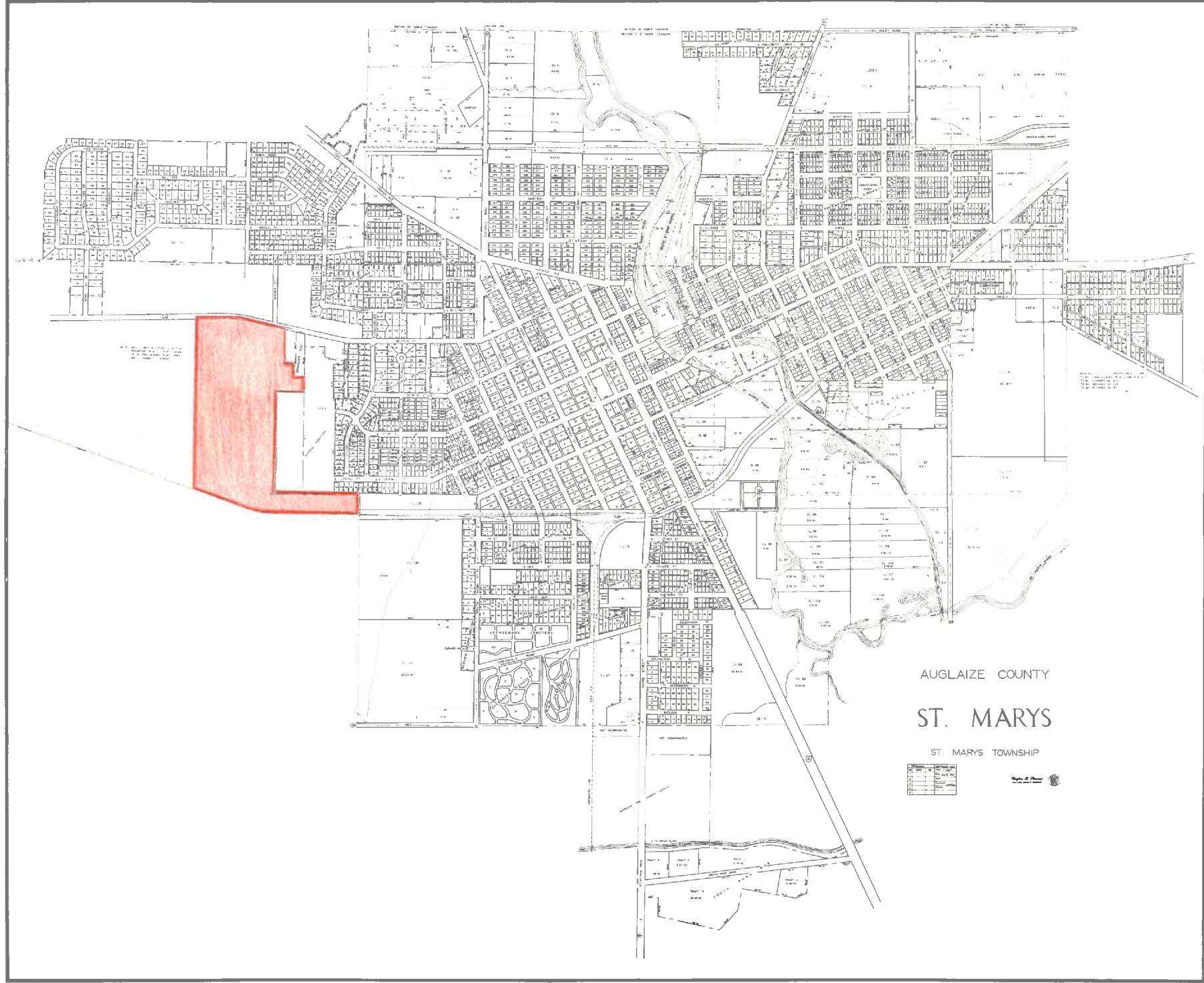


See Drwg. 76-102





DEPARTMENT OF PUBLIC
SERVICE AND SAFETY

101 E. Spring St. ST. MARYS, OHIO 45885
(419) 394-3303

KAY E. ALBERT - Mayor

KENNETH L. HEGEMANN - Director of Service and Safety

September 29, 1976

Mr. Clayton Stimmel, P.E.
Auglaize County Engineer
1014 S. Blackhoof St.
Wapakoneta, Ohio 45895

RE: ANNEXATION TO THE CITY OF ST. MARYS

Dear Mr. Stimmel:

Enclosed is a copy of the complete Annexation proceedings,
Drawing No. H-262, and Ordinance No. 76-42 passed by the St. Marys
City Council on September 27, 1976. This Annexation will be
effective on October 27, 1976.

