

County Commissioners Office
Auglaize County, Ohio
June 3, 1999

NO. 99-358

IN THE MATTER OF RECORDING THE PUBLIC HEARING FOR THE ANNEXATION OF 0.619 ACRES;
TO THE VILLAGE OF MINSTER, FILED BY DANIEL A. BENSMAN AND JAMES R. SHENK, AGENTS
FOR PETITIONERS JEFFREY AND LISA PHENING, GRANTING THIS ANNEXATION AS PETITIONED.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 3rd day
of June, 1999 with the following members present:

John N. Bergeman

Hugh A. Core

Mr. Core moved the adoption of the following:

RESOLUTION

WHEREAS, pursuant to its order of March 30, 1999 (Resolution 899-209) the Board of County Commissioners held a public hearing on this date, in the office of said Commissioners for the annexation of 0.619 acres, more or less, to the Village of Minster, petitioned by Jeffrey and Lisa Phening, and filed by Daniel A. Bensman and James R. Shenk, named as Agents; and,

WHEREAS, those present for this hearing along with the Board were Agent Daniel A. Bensman, Jeffrey Phening, Village of Minster Administrator Don Harrod; and,

WHEREAS, the Board has made the following findings in the above mentioned annexation proceedings:

- 1.) The petition contains all matters required by law including, without limitation, Revised Code Section 709.02, to wit:
 - a. A full description and accurate map or plat of the territory sought to be annexed;
 - b. A statement of the total number of owners of real estate in the territory sought to be annexed;
 - c. The name of the person to act as agent for the petitioner.
- 2.) The matters alleged in the petition are true.
- 3.) Notice of the petition has been published as requested by law and all notices of filing the petition have been given and the hearing on the Petition has been held as required by law.
- 4.) The persons whose names are subscribed to the petition are owners of real estate in the territory described in the petition, and as of the time the petition was filed, the number of valid signatures on the petition constituted a majority of the owners of real estate in the territory proposed to be annexed. None of the signatures have been withdrawn pursuant to Ohio Revised Code Section 709.03 or Section 709.032.
- 5.) The municipal corporation to which the territory is proposed to be annexed has, by ordinance or resolution, adopted a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation.
- 6.) The territory included in the annexation petition is not unreasonably large.
- 7.) The territory proposed and annexation is adjacent to the Village of Minster, Ohio.
- 8.) The map or plat and the description of the territory contained in the petition are accurate.
- 9.) The general good of the territory sought to be annexed will be served if the annexation petition is granted and the annexation is allowed.

ORDINANCE 99-9-1

**AN ORDINANCE ANNEXING A CERTAIN TERRITORY CONTAINING 0.619
ACRES, MORE OR LESS, IN JACKSON TOWNSHIP, TO THE VILLAGE OF
MINSTER.**

**WHEREAS, a petition for the annexation of certain territory in Jackson Township
was duly filed by the owners thereof, and**

**WHEREAS, the petition was duly considered and approved by the Board of
County Commissioners of Auglaize County, Ohio.**

**WHEREAS, the Board of County Commissioners certified the transcript of the
proceedings in connection with the annexation with the map and petition required in
connection therewith to the Clerk of Council, who received the same of the 14th day of
June, 1999.**

**WHEREAS, sixty days from the date of the filing have now elapsed in
accordance with the provisions of the Ohio Revised Code Section 709.04.**

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL FOR THE
VILLAGE OF MINSTER, OHIO:**

**SECTION 1: That the proposed annexation as applied for in the petition of a
majority of the owners of real estate in the territory sought to be annexed, and filed with
the Board of County Commissioners of Auglaize County, Ohio and which petition prayed
for annexation to the Village of Minster, Ohio, of certain territory adjacent thereto as
hereinafter described and which petition was approved for annexation to the Village of
Minster by the Board of County Commissioners be the same is hereby accepted. A legal
description of the plat of annexation is attached hereto as Exhibit A.**

**The certified transcript of the proceeding for annexation with an accurate map of
the plat of annexation, 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 the Village of Minster, and have been on file for more than sixty days.

SECTION 2: That the Clerk of Council be and he 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 shall then forthwith deliver one copy to the County Recorder, and one copy to the Secretary of State and shall file notice of this annexation with the Board of Election within thirty days after it becomes effective, and Clerk shall do all other things required by law.

SECTION 3: This ordinance shall take effect at the earliest dates provided by law.

Passed: 10-5-99

ATTEST:

Mayor

John Steinhilber
Clerk

EIS-221-011-00