne County Commissioners
Ron Amstutz Jonathan Hofstetter Dave McMillen

Adopted: September 18, 2024

Subject: **Granting of Petition for Annexation (2024-A1 Expedited Type 2)**

It was moved by Commissioner Amstutz and seconded by Commissioner McMillen that the following resolution be adopted:

WHEREAS, the following Petition was received on August 20, 2024; and

Petition for Annexation 2024-A1 Type 2
Salt Creek Township – Village of Fredericksburg
Petitioner: Spring Mtn. Holding, LLC
Agent for the Petitioner: Derek S. Anderson



WHEREAS, conditions listed in Ohio Revised Code 709.023 (E) have been met; and

WHEREAS, the Wayne County Engineer's Office has confirmed the accuracy of the map/plat in the Petition; and

WHEREAS, Division (D) of Section 703.023 of the Ohio Revised Code provides the legislative authority of the municipal corporation to which annexation is proposed and each township, any portion of which is included within the territory proposed for annexation, with a period of twenty-five days after the annexation petition is filed to consent or object to the proposed annexation; and

WHEREAS, failure of said municipal corporation or township(s) to timely file an ordinance or resolution consenting or objecting to the proposed annexation shall be deemed to constitute consent; and

WHEREAS, Division (D) of Section 709.023 of the Ohio Revised Code obligates this Board to grant the proposed annexation if said municipal corporation and township(s) give the consent referenced above; and

WHEREAS, no objections were received from the Village of Fredericksburg or Salt Creek Township during the twenty-five-day objection period.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Wayne County, Ohio, that:

- Section 1. The Board hereby grants the Petition for Annexation referenced above, and the resolution, petition, map, and all other papers on file shall be provided to the Village of Fredericksburg.
- Section 2. A copy of this resolution shall be provided to the Wayne County Auditor.
- Section 3. The Board of Wayne County Commissioners hereby incorporates into this resolution all of the aforesaid recitals, and they are rendered to be findings by the Board.
- Section 4. The Board of Wayne County Commissioners also finds that all formal actions of its Board concerning and relating to the passage of this Resolution were passed in an open meeting of this Board that was properly noticed.
- Section 5. The President of the Board and the County Administrator, on behalf of the Board, are separately and individually authorized to execute any and all necessary documents in this matter.

The vote is as follows: Ron Amstutz yea Jonathan Hofstetter yea Dave McMillen yea

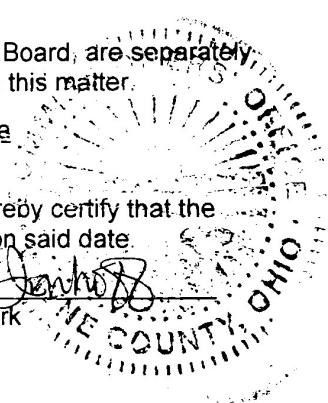
CERTIFICATE

I, Jamie L. Imhoff, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

**I hereby certify this is a true and correct
copy of the original on file**

Jamie L. Imhoff
Jamie L. Imhoff, Clerk

JAMIE L. IMHOFF, *Jamie L. Imhoff, Clerk*
Clerk
Wayne County Commissioners



ORDINANCE NO. 2024-12

AN ORDINANCE ANNEXING PERMANENT PARCEL NO. 45-00392 TO THE
VILLAGE OF FREDERICKSBURG, WAYNE COUNTY, OHIO

The Council of the Village of Fredericksburg, Wayne County, Ohio ["Council"] met in regular session on the 9th day of September 2024.

