

**RESOLUTION NO. 2017-81**

**A RESOLUTION CONSENTING TO THE ANNEXATION PETITION FILED BY MIMI LAND COMPANY, LLC RELATIVE TO TERRITORY REQUESTED TO BE ANNEXED INTO THE CITY OF HURON.**

**WHEREAS**, on October 12, 2017 pursuant to Ohio Revised Code Section 709.023, the property owners seeking the annexation of approximately 95.5 acres of real property in Huron Township, Erie County, Ohio, contiguous to the City of Huron (the "Property"), re-filed a Petition for Annexation of a said property to the City of Huron with the Board of County Commissioners of Erie County, Ohio, a copy of which is attached hereto as Exhibit "A", notice of which was duly served upon the City of Huron as prescribed by law; and,

**WHEREAS**, Ohio Revised Code Section 709.023(D) provides that within twenty-five days after the date that the petition is filed, the municipal corporation to which annexation is sought may adopt a resolution consenting or objecting to the proposed annexation; and,

**WHEREAS**, this Council had previously authorized Resolution 2017-70 on September 26, 2017 consenting to the annexation of the territory requested to be annexed into the City of Huron.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:**

**SECTION 1.** The City of Huron consents to the annexation of 95.5 acres of real property in Huron Township, Erie County, Ohio contiguous to the City of Huron and solely owned by MIMI Land Company, L LC.

**SECTION 2.** That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22.

**SECTION 3.** That this Resolution shall be in full force and effect from and immediately following its adoption.

  
\_\_\_\_\_  
Brad Hartung, Mayor

ATTEST:   
Clerk of Council

ADOPTED: NOV 14 2017

**CALFEE**

cjones@calfee.com  
614.621.7004 Direct

October 12, 2017

Clerk of Council  
City of Huron  
417 S. Main Street  
Huron, Ohio 44839

Re: Notice of Filing Petition for Annexation Pursuant to Ohio Revised Code §709.023

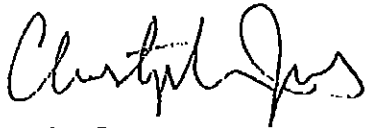
To: Clerk of Council, City of Huron, Erie County, Ohio

Take notice that a petitioner seeking the annexation of certain territory located in the Township of Huron, County of Erie, State of Ohio, to the City of Huron, County of Erie, State of Ohio, filed a petition for the annexation in the office of the Board of County Commissioners of Erie County, Ohio on **October 12, 2017 at 9:00 a.m.**

Attached is an accurate copy of the petition and all attachments or documents accompanying the petition as filed.

The petition contains a full description of the territory sought to be annexed, and other matters required by law, and is signed by the owner of the real estate in such territory.

Very truly yours,



Christopher Jones  
Agent for Petitioner

RECEIVED  
OCT 16 2017

BY: *Amg*

Calfee, Halter & Griswold LLP  
Attorneys at Law

1200 Huntington Center  
41 South High Street  
Columbus, Ohio 43215-3465  
614.621.1500 Phone  
calfee.com

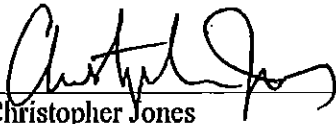
Calfee, Halter & Griswold LLP

AFFIDAVIT OF SERVICE OF NOTICE

County of Erie  
State of Ohio

To: Board of County Commissioners of Erie County, Ohio

The undersigned says under oath that he personally delivered the attached "Notice of Filing of Annexation Petition" to the Clerk of the legislative authority of Huron Township by certified mail on October 12, 2017.



\_\_\_\_\_  
Christopher Jones  
Senior Counsel  
Calfee, Halter & Griswold LLP  
Agent for the Petitioner



cjones@calfee.com  
614.621.7004 Direct

Calfee, Halter & Griswold LLP  
Attorneys at Law

1200 Huntington Center  
41 South High Street  
Columbus, Ohio 43215-3465  
614.621.1500 Phone  
calfee.com

October 11, 2017

Board of Commissioners  
Erie County  
2900 Columbus Avenue  
Sandusky, Ohio 44870

Re: Petition for Annexation Pursuant to Ohio Revised Code §709.023

To: Board of County Commissioners, Erie County, Ohio

The undersigned, being the owner of the real estate in the territory, hereby petitions pursuant to Ohio Revised Code §709.023 (Type 2 Annexation) for the annexation of the following territory to the City of Huron, Erie County, Ohio:

Real property in the City of Huron, County of Erie, State of Ohio, described as follows:

**PARCEL 1:**

The West thirty (30) acres of the East forty (40) acres of the South one-half (1/2) of Original Lot Number Twenty-one (21), in Section Number Two (2), Huron Township, Erie County, Ohio. Subject to legal highways.

