

**RESOLUTION NO. 2016-38
CARROLLTON VILLAGE SCHOOLS ANNEXATION**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CARROLL COUNTY, OHIO ENTERING UPON ITS JOURNAL THE FILING OF A PETITION FOR ANNEXATION SEEKING TO ANNEX 180.099 ACRES IN CENTER & UNION TOWNSHIPS TO THE VILLAGE OF CARROLLTON; ESTABLISHING A HEARING DATE FOR SAID PETITION; AND REFERRING THE LEGAL DESCRIPTION OF THE PERIMETER AND THE MAP OR PLAT OF THE TERRITORY PROPOSED TO BE ANNEXED TO THE COUNTY ENGINEER.

WHEREAS, Ohio Revised Code (R.C.) 709.03(A) provides: *Once a petition described in section 709.02 of the Revised Code is filed, the clerk of the board of county commissioners shall cause the petition to be entered upon the journal of the board at its next regular session. This entry shall be the first official act of the board on the petition...*; and

WHEREAS, Ohio Revised Code (R.C.) 709.03(A) further provides: *...Within five days after the filing of the petition, the board shall set the date, time, and place for the hearing on the petition and shall notify the agent for the petitioners. The date for the hearing shall be not less than sixty or more than ninety days after the petition is filed with the clerk of the board.*

WHEREAS, Ohio Revised Code (R.C.) 709.031(A) provides: *Within five days after the petition for annexation is filed with the board of county commissioners, the clerk of the board shall refer the legal description of the perimeter and the map or plat of the territory proposed to be annexed to the county engineer for a report upon the accuracy of the legal description of the perimeter, map, or plat. Upon receiving these items, the county engineer shall file, at least twenty-five days before the hearing, a written report with the board based on the engineer's findings, which shall not be conclusive upon the board. Failure of the engineer to make the report shall not affect the jurisdiction or duty of the board to proceed.*

AND WHEREAS, a Petition for Annexation has been filed with the Clerk of this Board as described in the title hereof, and this is the first regular session of the Board since that Petition was filed;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Carroll County as follows:

Section 1: On September 14, 2016 at 1:24 p.m., a Petition for Annexation, as described in R.C. Chapter 709, was filed with the clerk of this board. Said Petition seeks to annex territory as described in the title of this Resolution. Said Petition names Eric J. Williams as agent for the petitioners.

Section 2: In accordance with R.C. 709.02, said Petition for Annexation is hereby entered upon the journal of this board.

Section 3: In accordance with R.C. Chapter 709, as the same applies to the type of Petition filed, and in accordance with the standing instructions of this Board adopted in Resolution Nos. 2003-8 and 2003-9 on scheduling hearings upon Petitions for Annexation, if a hearing is required by R.C. Chapter 709, the hearing of this Petition for Annexation shall occur on **Monday, November 21, 2016 at 9:30 a.m.** The hearing will be held in the Carroll County Commissioners' conference room located in the Courthouse at 119 S. Lisbon Street, Suite 201, Carrollton, OH 44615.

Section 4: In accordance with R.C. 709.031, the clerk of the board shall refer the legal description of the perimeter and the map or plat of the territory proposed to be annexed to the county engineer for a report upon the accuracy of the legal description of the perimeter, map, or plat. The Board requests the county engineer file a written report with the Board based on the engineer's findings at least twenty-five days before the hearing.

Section 5: In accordance with R.C. Chapter 709, the petition is referred to the County Engineer and the Commissioners' staff for a determination of the accuracy of the representations of the petition as to ownership, and for a determination as to which annexation procedures in R.C. Chapter 709 the petition qualifies.

Mr. White moved for the adoption of the preceding Resolution;

Mr. Ohler seconded the motion.

Upon call of the roll the vote was recorded as follows:

Mr. Ohler, Yes; Mr. White, Yes; Mr. Wirkner, Yes.

Motion carried on unanimous vote. Resolution adopted this 15th day of September, 2016.

BOARD OF COMMISSIONERS
OF CARROLL COUNTY

ATTEST:

Janice E. Leggett
[] Christopher R. Modranski, Assistant Clerk I
[] Valerie S. Mossor, Assistant Clerk II
[x] Janice E. Leggett, Clerk Supervisor

Robert E. Wirkner
Robert E. Wirkner, President

Thomas R. White
Thomas R. White, Vice President

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Jeffrey L. Ohler
Jeffrey L. Ohler, Commissioner

cc: County Auditor
County Prosecutor
County Engineer
Eric Williams, Agent