

9 22 163

CERTIFICATE

I, Mark Enneking, Clerk of the Village of Minster, Ohio, do hereby certify that the following list of documents, attached hereto, are correct copies of the Originals:

1. Petition and plat or map (contained in transcript of proceedings of the board of County Commissioners)
2. Proceedings of the Board of County Commissioners forwarded by the undersigned as required by law containing the following:
 - A. Petition
 - B. Map or Plat accompanying the Petition
 - C. Resolution accepting Petition and setting dates of advertisement and day of hearing
 - D. Legal Notice
 - E. Certificate of Publication
 - F. Resolution granting request for annexation per original petition
3. Ordinance accepting Annexation

Mark J. Enneking
Mark Enneking, Clerk

147479 a

LAW OFFICES
ROGER J. HENKENER
5 WILLIPIE STREET
WAPAKONETA, OHIO

11/4/67

State of Ohio Auglaize County, S. S.
Received January 13, 1977
at 3:14 O'clock, P.M.
Recorded January 13, 1977
Vol. No. 9 Misc. Page 163-172
\$11.00

L. Roy H. Kruse

Recorder, Auglaize Co., Ohio

P. J. Miller

ORDINANCE NO. 76-11-4

AN ORDINANCE TO ACCEPT THE ANNEXATION OF
CERTAIN TERRITORY LOCATED IN JACKSON TOWNSHIP
TO THE VILLAGE OF MINSTER, AUGLAIZE COUNTY,
OHIO

WHEREAS, a petition for the annexation of certain territory in Jackson Township was duly filed by the Village of Minster, Ohio; and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Auglaize County, Ohio, on September 7, 1976; and

WHEREAS, the Board of County Commissioners has approved the annexation of said territory to the Village of Minster and to hereinafter described; and

WHEREAS, the Board of County Commissioners certify the transcript of proceedings in connection with said annexation with the map and petition required in connection therewith to the Village Clerk who received the same on September 7, 1976; and,

WHEREAS, sixty-days from the date of said filing has now elapsed in accordance with the provision of Ohio Revised Code Section 753.04; now, therefore,

BE IT ORDAINED, by the Council of the Village of Minster, Ohio:

SECTION ONE. That the Proposed annexation is applied for in the petition of the Village of Minster and 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, on May 28, 1976

in which said petition prayed for annexation to the Village of Minster, Ohio, a certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the Village of Minster, Ohio, by the Board of County Commissioners on September 7, 1976, being the same is hereby accepted. Said territory is described as follows:

Situated in the County of Auglaize, and adjacent to the Village of Minster, Ohio, to-wit:

Commencing at the intersection of State Route #66 and State Route #362, said point being the N.W. corner of S.W. quarter of Section 35, Town 7 South, Range 4 East, Jackson Township, Auglaize County, Ohio. Thence East with the center of S.R. #362, a distance 600.00 feet to a railroad spike. Thence South with an interior angle of $89^{\circ} 07' 30''$, a distance of 500.00 feet to a concrete monument. Thence West with an interior angle of $90^{\circ} 52' 30''$, a distance of 600.00 feet to a railroad spike in the center of S. R. #66 and the West line of Section 35. Thence North with said center line and section line a distance of 500.00 feet to a railroad spike and place of beginning.

Containing in all 6.00 acres.

Survey and description prepared by Thomas W. Stobbs.

...certified transcript of the proceedings for annexation with an accurate map of said territory, together with the petition for its annexation, and other papers relating to the proceedings hereto of said County Commissioners are all on file with the Clerk of the Village and have been for more than sixty days.

SECTION TWO. That the Village Clerk 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 proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof. The Village Clerk shall then forthwith deliver one copy to the County Auditor, 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 Elections within thirty days after it becomes effective, and said Clerk shall do all other things required by law.

SECTION THREE. Because of the immediate desirability to annex the above land, for the benefit of the health, safety, and welfare of the Village of Minster, Ohio, this Ordinance is declared an emergency ordinance and shall take immediate effect.

Adopted: November 18, 1976

Edmund H. Van Oss
Mayor

Attest:

Mark J. Enneking
Village Clerk

Approved as to form by Roger J. Henkener, Village Solicitor.

RON MILLER

PETITION FOR ANNEXATION

To the Commissioners of Auglaize County, State of Ohio:

The undersigned, being the only owner of the real estate of the following described territory situated in the County of Auglaize, and adjacent to the Village of Minster, Ohio, to-wit:

Commencing at the intersection of State Route #66 and State Route #362, said point being the N.W. corner of S.W. quarter of Section 35, Town 7 South, Range 4 East, Jackson Township, Auglaize County, Ohio. Thence East with the center of S.R. #362, a distance 600.00 feet to a railroad spike. Thence South with an interior angle of $89^{\circ} 07' 30''$, a distance of 500.00 feet to a concrete monument. Thence West with an interior angle of $90^{\circ} 52' 30''$, a distance of 600.00 feet to a railroad spike in the center of S. R. #66 and the West line of Section 35. Thence North with said center line and section line a distance of 500.00 feet to a railroad spike and place of $89^{\circ} 07' 30''$ ^{WITH AN INTERIOR ANGLE OF} beginning.