**EXCEPTING THEREFROM:**

Situated in part of Lot 21, Town 6 North, Range 22 West, Section 2, Huron Township, Erie County, Ohio, and being more particularly described as follows:

Lying on the left side of the centerline of Right of Way survey of ERI-C.R. 10-7.988 Widening and Resurfacing, made by the Erie County Engineer's Office and located within the following described points in the boundary thereof;

Commencing at an iron pin in a monument box at centerline of Right of Way Station 542+11.82 at the intersection of the centerline of Bogart Road (County Road 10), with the centerline of Rye Beach Road (County Road 122);

Thence North 88° 52' 13" West along the centerline of Bogart Road (County Road 10), a distance of 776.82 feet to a point at centerline of Right of Way Station 534+35.00;

Thence North  $01^{\circ} 07' 47''$  East, a distance of 30.00 feet to an iron pin to be set 30.00 feet left of centerline of Right of Way Station 534+35.00 on the existing Northerly Right of Way line of Bogart Road (County Road 10), said pin also being the Principal Place of Beginning for this description;

1. Thence North  $01^{\circ} 07' 47''$  East, a distance of 20.00 feet to an iron pin to be set 50.00 feet left of centerline of Right of Way Station 534+35.00;
2. Thence North  $88^{\circ} 52' 13''$  West, a distance of 40.00 feet to an iron pin to be set 50.00 feet left of the centerline of Right of Way Station 533+95.00;
3. Thence South  $01^{\circ} 07' 47''$  West, a distance of 20.00 feet to an iron pin to be set on the Northerly Right of Way line of said Bogart Road (County Road 10), said pin being located 30.00 feet left of centerline of Right of Way Station 533+95.00;
4. Thence South  $88^{\circ} 52' 13''$  East along the Northerly Right of Way line of said Bogart Road (County Road 10), a distance of 40.00 feet to the Place of Beginning.

The above described area contains 0.0184 acre of land, which is part of Erie County Auditor's Parcel Number 39-67002.000.

The bearings are based on Ohio Department of Transportation plans ERI-250-0.00 Right of Way Plan Sheet 6/178 (505-677).

The Stations and offsets referred to herein, are from the centerline of Right of Way of Bogart Road (County Road 10), as found on the ERI-CR 10-7,988 Widening and Resurfacing plans on file and available at the Erie County Engineer's Office.

This description was prepared by Amanda S. Buser, Registered Surveyor No. 8567, and was taken from matters of record and not an actual field survey, on April 23, 2014.

**PARCEL 2:**

Being the North 1/2 of Lot Number 21 in Section Number 2, Huron Township, Erie County, Ohio; containing 55.55 acres, more or less. Subject to legal highways.

**PARCEL 3:**

Situated in the Township of Huron, County of Erie and State of Ohio:

Being the East ten (10) acres of the South one-half (1/2) of Lot Number Twenty-One (21), in Section Number Two (2) of said Township. Containing ten (10) acres, more or less. Subject to legal highways.

**EXCEPTING THEREFROM:**

Situated in part of Lot 21, Town 6 North, Range 22 West, Section 2, Huron Township, Erie County, Ohio, and being more particularly described as follows:

Lying on the left side of the centerline of Right of Way survey of ERI-C.R. 10-7.988 Widening and Resurfacing made by the Erie County Engineer's Office and located within the following described points in the boundary thereof;

Commencing at an iron pin in a monument box at centerline of Right of Way Station 542+11.82 at the intersection of the centerline of Bogart Road (County Road 10), with the centerline of Rye Beach Road (County Road 122);

Thence North  $88^{\circ} 52' 13''$  West along the centerline of Bogart Road (County Road 10), a distance of 21.49 feet to a point at centerline of Right of Way Station 541+90.33;

Thence North  $01^{\circ} 07' 47''$  East, a distance of 30.00 feet to a point 30.00 feet left of centerline of Right of Way Station 541+90.33 on the existing Northerly Right of Way line of Bogart Road (County Road 10), said point also being the Principal Place of Beginning for this description;

1. Thence North  $88^{\circ} 52' 13''$  West along the Northerly Right of Way line of Bogart Road (County Road 10), a distance of 32.27 feet to an iron pin to be set 30.00 feet left of centerline of Right of Way Station 541+58.06;

2. Thence North  $38^{\circ} 20' 14''$  East, a distance of 50.16 feet to an iron pin to be set on the Westerly Right of Way line of Rye Beach Road (County Road 122), said pin being located 69.95 feet left of the centerline of Right of Way Station 541+88.38;

3. Thence South  $01^{\circ} 39' 46''$  East along the Westerly Right of Way line of Rye Beach Road (County Road 122), a distance of 40.00 feet to the Place of Beginning.

