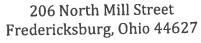


Village Of Fredericksburg





Joseph Chupp Mayor

November 10, 2020

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. 45-00390.000, the real property owned by Diane Covert Trustee

Fiscal Officer

Village of Frederickspurg

JARRA L. UNDERWOOD, AUDITOR

LANE DEPUTY

Recorded

1/6/2021 ORVOI 32 pg. 315

INST. # 202100000173

This Conveyance has been examined and the Granter has compiled with Section 319 202

Of the Revised Code

JARRA L. UNDERWOOD, County Auditor

WAYNE COUNTY TAX MAP

Resolution

 $\mathcal{N}o$. 2020-355

Initials Soup FILE# 2021-0027

DATE 01 /05 /2021

Board of Wayne County Commissioners Rebecca S. Foster Ron Amstutz Sue A. Smail

SA.18-SW-M

Adopted:

IDENT. FB 002-M

July 22, 2020

Subject:

Approval of an Expedited Type 1 Annexation of Approximately 1.484 Acres

located in Salt Creek Township to the Village of Fredericksburg (2020-A4)

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

WHEREAS, on July 20, 2020, Diane Covert, Successor Trustee of the Slutz Family Revocable Living Trust dated February 15, 2002 (hereinafter referred to as "Petitioner"), pursuant to Ohio Revised Code Section 709.021 and related provisions, being the owner of certain real estate in the unincorporated territory of Salt Creek Township, filed with the Board of Commissioners of Wayne County, Ohio, a Petition for an Expedited Type 1 Annexation of Approximately 1.484 acres from Salt Creek Township, Wayne County, Ohio, to the Village of Fredericksburg, Ohio, pursuant to Ohio Revised Code Section 709.022; and

WHEREAS, the Petition is signed by all of the owners of real estate proposed for annexation; and

WHEREAS, the territory proposed for annexation is contiguous to the Village of Fredericksburg, Ohio; and

WHEREAS, the Petition includes an Annexation Agreement as provided in Sections 709.022 and 709.192 of the Ohio Revised Code; and

WHEREAS, the Petition complies with all other legal requirements;

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

Section 1: The Petition for the Annexation of Approximately 1.484 Acres from Sugar Creek Township, Wayne County, Ohio to the Village of Fredericksburg, Ohio, filed by the aforementioned petitioner on July 20, 2020, is hereby granted.

Section 2: A copy of this Resolution, and a complete file of the annexation proceedings, shall be forwarded by the Clerk of this Board to the Village of Fredericksburg, Ohio.

The vote is as follows: Ron Amstutz yea

Rebecca S. Foster <u>yea</u>

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.

PETITION FOR ANNEXATION BY: DIANE COVERT, SUCCESSOR TRUSTEE OF THE SLUTZ FAMILY REVOCABLE LIVING TRUST, DATED FEBRUARY 15, 2002

(R.C. 709.021; 709.022; 709.192; 709.02)

TO: Board of County Commissioners of Wayne County, Ohio

Petitioner, Diane Covert, Successor Trustee of the Slutz Family Revocable Living Trust, dated February 15, 2002 (hereinafter referred to as "Petitioner"), pursuant to Ohio Revised Code Section 709.021 and related provisions, being the owner of certain real estate in the unincorporated territory of Salt Creek Township which it 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 709.022 (commonly referred to as an "Expedited Type-1 Annexation") being known as Permanent Parcel Number 45-00390.000, in Wayne County, Ohio.

The territory that is proposed for annexation is contiguous to the Village of Fredericksburg, Wayne County, Ohio. An accurate legal description of the territory proposed for annexation is attached hereto as Exhibit "A" and incorporated herein by reference. An accurate map or 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.

Robert J. Reynolds is appointed to act as agent for Petitioners with full authority to take any action necessary for obtaining the granting of this petition.

Simultaneously with the filing of this petition, Robert J. Reynolds 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.

The lists include 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.

I hereby certify this is a true and

Wayne County Commissioners Diane L. Austen, clerk

correct copy of the original on file.

A certified copy of the Annexation Agreement by and between Petitioner, the Village of Fredericksburg, and Salt Creek Township, a township located within Wayne County, Ohio, is attached hereto as Exhibit "C" and incorporated herein by reference.

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR EQUITY.

