

CERTIFICATE

I, Jean Ahlers, Clerk of the Village of New Bremen, Ohio, do hereby certify that the following list of documents, attached hereto, are correct copies of the originals:

1. Petition (contained in transcript of proceedings of the Board of County Commissioners).
2. Proceedings of the Board of County Commissioners containing the following:
 - A. Petition
 - B. Map or Plat accompanying the Petition Resolution acceptance Petition and setting dates of advertisement and day of hearing
 - C. Copy of Legal Notice
 - D. Certificate of Publication
 - E. Resolution granting request for annexation per original petition.
3. Ordinance Accepting Application for Annexation

Jean Ahlers
Jean Ahlers - Clerk

TO ACCEPT THE APPLICATION FOR THE ANNEXATION OF
CERTAIN TERRITORY CONTAINING 5.48 ACRES IN GERMAN
TOWNSHIP TO THE VILLAGE OF NEW BREMEN, OHIO

Whereas, a petition for the annexation of certain territory in German Township was duly filed by Roger J. Henkener, Solicitor and agent for the Village of New Bremen; and,

Whereas, the petition was amended to delete some land and was duly considered by the Board of County Commissioners of Auglaize County, Ohio, on March 18, 1977; and,

Whereas, the Board of County Commissioners has approved the annexation of the territory to the Village of New Bremen, as hereinafter described; and,

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 Village Clerk who received same on April 11, 1977; and,

Whereas, sixty days from the date of the filing has now elapsed in accordance with the provisions of RC 709.04; now, therefore,

BE IT ORDAINED by the Council of the Village of New Bremen:

SECTION ONE. That the proposed annexation as applied for in the petition of Roger J. Henkener, Solicitor and agent for the Village of New Bremen, and filed with the Board of County Commissioners of Auglaize County, Ohio, on January 30, 1976, and which the petition prayed for annexation to the Village of New Bremen, Ohio, of certain territory adjacent thereto as hereinafter described, and which petition as amended was approved for annexation to the Village of New Bremen by the Board of County Commissioners on March 18, 1977, be and the same is hereby accepted. The territory is described as follows:

Situated in the northwest quarter ($\frac{1}{4}$) of Section Fifteen (15), Township Seven (7) South, Range Four (4) East, German Township, Auglaize County, Ohio, and is more particularly described as follows:

Beginning at a cast iron monument at the Northeast corner of the northwest Quarter ($\frac{1}{4}$) of said Section (15); thence South $86^{\circ}04'00''$ West along the north line of said Section (15) and the center line of State Route No. 274 a distance of 1023.04 feet to a railroad spike, said spike being the TRUE POINT OF BEGINNING for the tract described herein; thence South $3^{\circ}56'00''$ East a distance of 113.24 feet to an iron pin; thence South $61^{\circ}13'30''$ West a distance of 28.01 feet to a point; thence South $86^{\circ}04'00''$ West a distance of 49.58 feet to an iron pin; thence South $3^{\circ}56'00''$ East a distance of 180.95 feet to an iron pin; thence South $86^{\circ}04'00''$ West a distance of 166.34 feet to an iron pin; thence South $3^{\circ}56'00''$ East a distance of 394.75 feet to an iron pin; thence South $86^{\circ}04'00''$ West a distance of 255.3 feet to a point; thence North $3^{\circ}56'00''$ West a distance of 700.7 feet to a point; thence North $86^{\circ}04'00''$ East along said north line of said Section (15) a distance of 496.5 feet to the point of beginning, containing 5.48 acres and being subject to all public highway right-of-ways and other easements of record.

This description was prepared for annexation purposes only and no monuments were set at this time. Prepared by Richard T. Mote, Reg. Surv. #5552.

The certified transcript of the proceedings for annexation with an accurate map of the territory, 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 this Village and have been for more than sixty days.

SECTION TWO. That the Village Clerk be and she 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 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 the Clerk shall do all other things required by law.