The above described area containing 0.0148 acre of land, which is part of the Erie County Auditor's Parcel Number 39-67003.000.

The bearings are based on Ohio Department of Transportation plans ERI-250-0.00 Right of Way Plan Sheet 6/178 (505-677).

The Stations and offsets referred to herein, are from the centerline of Right of Way of Bogart Road (County Road 10), as found on the ERI-CR 10-7.988 Widening and Resurfacing plans on file and available at the Erie County Engineer's Office.

This description was prepared by Amanda S. Buser, Registered Surveyor No. 8567, and was taken from matters of record and not an actual field survey, on April 23, 2014.

APN: 39-67001.000 and 39-67002.000 and 39-67003.000

The territory is adjacent and contiguous with the City of Huron.

Calfee, Halter & Griswold LLP

Attached is an accurate [map/plat] showing the territory proposed for annexation, marked "Map of Territory to be Annexed to the City of Huron."

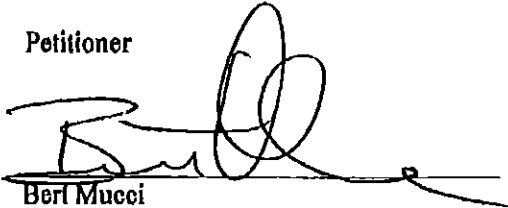
Christopher Jones is appointed agent for the petitioners as required by R.C. 709.02, with full power to amend, increase or decrease the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this petition, without further expressed consent of the petitioner.

Please take notice that, simultaneously with the filing of this petition, Christopher Jones is also filing with the clerk of the board, 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 R.C. 709.02.

As required Ohio Revised Code §709.023(A):

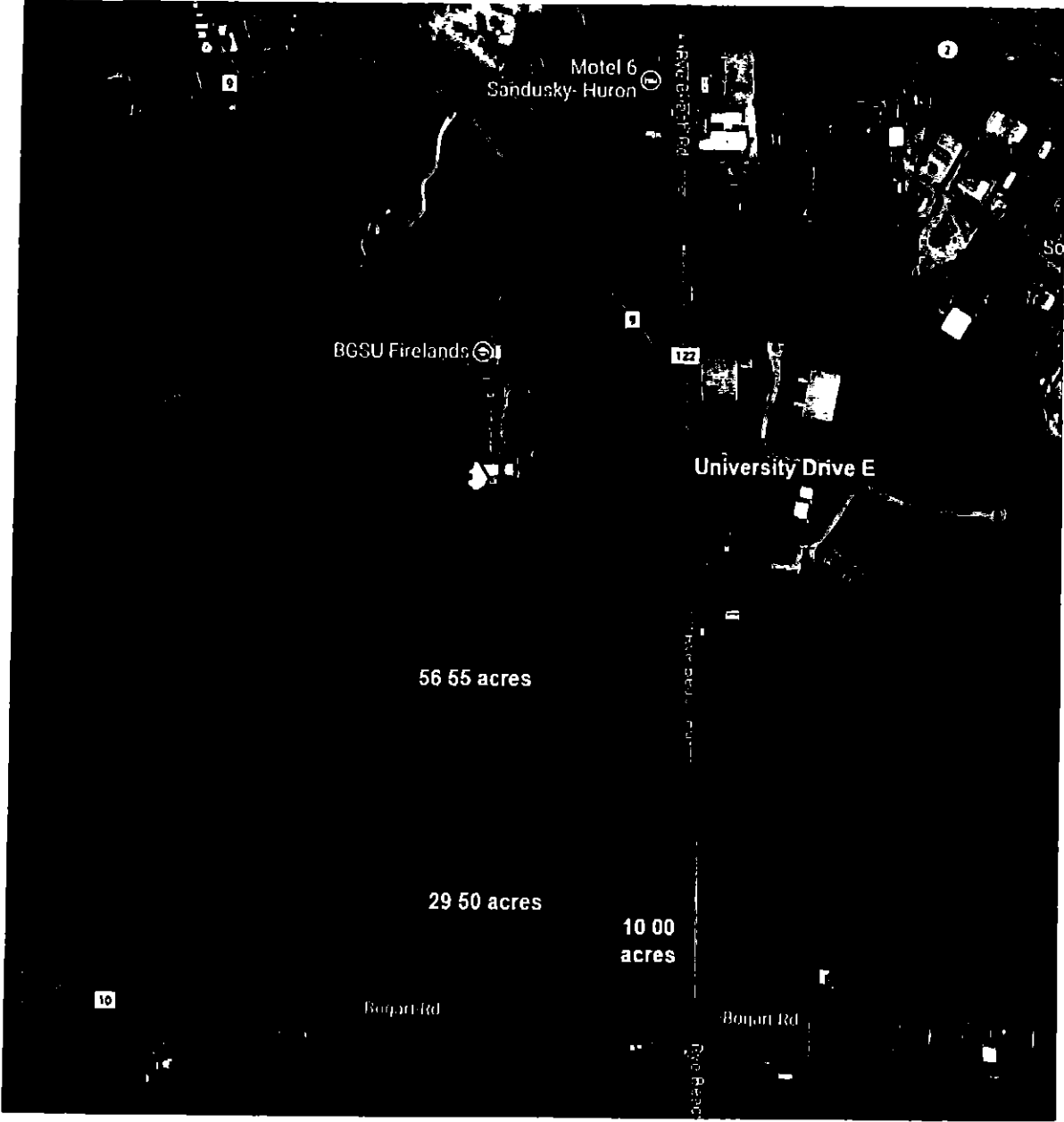
WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE

