

Henry County Commissioners

Henry County Office Complex, 1853 Oakwood Avenue, Napoleon, OH 43545

Phone: 419-592-4876 Fax: 419-592-4016 E-mail: commissioners@henrycountyohio.com



**Board of County
Commissioners:**
Robert E. Hastedt
Richard C. Myers
Thomas H. VonDeylen

Clerk:
Vicki R. Glick

**Administrative
Assistant:**
Cathy Behnfeldt

Office Hours:
8:00 am to 4:30 pm
Monday - Friday

Web Site:
henrycountyohio.com

January 9, 2008

1343 Bales Rd.

Gregory J. Heath
Napoleon Finance Director
P.O. Box 151
Napoleon, Ohio 43545

Received
01-12-09A10:31 RCVD

RE: **Annexation of Henry County Highway Garage Property**

Dear Greg:

The Board of Henry County Commissioners approved the annexation of Henry County Highway Garage property into the corporation limits on December 30, 2008.

Enclosed for your information are the following documents:

- 1) Certified copy of Resolution 197-08-D adopted on December 30, 2008 approving the annexation.
- 2) Certified copy of Resolution 196-18-A adopted on November 25, 2008 accepting the Petition as submitted.
- 3) Annexation Petition (R. C. 709.16)
Attachments: Exhibit "A"
Exhibit "B"

I will transfer in the Henry County Auditor's office and then file with the Henry County Recorder.

If you need anything additional, please let me know.

Sincerely,

Vicki R. Glick

Vicki R. Glick
Clerk

Encs.

Cc: Henry County Engineer R. L. Germann
Secretary of State

SCANNED

RESOLUTION 197-08-D

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF HENRY COUNTY, OHIO APPROVING ANNEXATION OF COUNTY OWNED PROPERTY (LOCATION WHERE THE HENRY COUNTY GARAGE IS SITED)

ON THIS 30th DAY OF DECEMBER, 2008, COMMISSIONER
Von Deylen MOVED THE ADOPTION OF THE
FOLLOWING

RESOLUTION:

WHEREAS, the land of the proposed annexation is owned by the Board of County Commissioners of Henry County, Ohio as evidenced in a certain deed recorded in Volume 140 at Page 414 of the Official Records of Henry County Recorder; and,

WHEREAS, the City of Napoleon has determined it desires to annex said land; and,

WHEREAS, such annexation of the property is necessary in order for continued utility services to be furnished by the City to said property, and if the Commissioners did not agree to such annexation, said services would be terminated; and

WHEREAS, the Henry County Commissioners, for the purposes of simplifying the process only, requested that the City commence annexation proceedings by the filing of a petition; and,

WHEREAS, the territory to be annexed shall not be excluded or removed from the Township under ORC 503.07; and,

WHEREAS, legislation was adopted by the City in Ordinance No. 081-08 as required by ORC 709.14 in order to commence an annexation prosecution; moreover, a petition for annexation of County property initiated by the City is permitted pursuant to ORC 709.16; Now Therefore,

BE IT RESOLVED BY THE HENRY COUNTY BOARD OF COMMISSIONERS:

Section 1. That, this Board of Commissioners in and for Henry County, Ohio finds that the land that is the subject of this Resolution is: (1) contiguous land to the City of Napoleon, Ohio, (2) the land to be annexed is owned by the Board of Henry County Commissioners, which is located in Henry County, the State of Ohio and, (3) that an accurate annexation plat and description has been submitted as part of the annexation petition as prepared and submitted in accordance with law; therefore, this Board hereby approves and grants the annexation of property as below described to the City of Napoleon, Ohio:

Situated in the Township of Napoleon, County of Henry, and State of Ohio, and described as follows:

A parcel of land in the Southwest corner of the Southwest Quarter of Section 14, and in the Northwest corner of the Northwest Quarter of Section 23, both in Township Five (5) North, Range Six (6) East, Henry County, Ohio, and more particularly described as follows:

Beginning at a stone at the Southwest corner of said Section 14; thence North on the West line of said section, 368.85 feet to a cross in the concrete pavement marking the Northwest Corner and the intersection of the centerlines of Bales Road and Westmoreland Avenue; thence North 81 degrees 05 minutes East 1100.98 feet to an iron pipe on the northerly right-of-way line of the Maumee-Western Railroad (formally the Wabash Railroad); thence South 59 degrees 51 minutes West on the right-of-way line of said Maumee-Western Railroad (formally the Wabash Railroad) 1257.89 feet to an iron pipe on the West line of said Section 23; thence North on the West line of said Section 23, a distance of 92.29 feet to the PLACE OF BEGINNING,

Containing 5.757 acres of land (of which 0.18 acre lies within Section 23) more or less.