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

adopted: July 11, 1977

1s/ Richard Wiedeman
Richard Wiedeman - Mayor

Attest: 1s/ Jean Ahlers
Jean Ahlers - Clerk

PETITION TO COUNTY COMMISSIONERS FOR ANNEXATION

To the Board of County Commissioners, Auglaize County, Ohio:

Gentlemen:

The Council of the Village of New Bremen, Auglaize County, Ohio, did on the 9th day of December 1975, duly adopt Ordinance No. 1975-11-29, which ordinance authorized the annexation to the Village of the hereinafter described contiguous territory, to-wit:

Situated in the Northwest Quarter (1/4) of Section Fifteen (15), Township Seven (7) South, Range Four (4) East, German Township, Auglaize County, Ohio, and is more particularly described as follows:

Beginning at a cast iron monument at the Northeast corner of the Northwest Quarter (1/4) of said Section (15); thence South $86^{\circ} 04' 00''$ West along the north line of said Section (15) and the center line of State Route #274 a distance of 1023.04 feet to a railroad spike, said spike being the TRUE POINT OF BEGINNING for the tract described herein; thence South $3^{\circ} 56' 00''$ East a distance of 113.24 feet to an iron pin; thence South $61^{\circ} 13' 30''$ West a distance of 28.01 feet to a point; thence South $86^{\circ} 04' 00''$ West a distance of 49.58 feet to an iron pin; thence South $3^{\circ} 56' 00''$ East a distance of 180.95 feet to an iron pin; thence South $86^{\circ} 04' 00''$ West a distance of 166.34 feet to an iron pin; thence South $3^{\circ} 56' 00''$ East a distance of 394.75 feet to an iron pin; Thence South $86^{\circ} 04' 00''$ West a distance of 560.3 feet to a point; thence North $3^{\circ} 56' 00''$ West along the east line of one acre tract which is known as a cemetery a distance of 700.7 feet to a point; thence North $86^{\circ} 04' 00''$ East along said north line of said Section (15) a distance of 801.6 feet to the point of beginning, containing 10.39 acres and being subject to all public highway right-of-ways and other easements of record.

This description was prepared for annexation purposes only and no monuments were set at this time.

Prepared by:

Richard T. Mote
Registered Surveyor #5552
August 4, 1975

Komminsk Estate, Inc. is the owner of all of said territory, an accurate map of which is attached hereto, and there are no electors residing in said territory.