BARB YUTZY moved the adoption of the following Ordinance:

WHEREAS, on 8/20/2024, pursuant to Sections 709.021, 709.023, and 709.02 of the Ohio Revised Code, Spring Mtn Holding LLC, as the Petitioner, has filed an Expedited Type-2 petition with the Wayne County Board of Commissioners, attached hereto as Exhibit A and incorporated herein by reference, to annex PPN 45-00392 located at 251 W. Clay Street, Fredericksburg, OH 44627 into the Village of Fredericksburg, Wayne County, OH but not to exclude the same from Salt Creek Township, Wayne County, OH; and

WHEREAS, pursuant to the requirements set forth in R.C. 709.192, the Village of Fredericksburg, the Board of Trustees of Salt Creek Township, and the Petitioner are intending to enter into an annexation agreement to comply with the requirements set forth, among others, in R.C. 709.023(C) regarding the provision of services the Village of Fredericksburg will provide, and an approximate date by which it will provide them.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Fredericksburg, Wayne County, Ohio, as follows:

SECTION 1. All the above recitals are hereby incorporated into this Ordinance.

SECTION 2. The Village of Fredericksburg consents to the above stated proposed annexation per R.C. 709.023.

SECTION 3. The Village of Fredericksburg agrees to furnish services according to the Annexation Agreement or substantially similar, attached hereto as Exhibit B and incorporated herein by reference, commencing from the earliest date the execution of the Annexation Agreement, and the status of the annexation process allow.

SECTION 4. The Mayor, on behalf of the Council, is hereby authorized to execute the Annexation Agreement and any all necessary documents effectuating the intention of the Council enumerated in the Annexation Agreement.

SECTION 5. The Fiscal Officer shall file a copy of this Ordinance with the Clerk of the Wayne County Board of Commissioners.



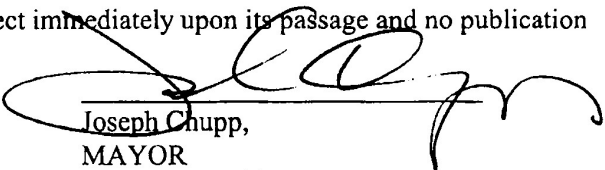
SECTION 6. It is hereby declared that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council which resulted in passage of this Ordinance were taken in meetings open to the public, in full compliance with the requirements of Ohio Revised Code Section 121.22.

SECTION 7. That this Ordinance is hereby declared to be and is passed as an emergency measure, where the emergency being the need to comply with the deadline set forth in Ohio Revised Code Section 709.023(C) regarding adoption of ordinance in response to the annexation petition. Thus, this Ordinance is necessary for the immediate preservation of the public peace, health, safety, and welfare of the inhabitants of the Village of Fredericksburg.


MELISSA SIDLE seconded the motion to adopt the Ordinance. On the roll being called the vote resulted as follows:

Lucas Martin	<u>YES</u>
Jenny Reed	<u>YES</u>
Emma Pfeifer	<u> </u>
Melissa Sidle	<u>YES</u>
Jean Spencer	<u>YES</u>
Barb Yutzy	<u>YES</u>

This Ordinance shall be in full force and effect immediately upon its passage and no publication is required to trigger its effectiveness.


Joseph Chupp,
MAYOR


ATTEST:


Shawn McKelvey
FISCAL OFFICER

CERTIFICATION OF PUBLICATION

I, Shawn McKelvey, Fiscal Officer of the council of the Village of Fredericksburg, Ohio do hereby certify that I have posted copies of this Ordinance in five (5) public places as selected by the Council of the Village of Fredericksburg for a period of not less than fifteen (15) days prior to the effective date thereof.

Date: 9/9/2024


Shawn McKelvey
FISCAL OFFICER

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BK 34 PG 185



202400010366
BK 34 PG 186

CERTIFICATE

I, Shawn McKelvey, Fiscal Officer of the Village of Fredericksburg in said County, and in whose custody the files, journals, and records are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing Resolution 2024-12 is taken and copied from the original Resolution 2024-12 now on file with said Village, that the foregoing Resolution 2024-12 has been compared by me with the said original and that the same is a true and correct copy thereof.

Witness my signature, this 9th day of September, 2024



Fiscal Officer of the Village of Fredericksburg
Wayne County, Ohio

