

Resolution

Number 01-1487

Adopted Date September 6, 2001

APPROVE CHANGE OF TOWNSHIP BOUNDARIES OF MASON TOWNSHIP TO MAKE THEM, IN PART, IDENTICAL TO THOSE OF THE CITY OF MASON

WHEREAS, this Board of County Commissioners is in receipt of a petition by the City of Mason, Ohio to change the boundaries of Mason Township to make them identical, in part, with the boundaries of the City of Mason; and

WHEREAS, pursuant to Ohio Revised Code Section 503.07, the Board of County Commissioners, upon presentation of such petition, with the proceedings of the legislative authority authenticated, shall upon petition of a City change the boundaries of the township when the limits of such corporation include territory lying in more than one township; and

NOW THEREFORE BE IT RESOLVED, that the prayer of the City of Mason be granted for such changes in and extensions of the boundary lines of Mason Township as may be necessary so that it may include therein, those portions of Union and Deerfield Township, Warren County, Ohio, which has, by successive orders of the Warren County Board of Commissioners, been annexed to the City of Mason, said territory having been accepted by the City pursuant to ordinance numbers 2001-37 and 2001-38 to make the boundary lines of Mason Township co-extensive with the corporate limits of the City of Mason.

Mrs. South moved for adoption of the foregoing resolution, being seconded by Mr. Kilburn. Upon call of the roll, the following vote resulted:

Resolution adopted this 6th day of September 2001.

BOARD OF COUNTY COMMISSIONERS


Tina Davis, Clerk

/tad

cc: City of Mason
Union Township
Turtlecreek Township
Auditor *DW*
Map Room
RPC (file)
GIS
Dispatch
Township Boundries

ORDINANCE NO. 2001-37

**ACCEPTING ANNEXATION ON APPLICATION OF THE OWNER OF
CERTAIN PROPERTY CONTAINING 2.602 ACRES LOCATED IN
TURTLECREEK TOWNSHIP TO THE CITY OF MASON, OHIO**

WHEREAS, the petition for annexation of certain territory in Turtlecreek Township was duly filed by Wendell and Terra Clem, petitioners; and

WHEREAS, the petition was duly considered by the Board of County Commissioners of Warren County, Ohio, on November 28, 2000; 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 December 29, 2000; 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, seven (7) members elected thereto concurring:

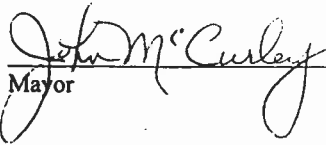
Section 1. That the proposed annexation as applied for in the petition of Wendell and Terra Clem, petitioners, who are the owners of the real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Warren County, Ohio, on August 11, 2000, and which petition prayed 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 November 28, 2000, 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 26th day of February, 2001.



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. 2001-37, adopted by the Council of the City of Mason on February 26, 2001.



Clerk of Council

2/21/2001

Exhibit A

KING-HASSELBRING & ASSOCIATES

Civil Engineers & Land Surveyors
212 North Broadway Lebanon, Ohio 45036
Telephone (513) 932-3806 Facsimile (513) 932-6847

Principal:
J. Timothy King, PE-PS

Associates:
Paul E. Hasselbring, PE-PS
Robert M. Nevin, SIT

FILE: CLEM.LGL
DWG. NO.: D-10498
FILE NO.: 00-10058

AUGUST 17, 2000
PAGE 1 OF 2

LEGAL DESCRIPTION
FOR ANNEXATION
2.602 ACRES
WENDELL & TERRA L. CLEM
DEED BOOK 514, PAGE 277

Situated in Section 33, Town 4, Range 3, Turtlecreek Township, Warren County, Ohio, and being more particularly described as follows:

Beginning at the southeast corner of said Section 33;

Thence in and along the east line of said Section 33, N-00d-00"-45"-W a distance of 1017.74 feet to a point in the centerline of Brewer Road;

Thence continuing in and along said east line of said Section 33 and in and along Mason Montgomery Road, N-00d-34'-31"-W a distance of 181.34 feet to a point;

Thence leaving said east line of said Section 33, S-89d-08'-10"-W a distance of 15.00 feet to the real Point-of-Beginning for this description, said point being in the west line of Mason-Montgomery Road and the Mason corporation line;

Thence leaving said west line of said Mason-Montgomery Road continuing in and along said corporation line S-89d-08'-10"-W a distance of 708.38 feet to a point;

Thence leaving said corporation line N-00d-32'-53"-W a distance of 160.00 feet to a point;

Thence N-89d-08'-10"-E a distance of 708.31 feet to a point, in said west line of said Mason-Montgomery Road;

Thence in and along said west line of said Mason-Montgomery Road S-00d-34'-31"-E a distance of 160.00 feet to the real Point-of-Beginning for this description.

