

RECORD OF ORDINANCES

Ordinance No. 8255Passed: October 11, 2021RESOLUTION NO. 8255

A RESOLUTION OF THE CITY OF RITTMAN, WAYNE AND MEDINA COUNTIES AND STATE OF OHIO, TO ACCEPT THE ANNEXATION OF JAMES T. REEDY PART OF CHIPPEWA TOWNSHIP CONTAINING APPROXIMATELY 3.073 ACRES OF LAND, AND DECLARING AN EMERGENCY.

NOW THEREFORE, be it ordained by the Council of the City of Rittman, Counties of Wayne and Medina and State of Ohio, two-thirds of all members elected and appointed thereto concurring:

SECTION ONE.

The proposed annexation as applied for in the petition of James T. Reedy approved for annexation to the city of Rittman by the Wayne County Board of County Commissioners on or about September 29, 2021, is hereby accepted. The territory to be annexed is described pursuant to Exhibit "a" which is incorporated herein. The certified transcript of the proceeding for annexation, with an accurate map of the territory, together with the petition for annexation and other papers relating to the proceedings of the County Commissioners, are on file with the Clerk of this City.

SECTION TWO.

The City Clerk is 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 proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof. The Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the county Recorder and one copy to the Secretary of State, and shall file notice of the annexation with the Board of Elections within thirty days after it becomes effective, and the Clerk shall do all other things required by law.

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


Wayne County Commissioners

Diane L. Auster



The City of Rittman Offices

30 North Main Street
Rittman, Ohio 44270
330-925-2045
www.rittman.com

Joan M. Challinor
City Clerk
joanchallinor@rittman.com

CERTIFICATION

FROM: Joan M. Challinor, Clerk of Council
DATE: October 26, 2021
RE: Resolution No. 8255

I, Joan M. Challinor, duly appointed Clerk of the City Council of the City of Rittman, Ohio, hereby certify that attached hereto is a true, correct, complete copy of Resolution No. 8255 adopted by said City Council at a Regular Meeting of City Council duly called and held on October 11, 2021 in accordance with law, and that such Ordinance has not been repealed, revoked, rescinded or amended and is in full force and effect on the date here. Witness my hand and the Seal of said City Council this twenty sixth day of October, 2021.

Joan M. Challinor
Joan M. Challinor
Clerk of Council
City of Rittman, Ohio

SEAL

This Conveyance has been examined and the
Grantor has complied with Section 319 202
Of the Revised Code.
FEE \$ _____
EXEMPT ☒
JARRA L. UNDERWOOD, County Auditor

AMT. PD. 50¢ DATE 11/25/22
JARRA L. UNDERWOOD, AUDITOR
JoAnna Hatten DEPUTY
JoAnna Hatten

EXHIBIT

A

Laurila Surveying

Professional Land Surveyors

H. David Laurila, P.S.

15333 Shore Rd., Sterling, OH 44276-9615

Phone 330-819-4415

www.laurilasurveying.com

Situated in the Township of Chippewa, County of Wayne, State of Ohio part of the Southwest Quarter of Section 6, T-18 north, R-11 west and being bounded and described as follows:

Beginning as at a 5/8" bolt found at the southwest corner of the said Southwest Quarter of Section 6 on the centerline of Shondel Road, T.R. 126, a 60' right of way;

1.) thence N 01°19'57" W, 219.33' along the Section line of Section 6 and the Corporation line of Rittman to a 1" pipe found;

2.) thence N 88°27'55" E, 625.61' along the southerly line of Richard J. & Rhonda L. Simonton as recorded in Official Record Volume 695, page 1131 of the Wayne County Recorder's Records to a 1" pipe found, passing through a 5/8" rebar with an orange "Laurila #7663" cap set at a distance of 30.00';

3.) thence S 04°37'30" W, 217.72' along the westerly line of the State of Ohio, being S.R. 57 to a 1" pipe found;

4.) thence S 88°11'34" W, 603.03' along the northerly line of Rittman Corp. Line and along Diligent Properties as recorded in Official Record Volume 689, Page 2025 of the Wayne County Recorder's Records to a the **TRUE POINT OF BEGINNING**.