Containing in all 6.89 acres.

Survey and description prepared by Thomas W. Steinke

An accurate map of which territory is hereto attached,

Respectfully petition that said above described territory may be annexed to the Village of Minster, Ohio.

There are two owners of real estate and no inhabitants in the territory to be annexed.

And Roger J. Henkener, Wapakoneta, Ohio, is hereby authorized to act as agent for the petitioners in securing such annexation.

Paul H. Meyer
Paul H. Meyer

Audrey A. Meyer
Audrey A. Meyer

County Commissioners' Office
Auglaize County, Ohio
May 28th, 1976

The Board of County Commissioners met this day in special session with the following members present:

Howard Werner

Paul F. Reinhart

William Link

Mr. Link made the motion that the following be adopted:

R E S O L U T I O N

- WHEREAS, on this 28th day of May, 1976, the Board of County Commissioners did receive a petition for annexation of lands to the village of Minster-- the property sought to be annexed containing 6.89 acres- with two (2) owners of real estate and no inhabitants in the territory sought to be annexed; with Roger J. Henkener, being Agent for same; and
- WHEREAS, copy of said petition does appear on page: 33 of this county commissioners journal # 64- therefore be it
- RESOLVED, that the Board does this day accept the above mentioned petition and after advertisement has been made according to law- section 709.03.1 revised code of Ohio; the Board will hold a Hearing on said petition on the 6th day of August, 1976--- 10 o'clock A. M. at the office of said Board of County Commissioners- basement of county courthouse; and be it further
- RESOLVED, that a copy of said resolution be given to said agent- R J. Henkener- attorney-at-law.

Mr. Reinhart seconded the motion, and the roll being called on its adoption- the vote resulted as follows:

Mr. Werner yes;

Mr. Reinhart yes;

Mr. Link yes.

cc: county engineer for his study
agent- R J. Henkener-

PLEASE NOTE: this office must have a copy of:

your type written notice that you send to newspaper
certification of publication .

Step # 3-A

County Commissioners' Office
 Auglaize County, Ohio
 August 6th, 1976

The Board of County Commissioners met this day in regular session with the following members present:

Howard Werner

Paul F. Reinhart

William Link

Mr. Reinhart made the motion that the following be adopted:

R E S O L U T I O N

WHEREAS, this being the date set in their order of May 28th, 1976 to hold a hearing on the annexation of lands to the village of Minster - per the original petition filed with the Board - journal #64, Page 33; and

WHEREAS, R.J. Henkener by Atty. Ronald Miller did this day notify the Board of County Commissioners that his office did inadvertently make an error, and did not have a Legal Notice published in the newspaper, as established by Section 709.3-1 of the Ohio Revised Code; and

WHEREAS, said attorney did request that a new date for hearing be set for September 7th, 1976 - at 10 o'clock a.m.; therefore be it

RESOLVED, that the request of the above named attorney be granted and a hearing for the annexation of lands to the village of Minster will be held in the office of the Board of County Commissioners basement of county courthouse - on the 7th day of September, 1976 - 10 o'clock a.m. - after proper legal advertisement in connection with same has been made in accordance to law.

Mr. Link seconded the motion, and the roll being called on its adoption - the vote resulted as follows:

Mr. Werner yes;

Mr. Reinhart yes;

Mr. Link yes.

cc: county engineer
 R. Henkener and R. Miller
 Paul Meyer, Rt. 2, Minster Ohio.

Step #3

LEGAL NOTICE

Notice is hereby given that on the 28th day of May, 1976, there was presented to the Board of County Commissioners of Auglaize County, Ohio, a petition from Paul Meyer, Minster, Ohio, pertaining to the annexation of the following described territory, situated in Jackson Township, Auglaize County, Ohio and adjacent to the Village of Minster, to-wit;

Commencing at the intersection of State Route #66 and State Route #362, said point being the N.W. corner of S.W. quarter of Section 35, Town 7 South, Range 4 East, Jackson Township, Auglaize County, Ohio. Thence East with the center of S.R. #362, a distance 600.00 feet to a railroad spike. Thence South with an interior angle of $89^{\circ} 07' 30''$, a distance of 500.00 feet to a concrete monument. Thence West with an interior angle of $90^{\circ} 52' 30''$, a distance of 600.00 feet to a railroad spike in the center of S.R. #66 and the West line of Section 35. Thence North with said center line and section line, a distance of 500.00 feet to a railroad spike and place of beginning.

Containing in all 6.89 acres.

Survey and description prepared by Thomas W. Steinke.

Said petition pray that said territory be annexed to the Village of Minster in manner provided by law, and designate Roger J. Henkener, Attorney at Law, as its agent in securing such annexation.

The Board of County Commissioners has fixed the 7th day of September, 1976, as 10:00 A.M. in the office of the said Board of County Commissioners, basement of the Courthouse, Wapakoneta, Ohio as the time and place of the hearing on the said petition.

