

WAYNE COUNTY TAX MAP

Initials SDP FILE# 2023-274

DATE 1 / 26 / 2023

IDENT. WA-23-SW/ WC 207



WOOSTER CITY COUNCIL

538 N. Market Street • P.O. Box 1128

Wooster, Ohio 44691-7082

Phone 330-263-5200 • www.woosteroh.com

CERTIFICATE

I, Lynne DePaulo, Clerk of Council for the City of Wooster, Ohio, do hereby certify to the Wayne County Auditor that attached hereto are copies of the petition, map, Resolution of Authorization from the Wayne County Commissioners and City of Wooster Ordinance 2022-41, all in relation to the annexation of approximately .062 acres on Melrose Drive, and contiguous to the corporation limits, with Parcel Numbers 53-01219.002, and 53-01219.001. (John A Scavelli, Jr., Agent for Petitioners).

Lynne DePaulo

Clerk of Council, City of Wooster, OH

1/20/2023

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

Filed for Record in Wayne County, Ohio
202300000794 01/26/2023 01:55 PM COPY
Jane Carmichael Rec Fees: \$74.00
ANEX OR Vol 33 Pgs 351 - 357

AMT. PD \$1.00 DATE 1 / 26 / 23

JARRA L. UNDERWOOD, AUDITOR

Joanna Hatten DEPUTY

COPY

Resolution

No. 2023-22

Board of Wayne County Commissioners
Ron Amstutz Jonathan Hofstetter Sue A. Smail

Adopted: January 11, 2023

Subject: **Resolution for Approval of Municipality Annexation filed by the City of Wooster**

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

WHEREAS, on January 9, 2023, the City of Wooster filed with the Board of Commissioners, Wayne County, Ohio, a Petition for Annexation pursuant to RC 709.16; and

WHEREAS, Ordinance 2022-41, passed by Wooster City Council and approved on December 20, 2022, authorizes the City of Wooster to annex the Territory; and

WHEREAS, the Territory is contiguous to the City of Wooster, Ohio, and is entirely owned by the City of Wooster; and

WHEREAS, RC 709.16(B) states that if the only territory to be annexed is contiguous territory owned by a municipal corporation, the board of county commissioners, by resolution, shall grant the annexation and the annexation shall be complete upon entry upon the journal of the board, of the resolution granting the annexation;

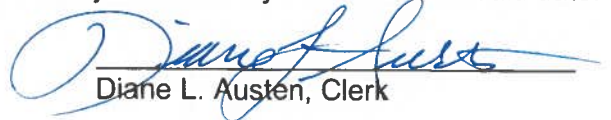
NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners, Wayne County, Ohio, that the Petition for Annexation is hereby granted.

IT IS FURTHER RESOLVED that a copy of this Resolution and a complete file of the annexation proceedings be forwarded by the Clerk of this Board to the Fiscal Officer of the City of Wooster, Ohio.

The vote is as follows: Ron Amstutz yea Jonathan Hofstetter 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

PETITION FOR ANNEXATION

I, Robert F. Breneman, Mayor of the City of Wooster, being the sole owner of the real estate in the territories hereinafter described, hereby Petition for the annexation of the following described territory to the City of Wooster, Wayne County, Ohio, in the manner provided for by Sections 709.02 to 709.16 of the Revised Code of Ohio.


Petitioner has attached hereto and made a part of this Petition a legal description of the perimeter of the territories sought to be annexed, marked as Exhibit A and B. The described territories are contiguous with the City of Wooster, Ohio.


Petitioner has attached hereto and made a part of this Petition, an accurate map or plat of the territories sought to be annexed, marked Exhibit C.

John A. Scavelli, Jr., is hereby appointed agent for the undersigned Petitioner as required by Revised Code Section 709.02(C)(3), 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, refile, substitution, compromise, increase or deletion or other things or action for granting of this Petition shall be made in the Petition, description and plat by said agent without further expressed consent of the Petitioner.

Please take notice that, simultaneously with the filing of this Petition, John A. Scavelli, Jr., is also filing a list of all tracts, lots, or parcels in the territory proposed for annexation, and all tracts, lots, or parcels located adjacent to that territory, as required by RC 709.02(0).