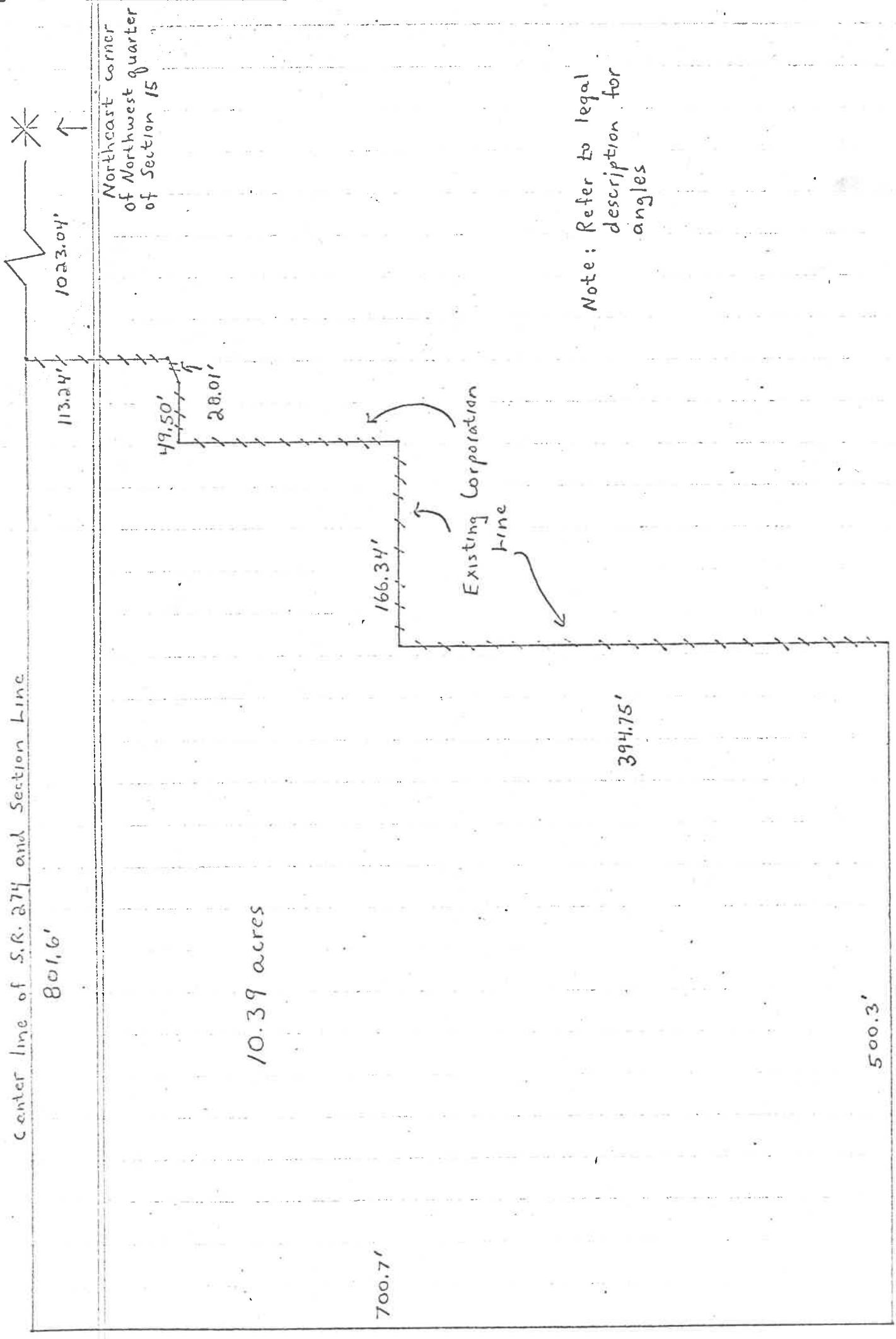
Roger J. Henkener, Village Solicitor, has been authorized and is authorized to act as agent for petitioner in securing such annexation.

WHEREFORE, the Village of New Bremen respectfully petitions that said territory be annexed to the Village of New Bremen, Auglaize County Ohio.

Village of New Bremen

By 
Roger J. Henkener, Agent

| | |
|-----|-----|
| 180 | 179 |
| 181 | |



Note: Refer to legal description for angles

County Commissioners' Office
Auglaize County, Ohio
January 30th, 1976

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

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 30th day of January, 1976- the Board of County Commissioners did receive a petition from R. J. Henkener- attorney at- law; agent for Council of the village of New Bremen, Ohio- with an accurate map of said territory sought to be annexed; attached -- to the village of New Bremen, Ohio; and
- WHEREAS, copy of said petition does appear on page: 411-412 of this county commissioners journal # 63- ; 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 April, 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.

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

Mr. Link yes;

Mr. Reinhart yes.

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

PLEASE NOTE: this office must have copy of:

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

Note: in your notice to township-s etc.- will you please notify the people concerned - according to the two (2) letters enclosed.

annexation- N. Bremen village- Komnisk estate- continued:

09 274

also received:

Re: annexation of 5.5 acres of real estate, located on south side of state route 274- adjacent to present village boundary lines.

Gentlemen:

The village of New Bremen has fulfilled the amendments to the annexation of 5.5 acres of Komnisk Estate property.

As owner of Komnisk Estate I withdraw my protest to the annexation of said 5.5 acres.

I thank you for your assistance in the annexation proceedings.

Cordially,

s/ Betty Komnisk
President

therefore be it

RESOLVED, that in view of the contents of step # 3- dated April 6th, 1976 and the material received from the village of New Bremen and Mrs. Komnisk- that the Board proceed with the annexation of lands to said village of New Bremen; and be it further

RESOLVED, that a Hearing date in regards said annexation be fixed for:

March 18th, 1977- 10 o'clock A. M.- at the office of said Board of County Commissioners, basement of County courthouse- Wapakoneta, Ohio.