The above described parcel contains 3.073 acres according to Wayne County Tax Map Office Survey Book _____, Page _____ as surveyed by H. David Laurila, P.S. 7663 of Laurila Surveying in June 9, 2021.

The Basis of Bearings is Grid North per ODOT VRS.

HDL 1-15-21



RECORD OF ORDINANCES

Ordinance No. 8252

Passed: September 13, 2021

RESOLUTION NO. 8252

A RESOLUTION OF THE CITY OF RITTMAN, WAYNE AND MEDINA COUNTIES AND STATE OF OHIO STATING TO THE WAYNE COUNTY COMMISSIONERS PURSUANT TO REVISED CODE SECTION 709.031 THE SERVICES THE CITY OF RITTMAN WOULD BE ABLE TO PROVIDE FOR TERRITORY LOCATED OUTSIDE THE CITY OF RITTMAN IN CHIPPEWA TOWNSHIP UPON IT BEING ANNEXED INTO THE CITY OF RITTMAN AND DECLARING AN EMERGENCY.

A RESOLUTION STATING TO THE WAYNE COUNTY COMMISSIONERS pursuant to revised code section 709.031 that the services which the City of Rittman would be able to provide for territory located outside the City of Rittman, in Chippewa Township upon it being annexed to the City of Rittman and declaring an emergency.

NOW THEREFORE, be is resolved by the Council of the City of Rittman, Counties of Wayne and Medina and State of Ohio, two-thirds of all members elected and appointed thereto concurring:

SECTION ONE.

That upon the area set forth on attached Exhibit A being annexed to the City of Rittman, the following services will be made available to said area as needed:

- a. Police protection from the full-time police force of the City of Rittman.
- b. Fire protection and emergency squad ambulance service consistent with what is currently being rendered to the residents in this area pursuant to contract including the same response times that currently exist.
- c. The water plant and the water resources of the City of Rittman are adequate to provide service to the area proposed for annexation.
- d. The wastewater treatment plant of the City of Rittman is adequate to provide service to the area proposed for annexation.

RECORD OF ORDINANCES

Ordinance No. 8252

Passed: September 13, 2021

e. The City of Rittman would also provide miscellaneous additional services including but not limited to trash pick-up, street maintenance, parks, recreational facilities, recreational programs, and cemetery services.

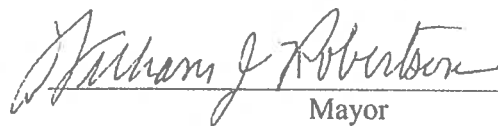
SECTION TWO.

That the availability of all services enumerated above shall be subject to all the rules and regulations of the City relating to said services that currently exist or which may be amended from time to time.

SECTION THREE.


That this resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, safety, and welfare of said City, and for the further reason that it is necessary to act pursuant to statute to provide timely notice to the Wayne County Commissioners of services which the City would provide in order to facilitate the orderly process of annexation; therefore, this resolution shall be in full force and effect from and immediately after its passage and approval by Council.

Passed: September 13, 2021



Mayor

Attest:



Clerk of Council

EXHIBIT

A

Laurila Surveying

Professional Land Surveyors

H. David Laurila, P.S.
15333 Shorte Rd., Sterling, OH 44276-9615
Phone 330-819-4415
www.laurilasurveying.com

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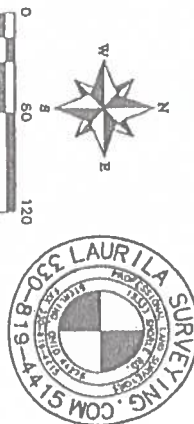
The Basis of Bearings is Grid North per ODOT VRS.

HDL 1-15-21



ANNEXATION PLAT
SOUTHWEST QUARTER OF SECTION 6, T-18 NORTH, R-11 WEST, CHIPPEWA TOWNSHIP, WAYNE CO.
OHIO.

SHEET 48



The Basis of Bearings is Grid North per ODOT VRS.