RESOLUTION

IN THE MATTER OF ANNEXATION OF A
PARCEL OF LAND LOCATED IN NAPOLEON
TOWNSHIP TO THE CITY OF NAPOLEON,
OHIO – Henry County Commissioners

Henry County Highway Garage Site

PETITION SUBMITTED

On this 25th day of November, 2008, Mr. Von Deylen moved the adoption of the following
RESOLUTION:

WHEREAS, David Grahn, City Law Director, filed for the City of Napoleon, and signed by Dr. Jon A. Bisher, Agent for Petitioner, an Annexation Petition (R.C. 709.16) for the territory to be annexed into the City of Napoleon, Ohio, and is contiguous territory owned by the Board of County Commissioners, Henry County, Ohio and is the Henry County Highway Garage site, (copy of document attached), now therefore be it

RESOLVED, That the Board of Henry County Commissioners do hereby accept the Annexation Petition as submitted and enter said Annexation Petition upon the Commissioners' Journal with a thirty (30) day timeline to act on the Petition.

AND BE IT FURTHER RESOLVED, That it is found and determined that all formal actions of this Board concerning and relating to the adoption of the Resolution were so adopted in an open meeting of this Board and that any deliberations of this Board and any of its committees that resulted in such formal actions were in a meeting open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Mr. Myers seconded the resolution and the roll being called upon for its adoption, the vote resulted as follows:

Richard J. Bennett YEA
Richard J. Bennett

Richard C. Myers YEA
Richard C. Myers

Thomas H. Von Deylen YEA
Thomas H. Von Deylen

Attest:

Vicki R. Glick
Vicki R. Glick, Clerk

I hereby certify that the foregoing
is a true and exact copy of
Resolution No. 196-18-A
duly passed by the Board of County
Commissioners, Henry County, Ohio,
at its meeting on 11/25/08.

196-18-A

Vicki R. Glick
Clerk of the Board 11/9/09

ORDINANCE NO. 081-08

AN ORDINANCE TO ANNEX PROPERTY OWNED BY THE BOARD OF COUNTY COMMISSIONERS OF HENRY COUNTY, OHIO (LOCATION WHERE THE HENRY COUNTY GARAGE IS SITED)

WHEREAS, the land of the proposed annexation is owned by the Board of County Commissioners of Henry County, Ohio as evidenced in a certain deed recorded in Volume 140, Page 414 of the Deed Records of Henry County Recorder; and,

WHEREAS, annexation of the property would allow continued utility service furnished by the City of Napoleon, Ohio; and,

WHEREAS, the Henry County Commissioners have requested that the City commence annexation proceedings; and,

WHEREAS, the territory to be annexed shall not be excluded or removed from the Township under ORC 503.07; and,

WHEREAS, this legislation is required by ORC 709.14 in order to commence an annexation prosecution; moreover, a petition for annexation of County property initiated by the City is permitted pursuant to ORC 709.16; Now Therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO WITH A MAJORITY OF THOSE MEMBERS CONCURRING THERETO:

Section 1. That, this Council proposes to annex contiguous territory described as follows:

Situated in the Township of Napoleon, County of Henry, and State of Ohio, and described as follows:

A parcel of land in the Southwest corner of the Southwest Quarter of Section 14, and in the Northwest corner of the Northwest Quarter of Section 23, both in Township Five (5) North, Range Six (6) East, Henry County, Ohio, and more particularly described as follows:

Beginning at a stone at the Southwest corner of said Section 14; thence North on the West line of said section, 368.85 feet to a cross in the concrete pavement marking the Northwest Corner and the intersection of the centerlines of Bales Road and Westmoreland Avenue; thence North 81 degrees 05 minutes East 1100.98 feet to an iron pipe on the northerly right-of-way line of the Maumee-Western Railroad (formally the Wabash Railroad); thence South 59 degrees 51 minutes West on the northerly right-of-way line of said Maumee-Western Railroad (formally the Wabash Railroad) 1257.89 feet to an iron pipe on the intersection of said northerly right-of-way line and the West line of said Section 23; thence North on the West line of said Section 23, a distance of 92.29 feet to the PLACE OF BEGINNING,

Containing 5.757 acres of land (of which 0.18 acre lies within Section 23) more or less.