Very truly yours,

Dale F. Grimes, Jr.
Industrial/Community
Development Manager

DFG:flw

~~Harry J. McLean~~

Harry McLean

A PETITION FOR ANNEXATION TO THE

CITY OF ST. MARYS, OHIO

TO: The Board of County Commissioners
County of Auglaize
State of Ohio

The undersigned, being the majority of the owners of real estate for the following described territory situated in the County of Auglaize, Township of St. Marys, and adjacent to the City of St. Marys, to-wit:

Situated and being a part of Section Four (4), Town Six (6) South, Range Four (4) East, and Section Nine (9), Town Six (6) South, Range Four (4) East, in St. Marys Township, Auglaize County, Ohio, and being further described as follows:

Beginning at a point in the center of State Route 703 (formerly State Route 29) said point also being the northwest corner of a parcel of land belonging to Eltinge, Graziadio and Sampson Development Company as recorded in Deed Book 211, Page 454, said point also being the Place of Beginning for this instrument;

Thence, South along the West property line of the EG&S Development Company and the west property line of a parcel of land owned by Allen L. and Carolyn J. Waterman, to a point on the southwest corner of said Allen L. and Carolyn J. Waterman property, said point also being on the north right-of-way line of the Norfolk and Western Railway Company;

Thence, in a southeasterly and easterly direction along the Norfolk and Western Railway Company's north right-of-way line to a point on the existing Corporation Line of the City of St. Marys;

Thence, northerly along the existing Corporation Line to a point on the south line of Lot 43 of the Hillsdale 1st Addition to the City of St. Marys, said point also being on the north line of Section Nine (9), Town Six (6) South, Range Four (4) East, St. Marys Township;

Thence, westerly along the existing Corporation Line, and the north property line of a parcel of land owned by Winona M. Brown and Carolyn J. Waterman, to a point on the southwest corner of a parcel of land owned by the St. Marys Board of Education, said point also being the southeast corner of a parcel of land owned by Robert E. and C. Bernadine Potbury;

Thence, northerly along the existing Corporation Line, the east property line of Robert E. and C. Bernadine Potbury, and the west property line of the St. Marys Board of Education to a point on the northwest corner of said St. Marys Board of Education property, said point also being on the southwest corner of a parcel of land owned by George L. and Dorothy I. Turpin;

Thence, easterly along the existing Corporation Line, the south property line of George L. and Dorothy I. Turpin, and the north property line of the St. Marys Board of Education, to a point on the southeast corner of said George L. and Dorothy I. Turpin property, said point also being on the southwest corner of a tract of land owned by W.H. and Clarabelle Zwiebel;

Thence, continuing easterly along the existing Corporation Line, the south property line of W.H. and Clarabelle Zwiebel, and the north property line of the St. Marys Board of Education, to a point on the southeast corner of said W.H. and Clarabelle Zwiebel property;

Thence, northerly along the existing Corporation Line, and the east property line of said W.H. and Clarabelle Zwiebel, to a point on the northeast corner of said property, said point also being on the south property line of a parcel of land owned by Chester H. and Joann Dammeyer;

Thence, westerly along the existing Corporation Line, the north property line of W.H. and Clarabelle Zwiebel, and the south property line of Chester H. and Joann Dammeyer, to a point on the southeast corner of a parcel of land owned by Willis O. and Ruth H. Henschen;

Thence, northerly along the existing Corporation Line, the east property line of Willis O. and Ruth H. Henschen, and the west property line of Chester H. and Joann Dammeyer, to a point on the northeast corner of said Willis O. and Ruth H. Henschen property;

Thence, westerly along the existing Corporation Line, the south property line of Chester H. and Joann Dammeyer, and the north property line of Willis O. and Ruth Henschen, to a point on the northwest corner of said Willis O. and Ruth H. Henschen property, said point also being on the east property line of the aforementioned parcel of land owned by George L. and Dorothy I. Turpin;

Thence, northerly along the existing Corporation Line, the west property line of Chester H. and Joann Dammeyer, and the east property line of George L. and Dorothy I. Turpin, to a point on the southeast corner of a parcel of land owned by Cornwall Properties, Inc.;

Thence, continuing northerly along the existing Corporation Line, the west property line of Chester H. and Joann Dammeyer, and the east property line of Cornwall Properties, Inc., to a point on the northeast corner of said Cornwall Properties, Inc., said point also being on the centerline of State Route 703;

Thence, northwesterly and westerly along the centerline of State Route 703, to the Place of Beginning.

Containing 67 acres of land more or less, and a map of which territories is hereby attached, (see Dwg. H-262 of City of St. Marys Engineering Records) with special invitation that the above described territory be annexed to the City of St. Marys, Ohio.

The property sought to be annexed contains 18 property owners, and

DALE F. GRIMES, JR. is hereby authorized to act as

Agent for the petitioners in securing such annexation.

EGSmetro Construction Corporation

Eltinge, Graziadio and Sampson Development Company

St. Marys Plaza

Gretchen Marie Yost Raschke

Rebecca Alice Yost

Amy Patricia Yost

Lisa Jeanne Yost

Allen L. Waterman

Carolyn J. Waterman

Cornwall Properties, Inc.