DATA USED: SURVEYS II-386, Z-109, U-285, F-353, I-56, G-117, M-48, KU-225, JJ-407, RR-915, SR57 R/W PLANS, PREVIOUS CONTROL AND FIELD NOTES FROM AREA.
• 1" PIPE FOUND (UNLESS NOTED)
• LS - 5/8" REBAR WITH LAURILA #7883 CAP FOUND
• 5/8" REBAR WITH LAURILA #7883 CAP SET
• MONUMENT BOX FOUND
M = MEASURED
R = RECORD
C = CALCULATED
• DENOTES DISTANCE FROM CORNER



I HEREBY CERTIFY THIS TO BE CORRECT TO THE BEST OF MY KNOWLEDGE.

H. DAVID LAURILA, P.E. #7883 DATE

SIMONTON, RICHARD J & RHONDA L.
OR VOL 695, PAGE 1731

STATE OF OHIO, SR 57

MONUMENT 1250+00

S 87°20'47" E 60.00'

87.60'

N 88°27'55" E 625.81'
595.81'

TOTAL ANNEXATION 3.073 ACRES

REEDY, JAMES T., OR VOL 734, PG 1261 PPN 16-00002.000

5/8" BOLT FOUND AND USED, SW CORNER, SW QTR., SEC. 6, (NOT THE RAILROAD SPIKE FLUSH WITH SURFACE 3' TO THE SW)

SW QUARTER, SECTION 6, CHIPPEWA TOWNSHIP
S 88°11'34" W 573.03'

RITTMAN CORP. LINE

RITTMAN CITY LOT 3308

DILIGENT PROPERTIES, LLC, OR VOL 689, PAGE 2023

SHEET 49, PPN 63-03410.000

MONUMENTS FOUND AND USED

RESOLUTION NO. _____

SUE SMAL BECKY FOSTER RON AMSTUTZ
Approved by _____
This _____ day of _____, 2021.
ODINANCE NO. _____ RITTMAN CITY COUNCIL

Approved for transfer _____ day of _____, 2021
by the Wayne County Auditor's Office.

FEE \$ _____ By _____

FILED FOR RECORD IN WAYNE COUNTY OHIO.

JANE CARMICHAEL, RECORDER

DATE _____ AT _____ M.

INSTRUMENT # _____

PLAT VOL _____ PAGE _____

FEE \$ _____

EXHIBIT B

Plat Ref:

Filed for Record in Wayne County, Ohio
202200001163 01/25/2022 03:32 PM COPY
Jane Carmichael Rec Fees: \$40.00
PLAT OR Vol 33 Pgs 102 - 102

Resolution

No. 2021-523

Board of Wayne County Commissioners

Ron Amstutz Rebecca S. Foster Sue A. Smail

Adopted: September 29, 2021

Subject: **Approval of a Regular Annexation to the City of Rittman, Wayne County, Ohio
(Regular ORC 709.02)**

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

WHEREAS, on July 7, 2021, William Anfang, III, on behalf of Petitioner, filed with the Board of County Commissioners, Wayne County, Ohio, a Petition for Annexation to the City of Rittman, County of Wayne, pursuant to RC 709.02; and

WHEREAS, said Petition is valid in that:

1. The Petition conforms to all of the statutory requirements outlined in Chapter 709 of the Ohio Revised Code and contains all of the matters required by RC 709.02.
2. RC 709.02(C)(1) requires signatures from at least 51% of property owner(s), this Petition is signed by 100% of the owner(s) of the territory proposed to be annexed and no signature is dated more than 180 days before the date of the filing of the Petition [RC 709.02(C)(1)].
3. The Petition includes an accurate legal description of the perimeter and an accurate map or plat of the territory proposed for annexation [RC 709.02(C)(2)].
4. The Petition names authorized agent for the Petitioner(s) [RC 709.02(C)(3)].
5. The Petition includes a list of all tracts, lots, or parcels proposed to be annexed; and all tracts, lots or parcels located adjacent to the territory to be annexed or directly across the road when a road is adjacent to the territory to be annexed, including the name and mailing address of the owner of each tract, lot or parcel, and the auditor's permanent parcel number for each tract or parcel [RC 709.02(D)];
6. Any owner that is a firm, trustee or corporation has been signed by a person authorized to sign for that entity [RC 709.02(E)];
7. The City of Rittman has complied with RC 709.03(D) by adopting Ordinance No. 8252, which indicates what services it will provide upon annexation, and the approximate date it will provide such services.