Permanent Parcel Number: 07-140004.0000

CERTIFICATION

I, Gregory J. Heath, Clerk of Council/Finance Director for the City of Napoleon, Ohio, do hereby certify that the attached copy of Ordinance No. 081-08 is a true and accurate copy of Ordinance No. 081-08 of the City of Napoleon, Ohio.



Gregory J. Heath, Clerk of Council/Finance Director

11 / 20 / 08
Date

RESOLUTION

IN THE MATTER OF ANNEXATION OF A
PARCEL OF LAND LOCATED IN NAPOLEON
TOWNSHIP TO THE CITY OF NAPOLEON,
OHIO – Henry County Commissioners
Henry County Highway Garage Site

PETITION SUBMITTED

On this 25th day of November, 2008, Mr. Von Deylen moved the adoption of the following
RESOLUTION:

WHEREAS, David Grahn, City Law Director, filed for the City of Napoleon, and signed by Dr. Jon A. Bisher, Agent for Petitioner, an Annexation Petition (R.C. 709.16) for the territory to be annexed into the City of Napoleon, Ohio, and is contiguous territory owned by the Board of County Commissioners, Henry County, Ohio and is the Henry County Highway Garage site, (copy of document attached), now therefore be it

RESOLVED, That the Board of Henry County Commissioners do hereby accept the Annexation Petition as submitted and enter said Annexation Petition upon the Commissioners' Journal with a thirty (30) day timeline to act on the Petition.

AND BE IT FURTHER RESOLVED, That it is found and determined that all formal actions of this Board concerning and relating to the adoption of the Resolution were so adopted in an open meeting of this Board and that any deliberations of this Board and any of its committees that resulted in such formal actions were in a meeting open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Mr. Myers seconded the resolution and the roll being called upon for its adoption, the vote resulted as follows:

Richard J. Bennett YEA
Richard J. Bennett

Richard C. Myers YEA
Richard C. Myers

Thomas H. Von Deylen YEA
Thomas H. Von Deylen

Attest:

Vicki R. Glick
Vicki R. Glick, Clerk

I hereby certify that the foregoing
is a true and exact copy of
Resolution No. 196-18-A
duly passed by the Board of County
Commissioners, Henry County, Ohio,
at its meeting on 11/25/08.
Vicki R. Glick
Clerk of the Board 11/9/09

196-18-A

ANNEXATION PETITION

(R. C. 709.16)

Comes Now, the City of Napoleon, Ohio, by and through its City Manager, Dr. Jon A. Bisher, a duly authorized agent and/or person to sign this Annexation Petition, as evidenced in Ordinance No. 081-08, passed by Napoleon City Council on the 6th day of October, 2008 [See attached Ordinance marked as Exhibit "A"], and Petition the Board of Commissioners of Henry County, Ohio to annex certain territory owned by the Board of Commissioners of Henry County, Ohio and more particularly described as follows:

Situated in the Township of Napoleon, County of Henry, and State of Ohio, and described as follows:

A parcel of land in the Southwest corner of the Southwest Quarter of Section 14, and in the Northwest corner of the Northwest Quarter of Section 23, both in Township Five (5) North, Range Six (6) East, Henry County, Ohio, and more particularly described as follows:

Beginning at a stone at the Southwest corner of said Section 14; thence North on the West line of said section, 368.85 feet to a cross in the concrete pavement marking the Northwest Corner and the intersection of the centerlines of Bales Road and Westmoreland Avenue; thence North 81 degrees 05 minutes East 1100.98 feet to an iron pipe on the northerly right-of-way line of the Maumee-Western Railroad (formally the Wabash Railroad); thence South 59 degrees 51 minutes West on the right-of-way line of said Maumee-Western Railroad (formally the Wabash Railroad) 1257.89 feet to an iron pipe on the West line of said Section 23; thence North on the West line of said Section 23, a distance of 92.29 feet to the PLACE OF BEGINNING,

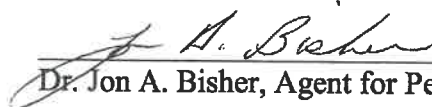
Containing 5.757 acres of land (of which 0.18 acre lies within Section 23) more or less.