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


Wayne County Commissioners
Diane L. Auster, clerk


John A. Scavelli, Jr.
538 N. Market Street
Wooster, OH 44691
(330) 263-5248
jscavelli@woosteroh.com

CITY OF WOOSTER

By: 
Robert F. Breneman, Mayor

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

Lynne DePaulo
Clerk, Wooster City Council

ORDINANCE NO. 2022-41

AN ORDINANCE AUTHORIZING ANNEXATION OF
MUNICIPALLY-OWNED PROPERTY CONTIGUOUS TO THE
EXISTING CORPORATION LIMITS, PURSUANT TO OHIO
REVISED CODE CHAPTER 709 AND AUTHORIZING THE
DIRECTOR OF LAW TO PROSECUTE THE PROCEEDINGS
NECESSARY TO EFFECT IT AND ALLOWING FOR
IMMEDIATE ENACTMENT

WHEREAS, in conjunction with the Melrose Drive Reconstruction Project as authorized by Ordinance No 2021-55, the City of Wooster accepted real estate (approximately .062 acres) on November 23, 2021, located along Melrose Drive in Wayne Township, consisting of permanent parcel numbers 53-01219.002 (0.041 acres) and 53-01219.001 (0.021 acres);

WHEREAS, this Council finds that annexation of said lands to the City of Wooster is in the public interest and the inclusion of these lands would benefit the City as a whole.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

SECTION 1. The Council hereby declares its desire to annex into the municipal corporation the above-described real property owned by the City and hereby authorizes the annexation of said lands.

SECTION 2. The Council authorizes John A. Scavelli, the Director of Law, to prosecute the proceedings necessary to effectuate the annexation of the above-described real estate into the municipal corporation and designates the Director of Law to be the City's agent and/or petitioner for such purpose.

SECTION 3. This Council finds and declares that all formal actions concerning and relating to the adoption of this Ordinance occurred in an open meeting of this Council or its committees in compliance with the law.

SECTION 4. This Ordinance is hereby declared to be necessary to the immediate preservation of the public health, peace, safety and welfare of the City; or providing for the usual daily operation of a municipal department or division, and for the further reason that prompt action is necessary to provide for the annexation of these lands; wherefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of the Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

1st reading 12-19-22 2nd reading → 3rd reading 12-19-22

Passed: 12-19, 2022

Vote: 6-0

Attest: Lynne DePaulo
Clerk of Council Lynne DePaulo

Michael G. Buytendyk
President of Council Michael Buytendyk

Approved: December 20, 2022

Robert F. Breneman
Mayor Robert F. Breneman

Introduced by: Bob Reynolds



202100015777
BK 934 PG 237

Parcel 14 (36WD1)

Boundary Description
0.041 Acres

Real Estate Situated in the State of Ohio, County of Wayne, Township of Wayne in the southwest quarter of Section 23, T-16N, R-13W.

Being part of the land described in a deed to **Seipp Properties, LLC** recorded in official record volume 926, page 576 of the Wayne County records.

Described as follows:

Commencing at a one inch diameter steel pin found on the centerline of Melrose Drive marking the northwest corner of the southwest quarter of Section 23.

Thence S 00° 52' 40" E 240.36 feet, along the west line of the quarter section and the centerline of Melrose Drive, to the **Point of Beginning** for the parcel herein described.

Thence with the following FOUR courses:

- 1) N 89° 10' 11" E 30.00 feet, along the south line of Joshua J. Wilson as described in official record volume 772, page 1018, to a capped pin marked "PS 5688" found on the east right-of-way line of Melrose Drive.
- 2) S 00° 52' 40" E 60.15 feet, along the east right-of-way line of Melrose Drive, to a 5/8 inch diameter steel pin found on the north line of Glenn R. and Jennifer L. Shipley as described in official record volume 840, page 2046.
- 3) S 89° 04' 21" W 30.00 feet, along the north line Shipley, to a point on the west line of the quarter section and the centerline of Melrose Drive.
- 4) N 00° 52' 40" W 60.20 feet, along the west line of the quarter section and the centerline of Melrose Drive, to the **Point of Beginning**.