WHEREAS, Agent for the Petitioner(s), caused written notice of hearing to be sent to all owners of property adjacent to the property to be annexed and caused a notice of hearing to be published; and

WHEREAS, a hearing on this Petition was held by this Board on September 22, 2021, in the Commissioners' Meeting Room, 428 W. Liberty St., Wooster, Ohio; and

WHEREAS, the record in this matter consists of the following:

Resolution

No. 2021-484

Board of Wayne County Commissioners

Ron Amstutz Rebecca S. Foster Sue A. Smail

Adopted: September 8, 2021

Subject: **Approval of Continuance of a Public Hearing for Annexation (3.073 acres)**

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

WHEREAS, even though proof has been provided, by the Attorney for Petitioner, of notification of the Petition for Annexation to the City of Rittman, the City of Rittman has not yet listed the issue on their agenda; and

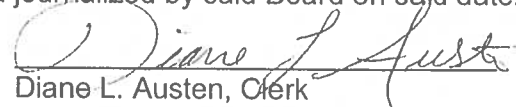
WHEREAS, Attorney for Petitioner has requested a continuance to provide the City of Rittman time to consider providing a Municipal Statement of Services;

NOW, THEREFORE, BE IT RESOLVED a continuance of the Public Hearing scheduled for September 8, 2021 is hereby granted and the Public Hearing is rescheduled for Wednesday, September 22, 2021 following the Alley Vacation Public Hearing which is scheduled immediately after the 9AM Session.

The vote is as follows: Ron Amstutz yea Rebecca S. Foster yea Sue A. Smail yea

CERTIFICATE

I, Diane L. Austen, 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.


Diane L. Austen, Clerk

Resolution

No. 2021-375

Board of Wayne County Commissioners

Ron Amstutz Rebecca S. Foster Sue A. Smail

Adopted: July 14, 2021

Subject: **Resolution to Enter Upon the Wayne County Commissioners' Journal
the Filing of a Petition for Annexation (Regular)**

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

Record of the following Petition for Annexation, filed on July 7, 2021 is hereby entered upon the Wayne County Commissioners' Journal.

Petition for Annexation (Regular)

Approx. 3.073 acres from Chippewa Twp. to the City of Rittman

Petitioner(s): James T. Reedy

Agent for the Petitioner(s): William Anfang, III

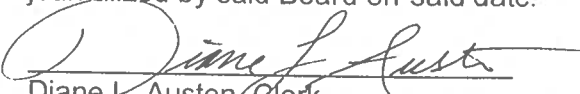
Public Hearing is set on Wednesday, September 8, 2021, immediately following the Commissioners' 9:00a.m. Session at the Wayne County Administration Bldg., 428 W. Liberty St., Wooster, Ohio in the Commissioners' 2nd floor meeting room.

As required by Ohio Revised Code for a Regular Annexation, notice of Public Hearing was sent to the Agent for the Petitioner on July 8, 2021, within 5 days of Petition filing date.

The vote is as follows: Ron Amstutz yea Rebecca S. Foster yea Sue A. Smail yea

CERTIFICATE

I, Diane L. Austen, 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.


Diane L. Austen, Clerk

I hereby certify this is a true and
correct copy of the original on file.
Diane L. Austen
Wayne County Commissioners
Diane L. Austen

PETITION FOR ANNEXATION ON APPLICATION OF
OWNERS OF REAL ESTATE
Regular
O.R.C. Sec. 709.02

TO: Board of County Commissioners of Wayne County, Ohio

The undersigned, being the owner of real estate residing on the territory hereinafter described, hereby petitions for the annexation of the following described territory to the City of Rittman, Ohio:

Real Estate Situated in the
State of Ohio
County of Wayne
Township of Chippewa

Described as follows:

See "Exhibit A" attached for complete legal description.

The intent of this annexation is to annex the land described above in the Southwest Quarter of Section 6 Chippewa Township that is now owned by James T. Reedy.

The above described territory is adjacent to and contiguous to the said City of Rittman.

Petitioner has attached hereto as "Exhibit B" and made a part of this petition, a map showing the accurate boundaries of the territory sought to be annexed.