Permanent Parcel Number: 07-140004.0000

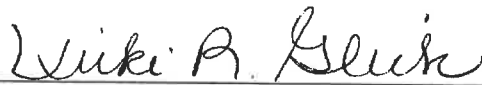
[See attached Plat marked as Exhibit "B"]

This Petition is being filed pursuant to Ohio Revised Code 709.16. The territory to be annexed is contiguous territory owned by Board of County Commissioners, Henry County, Ohio.

City of Napoleon, Ohio:


Dr. Jon A. Bisher, Agent for Petitioner

Board Representative Receiving this Filing:


Vickie R. Glick, Board Clerk
Dated: NOV 24, 2008

RESOLUTION 197-08-D

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF HENRY COUNTY, OHIO APPROVING ANNEXATION OF COUNTY OWNED PROPERTY (LOCATION WHERE THE HENRY COUNTY GARAGE IS SITED)

ON THIS 30th DAY OF DECEMBER, 2008, COMMISSIONER
Von Deylen MOVED THE ADOPTION OF THE
FOLLOWING

RESOLUTION:

WHEREAS, the land of the proposed annexation is owned by the Board of County Commissioners of Henry County, Ohio as evidenced in a certain deed recorded in Volume 140 at Page 414 of the Official Records of Henry County Recorder; and,

WHEREAS, the City of Napoleon has determined it desires to annex said land; and,

WHEREAS, such annexation of the property is necessary in order for continued utility services to be furnished by the City to said property, and if the Commissioners did not agree to such annexation, said services would be terminated; and

WHEREAS, the Henry County Commissioners, for the purposes of simplifying the process only, requested that the City commence annexation proceedings by the filing of a petition; and,

WHEREAS, the territory to be annexed shall not be excluded or removed from the Township under ORC 503.07; and,

WHEREAS, legislation was adopted by the City in Ordinance No. 081-08 as required by ORC 709.14 in order to commence an annexation prosecution; moreover, a petition for annexation of County property initiated by the City is permitted pursuant to ORC 709.16; Now Therefore,

BE IT RESOLVED BY THE HENRY COUNTY BOARD OF COMMISSIONERS:

Section 1. That, this Board of Commissioners in and for Henry County, Ohio finds that the land that is the subject of this Resolution is: (1) contiguous land to the City of Napoleon, Ohio, (2) the land to be annexed is owned by the Board of Henry County Commissioners, which is located in Henry County, the State of Ohio and, (3) that an accurate annexation plat and description has been submitted as part of the annexation petition as prepared and submitted in accordance with law; therefore, this Board hereby approves and grants the annexation of property as below described to the City of Napoleon, Ohio:

Situated in the Township of Napoleon, County of Henry, and State of Ohio, and described as follows:

A parcel of land in the Southwest corner of the Southwest Quarter of Section 14, and in the Northwest corner of the Northwest Quarter of Section 23, both in Township Five (5) North, Range Six (6) East, Henry County, Ohio, and more particularly described as follows:

Beginning at a stone at the Southwest corner of said Section 14; thence North on the West line of said section, 368.85 feet to a cross in the concrete pavement marking the Northwest Corner and the intersection of the centerlines of Bales Road and Westmoreland Avenue; thence North 81 degrees 05 minutes East 1100.98 feet to an iron pipe on the northerly right-of-way line of the Maumee-Western Railroad (formally the Wabash Railroad); thence South 59 degrees 51 minutes West on the right-of-way line of said Maumee-Western Railroad (formally the Wabash Railroad) 1257.89 feet to an iron pipe on the West line of said Section 23; thence North on the West line of said Section 23, a distance of 92.29 feet to the PLACE OF BEGINNING,

Containing 5.757 acres of land (of which 0.18 acre lies within Section 23) more or less.

Permanent Parcel Number: 07-140004.0000

Section 2. That, the fee associated with the Petition is waived.

Section 3. That, the Clerk of this Board shall furnish a copy of this Annexation Resolution to the Henry County Auditor, Henry County Recorder, Secretary of State and the municipal Clerk; moreover, the Clerk of the municipality is responsible for filing a copy of the annexation with the Henry County Board of Elections.

Section 4. That, it is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in open meetings of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. That, upon passage, this Resolution shall take immediate effect.