This parcel contains 0.041 acres and lies entirely within the right-of-way of Melrose Drive.

Prior Instrument: official record volume 926, page 576.

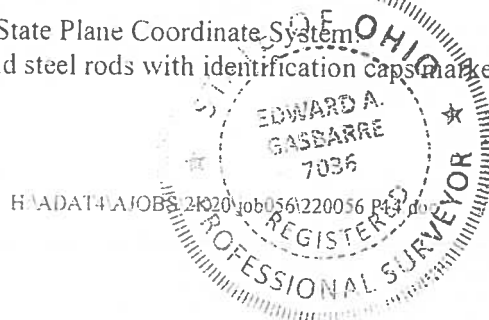
Permanent Parcel #: part of 53-01219.000

This description was prepared by Edward A. Gasbarre, P.S. 7036, from information contained in a survey made under his direction, in August 2021, 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 XX, page 89.

All bearings are related and based on Grid North of the Ohio State Plane Coordinate System.
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.


Edward A. Gasbarre, P.S. 7036





202100015776
BK 934 PG 234

Parcel 14-2 (36WD)

Boundary Description
0.021 Acres

Real Estate Situated in the State of Ohio, County of Wayne, **Township of Wayne** in the **southwest quarter of Section 23, T-16N, R-13W.**

Being part of the land described in a deed to **Seipp Properties, LLC** recorded in official record volume 926, page 576 of the Wayne County records.

Described as follows:

Beginning at a one inch diameter steel pin found on the centerline of Melrose Drive marking the northwest corner of the southwest quarter of Section 23.

Thence with the following FOUR courses:

- 1) **N 89° 18' 19" E 30.00 feet**, along the north line of the quarter section, to a capped pin marked "Lewis Land Professionals" found on the east right-of-way line of Melrose Drive.
- 2) **S 00° 52' 40" E 30.30 feet**, along the east of the right-of-way line of Melrose Drive, to a capped pin marked "Lewis Land Professionals" found on the north line of James H. and Judith A. Vitaro as described in deed volume 693, page 244.
- 3) **S 89° 09' 53" W 30.00 feet**, along the north line Vitaro, to a point on the west line of the quarter section and the centerline of Melrose Drive.
- 4) **N 00° 52' 40" W 30.37 feet**, along the west line of the quarter section and the centerline of Melrose Drive, to the **Point of Beginning**.

This parcel contains 0.021 acres and lies entirely within the right-of-way of Melrose Drive.

Prior Instrument: official record volume 926, page 576.

Permanent Parcel #: part of 53-01219.000

This description was prepared by Edward A. Gasbarre, P.S. 7036, from information contained in a survey made under his direction, in August 2021, on behalf of R.W. Gasbarre & Associates, Inc.

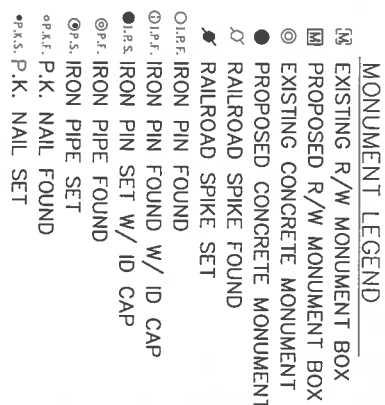
A copy of that survey is on file at the Wayne County map office. See survey volume XX, page 89.

All bearings are related and based on Grid North of the Ohio State Plane Coordinate System.

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.

A handwritten signature in blue ink, appearing to read "Edward A. Gasbarre".

Edward A. Gasbarre, P.S. 7036



Line Table		
Line #	Direction	Length
L24	S89° 09' 53"W	12.00
L25	S00° 52' 40"E	0.19
L26	N89° 18' 19"E	9.00
L27	N06° 32' 09"W	30.43
L28	S89° 47' 53"E	11.00
L43	S00° 57' 45"E	0.59

EXHIBIT C