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

Mr. Reinhart yes;

Mr. Link yes;

Mr. Werner yes.

cc: agent R. J. Henkener

County Commissioners' Office
Auglaize County, Ohio
April 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 January 30th, 1976 to hold a Hearing on the annexation of grounds/lands to the village of New Bremen, (said petition appearing in Jr. # 63- page: 411-412) and

WHEREAS, the following named persons did appear at said Hearing:

Mrs. Komminsk

Service Director for village of N. Bremen

Mr. Ziegenbush

Mr. Buschur and

R J. Henkener, agent for the village of New Bremen; and

WHEREAS, Mrs. Komminsk, did stipulate her reasoning for objections to this annexation at this time, and after all parties present discussed the problems in connection with the annexation, as it stands, per the original petition-- did agree that amendments be made to the original petition; therefore be it

RESOLVED, that this Hearing be adjourned, and that the Amendments be made to this original petition to the satisfaction of Mrs. Komminsk- and the agent, R. J. Henkener, for the village of New Bremen- and that said petition with proper amendments, plus new map- be presented to the Board of County Commissioners; and be it further

RESOLVED, upon presentation of Amended Petition, for annexation, the Board will set a new date for Hearing, etc. same being done in accordance with section 708.03.2 of the revised code of Ohio.

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: R J. Henkener- agent for village of N. Bremen ✓

Description
of
5.48 Acre Tract
for
Komminsk Estate, Inc.

Situated in the Northwest Quarter ($\frac{1}{4}$) of Section Fifteen (15), Township Seven (7) South, Range Four (4) East, German Township, Auglaize County, Ohio, and is more particularly described as follows:

Beginning at a cast iron monument at the Northeast corner of the Northwest Quarter ($\frac{1}{4}$) of said Section (15); thence South $86^{\circ} 04' 00''$ West along the north line of said Section (15) and the center line of State Route #274 a distance of 1023.04 feet to a railroad spike, said spike being the TRUE POINT OF BEGINNING for the tract described herein; thence South $3^{\circ} 56' 00''$ East a distance of 113.24 feet to an iron pin; thence South $61^{\circ} 13' 30''$ West a distance of 28.01 feet to a point; thence South $86^{\circ} 04' 00''$ West a distance of 49.58 feet to an iron pin; thence South $3^{\circ} 56' 00''$ East a distance of 180.95 feet to an iron pin; thence South $86^{\circ} 04' 00''$ West a distance of 166.34 feet to an iron pin; thence South $3^{\circ} 56' 00''$ East a distance of 394.75 feet to an iron pin; thence South $86^{\circ} 04' 00''$ West a distance of 255.3 feet to a point; thence North $3^{\circ} 56' 00''$ West along the east line of one acre tract which is known as a cemetery a distance of 700.7 feet to a point; thence North $86^{\circ} 04' 00''$ East along said north line of said Section (15) a distance of 496.6 feet to the point of beginning, containing 5.48 acres and being subject to all public highway right-of-ways and other easements of record.

This description was prepared for annexation purposes only and no monuments were set at this time.

Prepared by:

Richard T. Mote
Registered Surveyor #5552
August 4, 1975

MOTE ENGINEERING
306 Sycamore
Greenville, Ohio 45331

WORK.
0-2220 11/11/77
11/12/77

County Commissioners' Office
Auglaize County, Ohio
January 25th, 1977

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

Paul F. Reinhart William Link Howard Werner

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

R E S O L U T I O N

WHEREAS, step # 3- dated April 6th, 1976 in regards annexation of lands to village of N. Bremen did say in part:

" that this hearing be adjourned, and that the Amendments be made to this original petition to the satisfaction of Mrs. Komnisk- and the agent R. J. Henkener, for the village of New Bremen, and that said petition with proper amendments, plus new maps be presented to the Board of County Commissioners; and be it further Resolved, upon presentation of Amended Petition, for annexation, the Board will set a new date for Hearing, etc. same being done in accordance with section 709.03 of the revised code of Ohio"; and

WHEREAS, the following material has been filed with the Board:

From the village of New Bremen:

Gentlemen:

This letter is to inform you that the village of New Bremen has completed its obligation so that the annexation of the Komnisk Estate, Inc. can now take place.