Petitioner states that there is one (1) owner, who is James T. Reedy, of real estate in the territory sought to be annexed.

William Anfang, III is hereby appointed agent for the undersigned petitioner as required by O.R.C. Sec. 709.02, with full power and authority hereby granted to said agent to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase or delete the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this petition. Said amendment, alteration, change, correction, withdrawal, refiling, substitution, compromise,

increase or deletion, or other things or action for the granting of this petition shall be made in the petition, description, and/or plat by said agent without further expressed consent of the petitioner.

Pursuant to O.R.C. 709.02(D) and attached as "Exhibit C" and made a part hereof is a list of the owner names, addresses and Auditor's parcel numbers for:

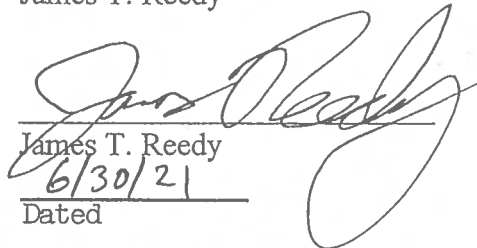
- A. The territory proposed for annexation;
- B. The tracts, lots or parcels adjacent to or across the road from the territory to be annexed.

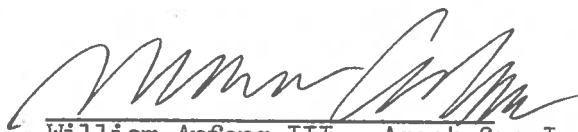
Name:

Address:

James T. Reedy

300 Morning Star Drive
Rittman, OH 44270


James T. Reedy
6/30/21
Dated

 /T.
William Anfang III - Agent for James Reedy

6/30/21
Dated

EXHIBIT

A

Laurila Surveying

Professional Land Surveyors

H. David Laurila, P.S.
15333 Shore Rd., Sterling, OH 44276-9615
Phone 330-819-4415
www.laurilasurveying.com

Situated in the Township of Chippewa, County of Wayne, State of Ohio part of the Southwest Quarter of Section 6, T-18 north, R-11 west and being bounded and described as follows:

Beginning as at a 5/8" bolt found at the southwest corner of the said Southwest Quarter of Section 6 on the centerline of Shondel Road, T.R. 126, a 60' right of way;

1.) thence N 01°19'57" W, 219.33' along the Section line of Section 6 and the Corporation line of Rittman to a 1" pipe found;

2.) thence N 88°27'55" E, 625.61' along the southerly line of Richard J. & Rhonda L. Simonton as recorded in Official Record Volume 695, page 1131 of the Wayne County Recorder's Records to a 1" pipe found, passing through a 5/8" rebar with an orange "Laurila #7663" cap set at a distance of 30.00';

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The above described parcel contains 3.073 acres according to Wayne County Tax Map Office Survey Book _____, Page _____ as surveyed by H. David Laurila, P.S. 7663 of Laurila Surveying in June 9, 2021.

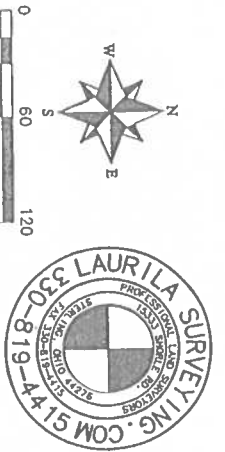
The Basis of Bearings is Grid North per ODOT VRS.

HDL 1-15-21



ANNEXATION PLAT
SOUTHWEST QUARTER OF SECTION 6, T-18 NORTH, R-11 WEST, CHIPPEWA TOWNSHIP, WAYNE CO.
OHIO.

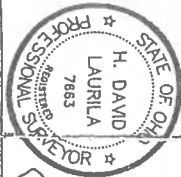
SHEET 49



The Basis of Bearings is Grid North per ODOT VRS.