Petitioner

A handwritten signature in black ink, appearing to read "Bert Mucci", written over a horizontal line.

Bert Mucci  
Mimi Land Company LLC

Map of Territory to be Annexed to the City of Huron





**ADJACENT PROPERTY OWNERS**

***Western Boundary of Muccl Property***

1. Parcel No. 39-00382.004  
John R. Rockwell Jr. et al  
9801 Huron Avery Road  
Millan, Ohio 44846
2. Parcel No. 39-00517.000  
John R. Rockwell Jr. et al  
10710 Huron Avery Road  
Millan, Ohio 44846
3. Parcel No. 39-00518.000  
John R. Rockwell Jr. et al  
10710 Huron Avery Road  
Millan, Ohio 44846

***Northern Boundary of Muccl Property***

4. Parcel No. 39-67004.000  
BGSU / State of Ohio  
901 Rye Beach Road  
Huron, Ohio 44839
5. Parcel No. 39-67005.000  
BGSU / State of Ohio  
901 Rye Beach Road  
Huron, Ohio 44839

***Eastern Boundary of Rye Beach Road***

6. Parcel No. 42-01896.000  
Myrna L. Schlessman Trustee  
1202 Bogart Road  
Huron, Ohio 44839
7. Parcel No. 42-00093.000  
Myrna L. Schlessman Trustee  
1202 Bogart Road  
Huron, Ohio 44839
8. Parcel No. 42-00120.000  
Bishop of Toledo  
Financial Services  
1933 Spielbusch Avenue  
Toledo, Ohio 43604-5360
9. Parcel No. 42-01973.000  
Helen Knupke

1002 Rye Beach Road  
Huron, Ohio 44839

10. Parcel No. 42-01972.000  
Helen Knupke  
1002 Rye Beach Road  
Huron, Ohio 44839

11. Parcel No. 42-00762.000  
Charles and Eileen Jenkins  
922 Rye Beach Road  
Huron, Ohio 44839

***Southern Boundary of Bogart Road – West of Rye Beach Road***

12. Parcel No. 39-00055.001  
Board of Township Trustees of Huron Township  
1820 Bogart Road  
Huron, Ohio 44839

13. Parcel No. 39-00055.002  
DMS Farms LTD.  
1212 Bogart Road  
Huron, Ohio 44839

14. Parcel No. 39-00055.000  
Paul D. Beatty  
1305 Rye Beach Road  
Huron, Ohio 44839

15. Parcel No. 39-00479.000  
Rennie Funnl  
1510 Bogart Road  
Huron, Ohio 44839

16. Parcel No. 39-00056.000  
Paul D. Beatty  
1305 Rye Beach Road  
Huron, Ohio 44839

***Southern Boundary of Bogart Road – East of Rye Beach Road***

17. Parcel No. 39-00573.000  
Kenneth L. Schlessman Trustee  
1318 Bogart Road  
Huron, Ohio 44839