In the commissioners meeting on April 6th, 1976 it was agreed by both parties that as soon as the village of New Bremen would extend the sewer and water lines (the sewer on the North side and water on the South side) and change the description of the tract of land involved to only go west as far as the blacktop in the parking area instead of west to the cemetery that the annexation would then take place. The water line and sewer lines are complete. Enclosed is the description and print of the 5.48 acre tract of land to be annexed.

Village of New Bremen

s/ Clarence Art
village administrator

Notice is hereby given that on the 23th day of January, 1977, there was presented to the Board of Commissioners of the County of Auglaize, State of Ohio, the amended petition of the Village of New Bremen, Auglaize County, Ohio, pertaining to the annexation of the following described territories situated in the County of Auglaize and adjacent to the Village of New Bremen, to-wit:

Situated in the Northwest Quarter (1/4) of Section Fifteen (15), Township Seven (7) South, Range Four (4) East, German Township, Auglaize County, Ohio, and is more particularly described as follows:

Beginning at a cast iron monument at the Northeast corner of the Northwest Quarter (1/4) of said Section (15); thence South 86° 04' 00" West along the north line of said Section (15) and the center line of State Route #274 a distance of 1023.04 feet to a railroad spike, said spike being the TRUE POINT OF BEGINNING for the tract described herein; thence South 3° 56' 00" East a distance of 113.24 feet to an iron pin; thence South 61° 13' 39" West a distance of 23.01 feet to a point; thence South 86° 04' 00" West a distance of 49.58 feet to an iron pin; thence South 3° 56' 00" East a distance of 180.95 feet to an iron pin; thence South 86° 04' 00" West a distance of 166.34 feet to an iron pin; thence South 3° 56' 00" East a distance of 394.75 feet to an iron pin; thence South 86° 04' 00" West a distance of 255.3 feet to a point; thence North 3° 56' 00" West a distance of 700.7 feet to a point; thence North 86° 04' 00" East along said north line of said Section (15) a distance of 496.5 feet to the point of beginning, containing 5.48 acres and being subject to all public highway right-of-ways and other easements of record.

This description was prepared for annexation purposes only and no monuments were set at this time.

Prepared by:
Richard T. Mote
Registered Surveyor #5552
August 4, 1975

Praying therein that said territory be annexed to the Village of New Bremen, in the manner provided by law and designate the undersigned as their Agent in securing such annexation.

The said Board of Commissioners has fixed the 18th day of March, 1977 at 10:00 A.M. as the time of the hearing of said petition at the office of the Commissioners in the Courthouse, Wapakoneta, Ohio.

Roger J. Henkener
Attorney at Law
Agent for Petitioners

LEGAL NOTICE

Notice is hereby given that on the 25th day of January, 1977, there was presented to the Board of Commissioners of the County of Auglaize, State of Ohio, the amended petition of the Village of New Bremen, Auglaize County, Ohio, pertaining to the annexation of the following described territories situated in the County of Auglaize and adjacent to the Village of New Bremen, to-wit:

Situated in the Northwest Quarter (¼) of Section Fifteen (15), Township Seven (7) South, Range Four (4) East, German Township, Auglaize County, Ohio, and is more particularly described as follows:

Beginning at a cast iron monument at the Northeast corner of the Northwest Quarter (¼) of said Section (15); thence South 63 degree 04'00" West along the north line of said Section (15) and the center line of State Route No. 274 a distance of 1023.04 feet to a railroad spike, said spike being the TRUE POINT OF BEGINNING for the tract described herein; thence South 3 degree 55'00" East a distance of 113.24 feet to an iron pin; thence South 61 degree 13' 30" West a distance of 23.01 feet to a point; thence South 63 degree 04'00" West a distance of 49.53 feet to an iron pin; thence South 3 degree 55'00" East a distance of 180.85 feet to an iron pin; thence South 85 degree 04'00" West a distance of 165.34 feet to an iron pin; thence South 3 degree 55'00" East a distance of 324.75 feet to an iron pin; thence South 63 degree 04'00" West a distance of 253.3 feet to a point; thence North 3 degree 55'00" West a distance of 700.7 feet to a point; thence North 63 degree 04'00" East along said north line of said Section (15) a distance of 496.5 feet to the point of beginning, containing 5.48 acres and being subject to all public highway right-of-ways and other easements of record.