Commissioner Bennett seconded the resolution and the roll being called upon for its adoption, the vote resulted as follows:

Passed: Dec. 30, 2008

Richard J. Bennett YEA
Commissioner

Richard C. Myers NO
Commissioner

John W. ... YEA
Commissioner

Attest:

Lizki A. Geisk
Clerk

I hereby certify that the foregoing is a true and exact copy of Resolution No. 197-08-D duly passed by the Board of County Commissioners, Henry County, Ohio, at its meeting on 12/30/08.
Lizki A. Geisk
Clerk of the Board 1/9/09

ORDINANCE NO. 081-08

AN ORDINANCE TO ANNEX PROPERTY OWNED BY THE BOARD OF COUNTY COMMISSIONERS OF HENRY COUNTY, OHIO (LOCATION WHERE THE HENRY COUNTY GARAGE IS SITED)

WHEREAS, the land of the proposed annexation is owned by the Board of County Commissioners of Henry County, Ohio as evidenced in a certain deed recorded in Volume 140, Page 414 of the Deed Records of Henry County Recorder; and,

WHEREAS, annexation of the property would allow continued utility service furnished by the City of Napoleon, Ohio; and,

WHEREAS, the Henry County Commissioners have requested that the City commence annexation proceedings; and,

WHEREAS, the territory to be annexed shall not be excluded or removed from the Township under ORC 503.07; and,

WHEREAS, this legislation is required by ORC 709.14 in order to commence an annexation prosecution; moreover, a petition for annexation of County property initiated by the City is permitted pursuant to ORC 709.16; Now Therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO WITH A MAJORITY OF THOSE MEMBERS CONCURRING THERETO:

Section 1. That, this Council proposes to annex contiguous territory described as follows:

Situated in the Township of Napoleon, County of Henry, and State of Ohio, and described as follows:

A parcel of land in the Southwest corner of the Southwest Quarter of Section 14, and in the Northwest corner of the Northwest Quarter of Section 23, both in Township Five (5) North, Range Six (6) East, Henry County, Ohio, and more particularly described as follows:

Beginning at a stone at the Southwest corner of said Section 14; thence North on the West line of said section, 368.85 feet to a cross in the concrete pavement marking the Northwest Corner and the intersection of the centerlines of Bales Road and Westmoreland Avenue; thence North 81 degrees 05 minutes East 1100.98 feet to an iron pipe on the northerly right-of-way line of the Maumee-Western Railroad (formally the Wabash Railroad); thence South 59 degrees 51 minutes West on the northerly right-of-way line of said Maumee-Western Railroad (formally the Wabash Railroad) 1257.89 feet to an iron pipe on the intersection of said northerly right-of-way line and the West line of said Section 23; thence North on the West line of said Section 23, a distance of 92.29 feet to the PLACE OF BEGINNING,

Containing 5.757 acres of land (of which 0.18 acre lies within Section 23) more or less.

Permanent Parcel Number: 07-140004.0000

Section 2. That, the annexation of the property as described in Section 1 of this Ordinance is hereby authorized to be made; moreover, the City Law Director of Napoleon, Ohio, is directed to prosecute the proceedings necessary to effect it.

Section 3. That, the City Manager of Napoleon, Ohio is designated the authorized agent or person to sign the petition that shall accurately define the boundaries of the property to be annexed and to sign any other necessary documents to accomplish the annexation that is the subject of this Ordinance, moreover, shall submit with the petition an accurate plat thereof.

Section 4. That, it is found and determined that all formal actions of this Board concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon, Ohio.

Section 5. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 6. That, upon passage, this Ordinance shall take effect at the earliest time permitted by law.

Passed: October 6, 2008


Glenn A. Miller, Council President

Approved: 06 OCT 08

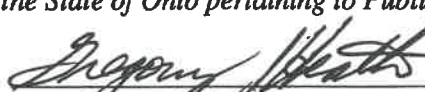

J. Andrew Small, Mayor

VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

Attest:


Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 081-08 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 14 day of October 2008; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.