Roger J. Henkener, Attorney at Law
Agent for Petitioner

Step #4

Certificate of Publication

LEGAL NOTICE

Notice is hereby given that on the 28th day of May, 1976, there was presented to the Board of County Commissioners of Auglaize County, Ohio, a petition from Paul Meyer, Munster, Ohio, pertaining to the annexation of the following described territory, situated in Jackson Township, Auglaize County, Ohio and adjacent to the Village of Munster, to wit:

Commencing at the intersection of State Route No. 66 and State Route No. 362, said point being the N.W. corner of S.W. quarter of Section 35, Town 7 South, Range 4 East, Jackson Township, Auglaize County, Ohio. Thence East with the center of S.R. No. 362, a distance of 600.00 feet to a railroad spike. Thence South with an interior angle of 89° 07' 30", a distance of 300.00 feet to a concrete monument. Thence West with an interior angle of 90° 52' 30", a distance of 600.00 feet to the West line of Section 35. Thence North with said center line and section line, a distance of 500.00 feet to a railroad spike and place of beginning.

Containing in all 6.69 acres.

Survey and description prepared by Thomas W. Steinke.

Said petition pray that said territory be annexed to the Village of Munster in manner provided by law, and designate Roger J. Henkener, Attorney at Law, as its agent in securing such annexation.

The Board of County Commissioners has fixed the 7th day of September, 1976, as 10:00 A.M. in the office of the said Board of County Commissioner, basement of the Courthouse, Wapakoneta, Ohio as the time and place of the hearing on the said petition.

Roger J. Henkener, Attorney at Law
Agent for Petitioner

STATE OF OHIO, AUGLAIZE COUNTY, ss.

On this 30th day of August A. D. 19 76
personally appeared before the undersigned a Notary Public within and for
said County and State, Keith Corbett

who being duly sworn states an oath that she is bookkeeper for the publishers of THE WAPAKONETA DAILY NEWS, a daily newspaper published at Wapakoneta, County of Auglaize, State of Ohio, and that the same is of general circulation in said county, and that the notice, a true copy of which

is hereto annexed was published in said newspaper for four
consecutive weeks in its issues of Aug. 7, 14, 21, 28

 , A. D., 19 76

Keith Corbett
BOOKKEEPER OF THE DAILY NEWS PRINTING CO.

Subscribed and sworn to before me this 30th day of

August, A. D. 19 76

Printer's Fees \$ 41.26

Guendoline Frigo
Notary Public, Auglaize County, Ohio

Daily News, Wapakoneta, O.

Step #5

County Commissioners' Office
 Auglaize County, Ohio
 September 7th, 1976

The Board of County Commissioners met this day in regular session with the following members present:

Howard Werner

Paul F. Reinhart

William Link

Mr. Reinhart made the motion that the following be adopted:

R E S O L U T I O N

WHEREAS, this being the date set in their order of August 6th, 1976 to hold a hearing on the annexation of lands to the village of Minster - per the original petition filed with the Board of Commissioners as recorded in Journal #64, Page 33; and

WHEREAS, the proper advertisement having been made according to the law, and certification of publication in connection with same filed with this office by the agent, Ron Miller (for Roger Henkener); and

WHEREAS, no one appearing at said hearing, it is the opinion of this Board of County Commissioners that the petition as originally petitioned (presented) should be granted; therefore be it

RESOLVED, that the Board of County Commissioners do hereby grant the request for annexation of lands to the village of Minster, Ohio - per the original petition (same does appear on page 33 of this county commissioners journal #64); and be it further

RESOLVED, that a certified affidavit of the proceedings in connection with this annexation be given to said agent, R.J. Henkener (Ron Miller) from the office of the Board of County Commissioners.

Mr. Link seconded the motion, and the roll being called on its adoption - the vote resulted as follows:

Mr. Werner yes; Mr. Reinhart yes; Mr. Link yes.

cc: Co. Engineer
 R. Henkener , agent

Step #6A F F I D A V I T

I, Alberta Maxson, Clerk of the Board of Auglaize County Commissioners do hereby certify that the following transactions concerning the annexation of lands to the village of Minster, Ohio, do appear in the county commissioners journal #64, -- as designated:

Journal Number	Page	Remarks
64	33	Step #1: under date of May 28th - copy of petition for annexation of lands to the Village of Minster filed with Board.
64	34	Step #2: under date of May 28, county commissioners Reso. accepting petition and setting date of hearing, etc.
64	137	Step #3-A: Reso. setting new date of annexation hearing. (Aug. 6th, 1976)
64	177	Step #3: legal notice from agent, Ron Miller (for R. Henkener).
64	177	Step #4: certificate of publication from agent.
64		Step #5: Resolution - granting petition for annexation of land to the Village of Minster per the original petition.

Date: September 7th, 1976

Alberta Maxson
Clerk of the Board

cc: R.J. Henkener, Agent (also Ron Miller)
Co. Engineer, Clayton Stimmel