King-Hasselbring & Associates
Engineers & Surveyors
Lebanon, Ohio

FILE: CLEM.LGL
DWG. NO.: D-10498
FILE NO.: 00-10058

AUGUST 17, 2000
PAGE 2 OF 2

LEGAL DESCRIPTION
FOR ANNEXATION
2.602 ACRES
WENDELL & TERRA L. CLEM
DEED BOOK 514, PAGE 277

Containing in all 2.602 acres more or less, subject to all legal highways and easements of records.

Prior deed reference: Deed Book 514, Page 277, of the Warren County deed records.

This description was prepared from existing deeds, plats and records and is not the result of a new field survey. Prepared by King-Hasselbring & Associates, J. Timothy King, PE-PS, Ohio Registered Surveyor No. 6549, dated March 23, 2000.

ORDINANCE NO. 2001-38

ACCEPTING ANNEXATION ON APPLICATION OF THE OWNER OF CERTAIN PROPERTY CONTAINING 7.334 ACRES LOCATED IN UNION TOWNSHIP TO THE CITY OF MASON, OHIO

WHEREAS, the petition for annexation of certain territory in Union Township was duly filed by Robert L. Bedinghaus and Kenneth R. and Shirley Schoonover, petitioners; and

WHEREAS, the petition was duly considered by the Board of County Commissioners of Warren County, Ohio, on November 28, 2000; 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 December 29, 2000; 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, seven (7) members elected thereto concurring:

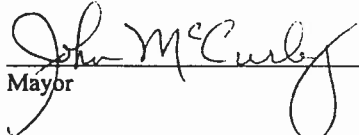
Section 1. That the proposed annexation as applied for in the petition of Robert and Lori L. Bedinghaus and Kenneth R. and Shirley Schoonover, petitioners, who are the owners of the real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Warren County, Ohio, on June 26, 2000, 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 November 28, 2000, 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 26th day of February, 2001.



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. 2001-38, adopted by the Council of the City of Mason on February 26, 2001.



Clerk of Council

2/21/2001

Exhibit A

LEGAL NOTICE. ANNEXATION OF 7.334 ACRES TO THE CITY OF MASON. Notice is hereby given that a petition addressed to the Board of County Commissioners of Warren County, Ohio, was filed with the Warren County Commissioners on behalf of the owners of 7.334 acres of land adjacent to the City of Mason in Union Township, Warren County, Ohio, seeking to annex said property to the City of Mason, Ohio. The area sought to be annexed is commonly known as 4809 and 4885 Cox-Smith Road, Mason, Ohio, 45040, and more fully described as set forth in Exhibit A.

"Exhibit A"
LEGAL DESCRIPTION

Situated in Sections 13 & 19, Town 4, Range 3, Union Township, Warren County, Ohio, and being more particularly described as follows; Beginning at the southwest corner of said Section 13 and the southeast corner of said Section 19, said point also being in Cox-Smith Road; Thence along the east line of said Section 13 and the west line of said Section 19 and in said Cox-Smith Road, N-05°04'41"-E a distance of 652.50 feet to a point; Thence leaving said east line of said Section 13 and said west line of said Section 19, N-81°14'19"-W a distance of 30.06 feet to a point in said Cox-Smith Road; Thence along said Cox-Smith Road, N-05°04'41"-E a distance of 95.79 feet to the real Point-of-Beginning for this description, said point also being in the north line of said Cox-Smith Road; Thence N-05°04'41"-E a distance of 118.66 feet to a point; Thence N-86°57'19"-W a distance of 359.44 feet to a point; Thence N-04°26'41"-E a distance of 410.55 feet to a point; Thence S-85°52'19"-E a distance of 393.15 feet to a point; Thence N-05°04'44"-E a distance of 263.30 feet to a point; Thence S-50°29'03"-E a distance of 484.18 feet to a point in the northwest line of said Cox-Smith Road; Thence along said northwest line of said Cox-Smith Road the following three (3) courses: (1) S-53°43'04"-W a distance of 130.34 feet to a point; (2) S-32°45'29"-W a distance of 289.67 feet to a point; (3) S-54°18'43"-W a distance of 260.05 feet to the real Point-of-Beginning for this description; Containing in all 7.334 Acres, more or less, subject al all legal highways and easements of record.