THE SLUTZ FAMILY REVOCABLE LIVING TRUST, DATED FEBRUARY 15, 2002

BY: Mane Court Successor trustee

7-17-20

EXHIBIT

Grantor(s):

Arthur J. and Eleanor I. Slutz and Diane Covert

February 13, 2020

544 Mill St.

Fredericksburg, OH 44627

Grantee(s):

Boundary Description 1.484 Acres

Situated in the State of Ohio, County of Wayne, Township of Salt Creek in the southwest quarter of Section 18, T-15N, R-12W.

Being part of the land described in deeds to Arthur J. Slutz and Diane Covert, Trustees of the Slutz Family Revocable living Trust, UAD 02-15-2002 recorded in official record volume 427, page 2509 and official record volume 841, page 927 of the Wayne County records.

Described as follows:

Commencing at the southeast corner of the southwest quarter of Section 18 – witnessed by a capped pin marked "Rudolph 6449" found S 65°56'23" W 16.81 feet.

Thence S 89° 27' 59" W 444.73 feet, along the south line of the quarter section, to a capped pin set at the point of Point of Beginning for the parcel herein described.

Thence with the following FOUR courses:

- 1) S 89° 27' 59" W 314.47 feet, along the south line of the quarter section, to a point on the centerline of Mill Street witnessed by a capped reference pin set N 89° 27' 59" E 32.20 feet.
- 2) N 20° 55' 55" W 156.71 feet, with the centerline of Mill Street, to a point on the easterly line of Plough Holdings, LLC as described in official record volume 850, page 72 witnessed by a capped reference pin set N 66° 03' 54" E 30.22 feet.
- 3) N 66° 03' 54" E 295.38 feet, in part along a southerly line of High Acres Allotment as recorded in plat volume 7, page 79, to a one inch diameter steel pipe found.
- 4) S 20° 53' 02" E 281.79 feet, along the westerly line of Gary L. and Katherine D. Topp as described in official record volume 737, page 694, to the Point of Beginning.

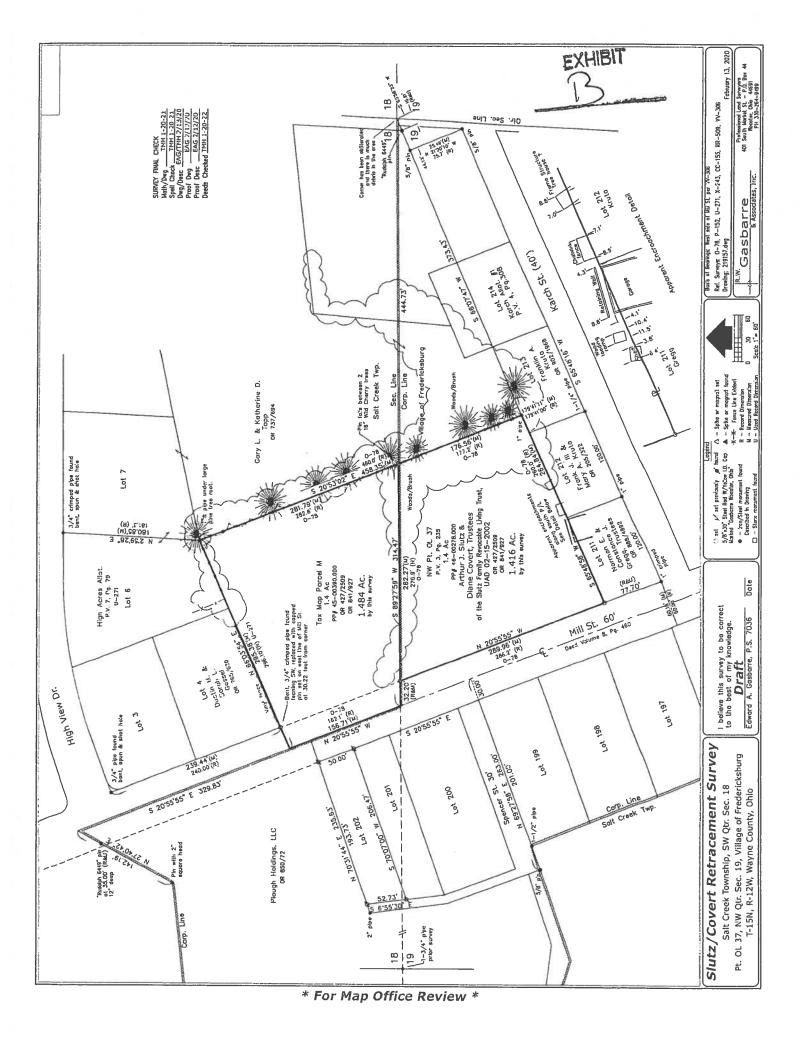
This parcel contains 1.484 acres.