This description was prepared for annexation purposes only and no monuments were set at this time.

Prepared by:
Richard T. Mote
Registered Surveyor No. 5532
August 4, 1975

Praying therein that said territory be annexed to the Village of New Bremen, in the manner provided by law and designate the undersigned as their Agent in securing such annexation.

The said Board of Commissioners has fixed the 18th day of March, 1977 at 10:00 A.M. as the time of the hearing of said petition at the office of the Commissioners in the Courthouse, Wapakoneta, Ohio.

Roger J. Henkener
Attorney at Law
Agent for Petitioners

187-203

187-193

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260

Certificate of Publication

STATE OF OHIO, AUGLAIZE COUNTY, ss.

On this 21 day of March A. D. 1977
personally appeared before the undersigned a Notary Public within and for

said County and State, Judy Giering
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 Three
consecutive weeks in its issues of Feb 10, 17, 24
March 4, A. D., 1977.

Judy Giering
BOOKKEEPER OF THE DAILY NEWS PRINTING CO.

Subscribed and sworn to before me this 21st day of
March, A. D. 1977.

Printer's Fees \$ 34.38

Reba M. Newland
Notary Public, Auglaize County, Ohio

Daily News, Wapakoneta, O.

REBA M. NEWLAND, Notary Public
In and for Auglaize County, Ohio
My Commission Expires Sept. 24, 1978

County Commissioners' Office
Auglaize County, Ohio
March 18th, 1977

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

Paul F. Reinhart

William Link

Howard Werner

Mr. Link 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 January 25th, 1977 (step #4) to hold an adjourned hearing on annexation of lands to village of New Bremen, as petitioned for by R.J. Henkener - agent for said village; and

WHEREAS, all conditions having been met, as out-lined in the Resolution of January 25th, 1977 (Jr. #64, Page 396); and

WHEREAS, agent, R.J. Henkener, being the only person appearing at said hearing; therefore be it

RESOLVED, the petition as presented to the Board, with the proper amendments having been made is hereby accepted and approved by the Board of County Commissioners; and be it further

RESOLVED, that an affidavit of all proceedings, along with the steps in connection with this petition be given to the agent, R.J. Henkener.

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

Mr. Reinhart yes;

Mr. Link yes;

Mr. Werner yes.

cc: R.J. Henkener

AFFIDAVIT

I, Alberta Maxson, clerk for the Board of County Commissioners do hereby certify that the following steps are in the Journals for the Board of County Commissioners, as designated:

| Journal number | page | step | remarks |
|----------------|------------|----------|--|
| 63 | 411 412 | 1 | petition filed with Board of County Commissioners for annexation of lands to village of New Bremen by R. J. Henkenner, agent |
| 63- | 412 | 2 | January 30th, 1976- accepting petition for annexation of lands to village of N. Bremen- as filed by agent R. J. Henkenner- date of hearing set for April 6th, 1976 |
| 63 | 505 | 3 | hearing on petition for annexation of lands to village of N. Bremen, said hearing adjourned until amendments made to said petition to satisfaction of Mrs. Komnisk and satisfaction of agent R. J. Henkenner |
| 64 | 396 | 4 | Amendments having been met to satisfaction of all parties concerned- new date of Hearing set for March 18th, 1977 |
| 64 | <u>473</u> | 5 & 6 | copy of Legal notice and proof of publication |
| 64- | <u>474</u> | 7 | resolution granting petition as amended and out-lined in Resolution of January 25th, 1977 |
| 64- | <u>474</u> | 8 | Affidavit |

Alberta Maxson
clerk of board

cc: agent: R J Henkenner
county auditor

151391 a

State of Ohio Auglaize County, S. S.
ReceivedOctober 20,..... 1977
at9:40..... O'clock..... A., M.
RecordedOctober 20,..... 1977
Vol. No. 9 Misc. Page 268-282

\$18.00

Le Roy H. Knusel

Recorder, Auglaize Co., Ohio

Ronald Miller