Christy M. Holmes, Wood & Lamping, LLP, 600 Vine Street, Suite 2500, Cincinnati, Ohio, 45202, is Agent for the Petitioners. The Petition contains an accurate map or plat of the territory to be annexed. The Board of County Commissioners of Warren County, Ohio, will hold a hearing on the Petition for Annexation at the office of the Warren County Commissioners, in the Administration Building, 320 East Silver Street, Lebanon, Ohio on October 24, 2000, at 11:00 o'clock a.m.

Christy M. Holmes
Agent for Petitioners
Wood & Lamping, LLP
600 Vine Street, Suite 2500
Cincinnati, Ohio 45202
(513) 852-6000

ORDINANCE NO. 2001-39

AUTHORIZING THE CITY MANAGER TO EXECUTE AND PRESENT TO THE BOARD OF COUNTY COMMISSIONERS OF WARREN COUNTY A PETITION FOR A CHANGE OF TOWNSHIP BOUNDARIES

WHEREAS, the City of Mason is situated in Mason Township; and

WHEREAS, Council has determined that it is in the best interest of the City of Mason for the municipal limits to be situated in a single township; and

WHEREAS, the Ohio Revised Code, Section 503.07, directs a procedure whereby, due to a change of the limits of a municipal corporation, said corporation includes territory lying in more than one township, a city may petition the Board of County Commissioners for a change of township lines in order to make them identical, in whole or in part, with the limits of the municipal corporation and said Board of County Commissioners shall upon the petition of a City change the boundaries of the township.

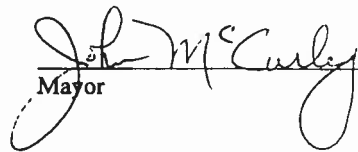
NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mason, Ohio, seven (7) members thereto concurring:

Section 1. That the City Manager is hereby directed to present to the Board of County Commissioners of Warren County a Petition praying for such change and extensions of the boundary lines of Mason Township as may be necessary so that it will include therein those portions of Union and Turtlecreek Townships which have been annexed to the City of Mason, so as to include within the boundary lines of Mason Township the limits of the City of Mason as set out in the Petition attached hereto as Exhibit "A" and incorporated herein by reference.

Section 2. That the City Manager of the City of Mason is hereby authorized and directed to execute a Petition for change of township boundaries in accordance with the form attached hereto and marked Exhibit "A".

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

Passed this 26th day of February, 2001.



Mayor

Attest:



Clerk of Council

2/21/2001

SWENSON
ALLEN

10. 11 50 E 11 53

CERTIFICATE

The undersigned, Clerk of Council of the City of Mason, hereby certifies this to be a true and exact copy of Ordinance 2001-39. This Ordinance was passed by the Mason City Council on February 26, 2001.



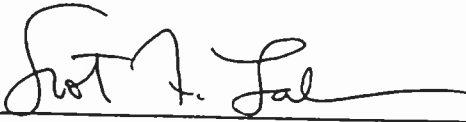
Clerk of Council

PETITION FOR CHANGE OF TOWNSHIP BOUNDARIES

Now comes the City of Mason, Ohio, a municipal corporation, by its City Manager, and petitions the Board of County Commissioners of Warren County, Ohio, pursuant to Ohio Revised Code Section 503.07, for an order changing the boundaries of Mason Township so as to include therein certain parts of the City of Mason, and for such other actions which may be proper in this matter. The portions of the City of Mason, Ohio, not now included within the limits of Mason Township include those portions of Union and Turtlecreek Townships annexed by the City of Mason by Ordinance Nos. 2001-37 and 2001-38. True copies of said ordinances are attached hereto and made a part hereof.


A complete and accurate description of the City of Mason which is to be included in Mason Township is attached hereto, marked Exhibit "A", and made a part hereof.

This petition is filed through the authority of Ordinance No. 2001-39, passed February 26th, 2001. A true copy of said ordinance is attached hereto, marked Exhibit "B", and made a part hereof.



Scot F. Lahrmer, City Manager

I certify that this is a true and correct copy of the petition directed to be filed by the City Council of Mason, Ohio by Ordinance No. 2001-39.



Clerk of Council