Page 2 Slutz 1.484 acres in Section 18, T-15N, R-12W, Salt Creek Township, Wayne County, Ohio

Prior Instrument: official record volume 427, page 2509 and official record volume 841, page 927.
Permanent Parcel #: all of 45-00390.000.
This description was prepared by Edward A. Gasbarre, P.S. 7036 from information contained in a survey made under his direction, in February 2020, on behalf of R.W. Gasbarre & Associates, Inc. A copy of that survey is on file at the Wayne County map office. See survey volume, page
All bearings are related and based the west line of Mill Street according to survey VV-306.
All capped pins, both set and found, are 5/8 inch diameter solid steel rods with identification caps marked "GASBARRE WOOSTER, OHIO" unless otherwise noted.

H:\ADAT4\AJOBS\2K19\job157\Slutz 1.484 Ac Legal.docx

Edward A. Gasbarre, P.S. 7036



I hereby certify this to be a true copy of the original.

ANNEXATION AGREEMENT

This Annexation Agreement ("Agreement") is entered into as of the _______ day of _______, 2020, by and between Diane Covert, Successor Trustee of the Slutz Family Revocable Living Trust, dated February 15, 2002 ("Applicant"), the Village of Fredericksburg ("the Village"), and Salt Creek Township, a township located within Wayne County, Ohio ("the Township"), (known collectively as "the Parties").

WHEREAS, Applicant owns a parcel of real estate which is contiguous to the Village and presently located within the boundaries of the Township ("the Property"); and

WHEREAS, Applicant desires to have the Property, the legal description of which is set forth in Exhibit "A" attached hereto, and which is incorporated by reference herein, annexed to the Village pursuant to Chapter 709 of the Ohio Revised Code; and

WHEREAS, the Village agrees to accept the annexation of the property upon receipt of a copy of the resolution adopted by the Board of County Commissioners of Wayne County, Ohio granting the annexation; and

WHEREAS, the Township is in agreement for the annexation of the property to the Village;

WHEREFORE, pursuant to the terms set forth herein, it is hereby agreed as follows:

- 1. The Parties agree that the Property may be annexed to the Village;
- 2. The Parties agree that a Petition for Annexation will be submitted to the County Commissioners of Wayne County, Ohio ("the Commissioners") pursuant to Ohio Revised Code Section 709.021, Section 709.022, and related provisions, which Petition will represent that the Parties are in

agreement for the annexation, and that the requisite resolutions of the Village and the Township have been adopted.

3. There is no zoning in the Village at the present time.

4. Applicant agrees that except as may be otherwise agreed, the Village and the Township shall not be responsible for the cost of the extension of Utilities to the Property. Applicants shall be required to connect to Village Utilities as required by the Codified Ordinances of the Village of

Fredericksburg.

5. The Parties will direct and authorize their respective agents and counsel to take all necessary actions to complete the annexation and that certified copies of the respective resolutions of the Village and the Township agreeing to the annexation will be provided for submission by Applicants of the request for annexation to the County Commissioners of Wayne County.

6. This Agreement may be executed in counterparts, each copy of which will

be regarded as an original.

7. This Agreement constitutes the entire agreement of the Parties for the annexation and any alteration, addition, or amendment must be in writing,

approved by and executed by the authorized representatives of the Parties.

Diane Covert, Successor Trustee
Slutz Family Revocable Living Trust

Dated February 15, 2002

Date: 172020

2

VILLAGE OF FREDERICKSBURG
By:
Its: Mayor
Date: 5-11-2020
SALT CREEK TOWNSHIP
By: Donald E. Rhamy, Trustee
Date: 3-16- Zozo
By: Mark A. Lemon, Trustee
Date:
By: Kelly M. McKelvey, Trustee

Date: 3-16-20

Exhibit "A"

Situated in the Township of Salt Creek, Section 18, Southwest Quarter, T-15N, R-12W, County of Wayne and State of Ohio:

Being part of the land described in deeds to Arthur J. Slutz and Diane Covert, Trustees of the Slutz Family Revocable Living Trust, UAD 02-15-2002 recorded in Official Record Volume 427, Page 2509 and Official Record Volume 841, Page 927 of the Wayne County Records.