Gregory J. Heath, Clerk/Finance Director

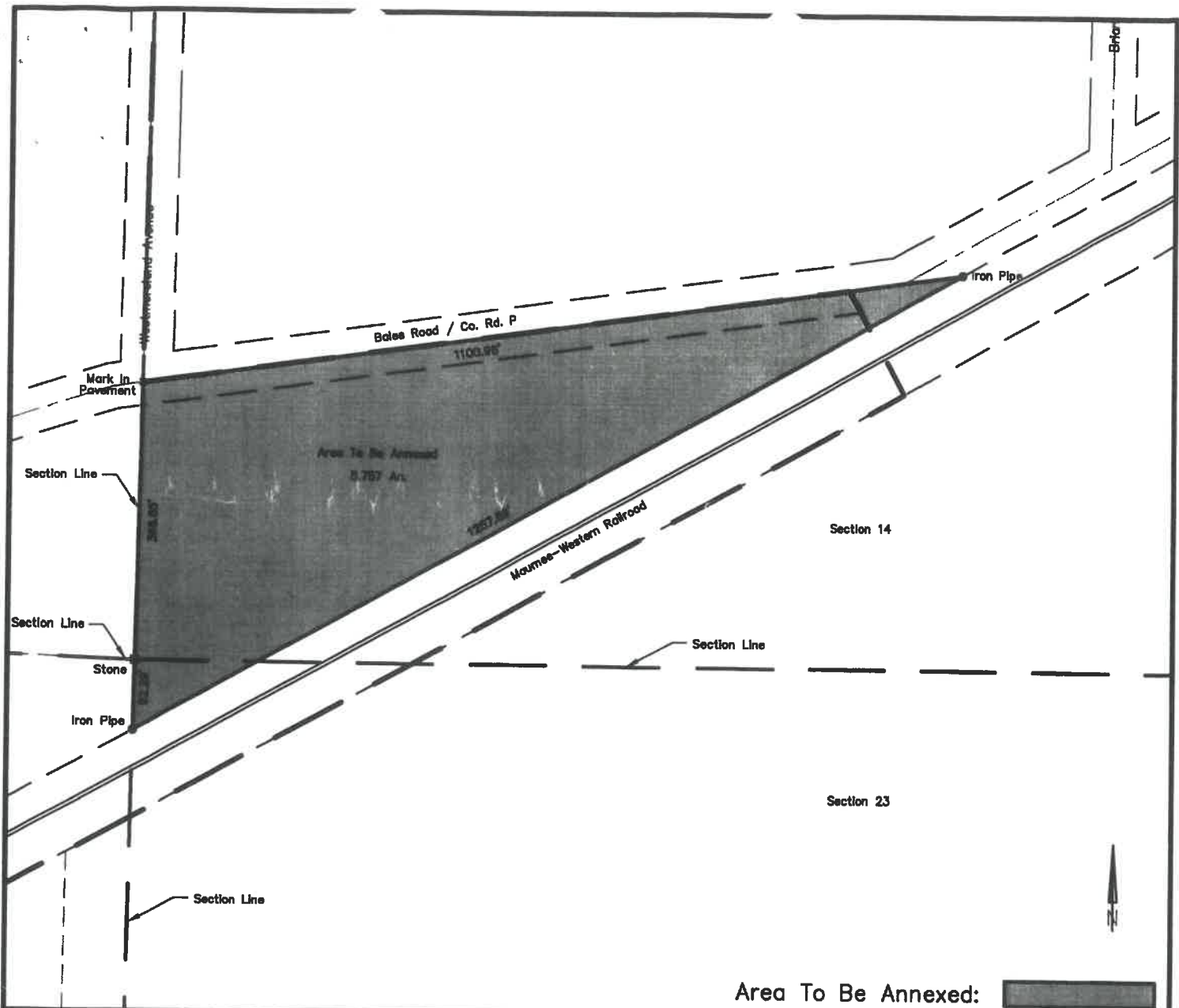
CERTIFICATION

I, Gregory J. Heath, Clerk of Council/Finance Director for the City of Napoleon, Ohio, do hereby certify that the attached copy of Ordinance No. 081-08 is a true and accurate copy of Ordinance No. 081-08 of the City of Napoleon, Ohio.



Gregory J. Heath, Clerk of Council/Finance Director

11 / 20 / 08
Date



Area To Be Annexed:

Endorsed Pursuant To Ordinance No. 081-08

Gregory J. Heath 11-20-2008
 City Finance Director: Gregory J. Heath Date
 City Of Napoleon

I Hereby Certify, This Plat Illustrates The Location And Description
 Of The Property Proposed To Be Annexed.

Chad E. Lulfs 11-19-08
 City Engineer: Chad E. Lulfs, P.E., P.S. Date
 City Of Napoleon

Exhibit "B"
Henry County Garage 14-943 Co. Rd. P
Annexation Plat

Created: 9/12/08
Plotted: 10/3/08
Scale: N.T.S.
Sheet 00 **Of** 00