DATA USED: SURVEYS II-366, Z-109, U-285, F-353, L-56, G-117, M-49, MM-225, JJ-407, RR-915, SR57 R/W PLANS, PREVIOUS CONTROL AND FIELD NOTES FROM AREA.
• 1" PIPE FOUND (UNLESS NOTED)
• LS - 5/8" REBAR WITH "LAURILA #7663" CAP FOUND
• 5/8" REBAR WITH "LAURILA #7663" CAP SET
• MONUMENT BOX FOUND
M = MEASURED
R = RECORD
C = CALCULATED
• DENOTES DISTANCE FROM CORNER

I HEREBY CERTIFY THIS TO BE CORRECT TO THE BEST OF MY KNOWLEDGE.



H. DAVID LAURILA, P.S. #7663

DATE

SIMONTON, RICHARD J & RHONDA L.
OR VOL 695, PAGE 1131

TOTAL ANNEXATION 3.073 ACRES

REEDY, JAMES T., OR VOL 734, PG 1261
PPN 15-00002.000

5/8" BOLT FOUND AND USED, SW CORNER, SW QTR., SEC. 6 (NOT THE RAILROAD SPIKE FLUSH WITH SURFACE 3' TO THE SW)

SW QUARTER, SECTION 6, CHIPPEWA TOWNSHIP
S 88°11'34" W 573.03'

RITTMAN CORP. LINE

RITTMAN CITY LOT 3308

DILIGENT PROPERTIES, LLC, OR VOL 689, PAGE 2025

SHEET 49, PPN 63-03410.000

MONUMENTS FOUND AND USED

MONUMENT 1250+00

S 87°20'47" E 60.00'

STATE OF OHIO, SR 57

67.50'

N 86°27'55" E 625.61'

595.61'

S 04°37'30" W 217.72'

RESOLUTION NO. _____
SUE SMAL BECKY FOSTER RON AMSTUTZ
Approved by: _____
This _____ day of _____, 2021.
ODINANCE NO. _____ RITTMAN CITY COUNCIL

Approved for transfer _____ day of _____, 2021
By the Wayne County Auditors Office.

FEE \$ _____ By _____

FILED FOR RECORD IN WAYNE COUNTY OHIO.

JANE CARMICHAEL, RECORDER

DATE _____ AT _____ M.

INSTRUMENT # _____

PLAT VOL _____ PAGE _____

FEE \$ _____

Exhibit C
O.R.C. 709.02(D)
List of Parcels and owners:

A. Territory to be annexed:

Owner	Address	Auditor's Parcel No.
James T. Reedy	300 Morning Star Drive Rittman, OH 44270	15-00002.000

B. Tracts, Lots or Parcels Adjacent to and across the road from the territory to be annexed:

Owners	Address	Auditor's Parcel No.
Willard Rice Malta Rice	12797 Doylestown Rd. Rittman, OH 44270	15-00060.001
Richard J. Simonton Rhonda L. Simonton	14489 Shondell Road Rittman, OH 44270	15-00092.000
Diligent Properties, LLC	4006 Twin Fawn Court Medina, OH 44256	63-03410.000
Unilock Ohio Inc.	12560 Sheets Road Rittman, OH 44270	63-03422.000
The City of Rittman, OH	30 N. Main Street Rittman, OH 44270	63-01761.001
State of Ohio Department of Highways District 3	906 Clark Avenue Ashland, OH 44805	15-00133.000

September 22, 2021

The Board of Wayne County Commissioners met for **Public Hearing** with Commissioners Rebecca S. Foster, Sue A. Smail and Ron Amstutz in attendance re: **Annexation.**

All wishing to speak were sworn in by Diane Austen, Clerk of the Board of Commissioners.

Supporting Testimony:

Atty. William Anfang III (Agent for Petitioner):

Atty. Anfang explained the following:

The Property is contiguous on the South and West sides.

Petitioner wishes to receive city services and may want to expand his decorative concrete business (Diligent).

Wayne Co. Engineer:

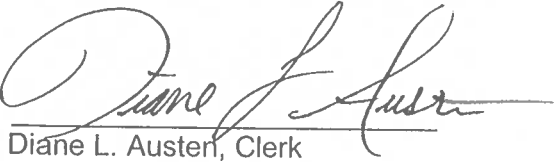
Gave his approval, recommending property be annexed

Opposing Testimony:

None

Receiving no other requests to comment; the hearing was adjourned.

Attest:


Diane L. Austen, Clerk