Described as follows:

Commencing at the southeast corner of the Southwest Quarter of Section 18 – witnessed by a capped pin marked "Rudolph 6449" found S 65 degrees 56' 23" W 16.81 feet:

Thence S 89 degrees 27' 59" W 444.73 feet along the south line of the Quarter Section to a capped pin set at the point of Point of Beginning for the parcel herein described;

Thence with the following FOUR courses:

- S 89 degrees 27' 59" W 314.47 feet along the south line of the Quarter Section to a point on the centerline of Mill Street – witnessed by a capped reference pin set N 89 degrees 27' 59" E 32.20 feet;
- N 20 degrees 55' 55" W 156.71 feet with the centerline of Mill Street to a point on the easterly line of Plough Holdings, LLC as described in Official Record Volume 850, Page 72 - witnessed by a capped reference pin set N 66 degrees 03' 54" E 30.22 feet;
- 3. N 66 degrees 03' 54" E 295.38 feet, in part along a southerly line of High Acres Allotment as recorded in Plat Volume 7, Page 79, to a one inc diameter steel pipe found;
- S 20 degrees 53' 02" E 281.79 feet along the westerly line of Gary L. and Katherine D. Topp as described in Official Record Volume 737, Page 694, to the Point of Beginning.

This parcel contains 1.484 acres.

This description was prepared by Edward A. Gasbarre, P.S. 7036 from information
contained in a survey made under his direction, in February 2020, on behalf of R.W.
Gasbarre & Associates, Inc. A copy of that survey is on file at the Wayne County Map
Office See Survey Volume Page

All bearings are related and based on the west line of Mill Street according to survey VV - 306.

All capped pins both set and found are 5/8 inch diameter solid steel rods with identification caps marked "GASBARRE WOOSTER, OHIO" unless otherwise noted.

SCHEDULE OF PARCEL FOR ANNEXATION O.R.C. Section 709.02(D)

Name of Property Owner	Mailing Address	Permanent Parcel No.
Diane Covert Trustee	3352 Northridge Drive, Wooster, OH 44691	45-00390.000

Submitted By:

Robert J. Reynolds, Agent

SCHEDULE OF ADJOINING PARCELS O.R.C. Section 709.02(D)

Name of Property Owner	Mailing Address	Permanent Parcel No.
Gary L. Topp and Katherine D. Topp	5093 Highview Drive, Fredericksburg, OH 44627	45-00697.000 45-00189.000 45-00190.000 46-00356.000
Dustin M. Gessel and Sarah L. Gessel	9544 Fredericksburg Road, Fredericksburg, OH 44627	45-00188.000
Diane Covert Trustee	3352 Northridge Drive, Wooster, OH 44691	46-00278.000
Plough Holdings LLC	9552 Fredericksburg Road, Wooster, OH 44691	46-00427.000 46-00011.000 46-00061.000 46-00101.000

Submitted By:

Robert J. Reynolds, Agent

I, Shawn McKelvey, Fiscal Officer of the Village of Fredericksburg, Ohio do certify that this is a true and correct copy of the original on file of Resolution 2020-19 signed before me by Joseph Chupp, Mayor.

Shawn McKelvey.

RESOLUTION NO. 2020-19

A RESOLUTION ACCEPTING THE ANNEXATION OF PERMANENT PARCEL 45- 0 0390.000 INTO THE VILLAGE

WHEREAS, the Board of County Commissioners by Resolution adopted July 22, 2020 approved the regular annexation of real property to the Village of Fredericksburg, and

WHEREAS, the Village by Resolution No. 2020-6 entered into an annexation agreement for Permanent Parcel No. 45-00390,000.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF FREDERICKSBURG, WAYNE COUNTY, OHIO AS FOLLOWS:

Section 1: The Village accepts the annexation of Permanent Parcel 45-00390.000 whose legal description is attached and marked Exhibit A and fully incorporated herein.

Section 2: The Fiscal Officer is directed to certify three copies of the petition, the map or plat accompanying the petition, a transcript of the proceedings of the Wayne County Commissioners, and this Resolution and all other resolutions relating to the annexation of Permanent Parcel 45-00390.000.

PASSED: 11/9/2020

MAYOR

ATTEST

FISCAL OFFICER

I, Shawn McKelvey, Fiscal Officer of the Council of the Village of Fredericksburg, Ohio do hereby certify that I will post copies of this resolution 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 of said resolution.

Shawn McKelvey