Winona M. Brown
Robert E. Potbury
C. Bernadine Potbury
George L. Turpin
Dorothy I. Turpin
Willis O. Henschen
Ruth H. Henschen
W.H. Zwiebel
Clarabelle Zwiebel

Robert C. Potbury

Bernadine Potbury

Allen L. Waterman

Carolyn J. Waterman

Winona M. Brown

George L. Turpin

Dorothy I. Turpin

Fitchin Marie Yost Raschke

Amy Patricia Yost

Rebecca Alice Yost

Lisa Jeanne Yost

EGSmetro Construction Corporation

BY Lary J. Mielke

Executive Vice President

(Lary J. Mielke- Executive Vice Pres.)

step # 2:

County Commissioners' Office
Auglaize County, Ohio
May 21st, 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, on this 21st day of May, 1976, the Board of County Commissioners did receive a petition for annexation of lands to the City of St. Marys--- the property sought to be annexed containing 18 property owners; with Dale F. Grimes, Jr. acting as Agent for said property owners; and

WHEREAS, copy of said petition does appear on page: 24-25 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 23rd day of July, 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; Dale F. Grimes-Jr.

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 for his study
agent- Dale F Grimes

PLEASE NOTE: this office must have a copy of:

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

step # 2:

County Commissioners' Office
Auglaize County, Ohio
May 21st, 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, on this 21st day of May, 1976, the Board of County Commissioners did receive a petition for annexation of lands to the City of St. Marys-- the property sought to be annexed containing 18 property owners; with Dale F. Grimes, Jr. acting as Agent for said property owners ; and

WHEREAS, copy of said petition does appear on page: 24-25 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 ~~3rd~~ day of September 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; Dale F. Grimes, Jr.

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 for his study
agent- Dale F. Grimes, Jr.

PLEASE NOTE: this office must have a copy of:

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

LEGAL NOTICE

Notice is hereby given that on the 21st day of May, 1976, there was presented to the Board of County Commissioners, County of Auglaize, State of Ohio, a petition signed by a majority of the owners of real estate of the following described territory situated in the County of Auglaize, Township of St. Marys, and adjacent to the City of St. Marys, to-wit: Situated and being a part of Section Four (4), Town Six (6) South, Range Four (4) East, and Section Nine (9), Town Six (6) South, Range Four (4) East, in St. Marys Township, Auglaize County, Ohio, and being further described as follows:

Beginning at a point in the center of State Route 703 (formerly State Route 29) said point also being the northwest corner of a parcel of land belonging to Eltinge, Gruzadiac and Sampson Development Company as recorded in Deed Book 211, Page 454, said point also being the Place of Beginning for this instrument;

Thence, South along the West property line of the EG&S Development Company and the west property line of a parcel of land owned by Allen L. and Carolyn J. Waterman, to a point on the southwest corner of said Allen L. and Carolyn J. Waterman property; said point also being on the north right-of-way line of the Norfolk and Western Railway Company's north right-of-way line to a point on the existing Corporation Line of the City of St. Marys;

Thence, northerly along the existing Corporation Line to a point on the south line of Lot 43 of the Hillsdale 1st Addition to the City of St. Marys, said point also being on the north line of Section Nine (9), Town Six (6) South, Range Four (4) East, St. Marys Township;

Thence, westerly along the existing Corporation Line, and the north property line of a parcel of land owned by Winona M. Brown and Carolyn J. Waterman, to a point on the southwest corner of a parcel of land owned by the St. Marys Board of Education, said point also being the southeast corner of a parcel of land owned by Robert E. and C. Bernadine Potbury;

Thence, northerly along the existing Corporation Line, the east property line of Robert E. and C. Bernadine Potbury, and the west property line of the St. Marys Board of Education to a point on the north-west corner of said St. Marys Board of Education property; said point also being on the southwest corner of a parcel of land owned by George L. and Dorothy I. Turpin;

Thence, easterly along the existing Corporation Line, the south property line of George L. and Dorothy I. Turpin, and the north property line of the St. Marys Board of Education, to a point on the southeast corner of said George L. and Dorothy I. Turpin property; said point also being on the southwest corner of a tract of land owned by W. H. and Clarabelle Zwiebel;

Thence, continuing easterly along the existing Corporation Line, the south property line of W. H. and Clarabelle Zwiebel, and the south property line of Chester H. and Joann Dammeyer, to a point on the St. Marys Board of Education, to a point on the southeast corner of said W. H. and Clarabelle Zwiebel property;

Thence, northerly along the existing Corporation Line, and the east property line of said W. H. and Clarabelle Zwiebel, to a point on the northeast corner of said property; said point also being on the south property line of a parcel of land owned by Chester H. and Joann Dammeyer;

Thence, westerly along the existing Corporation Line, the north property line of W. H. and Clarabelle Zwiebel, and the south property line of Chester H. and Joann Dammeyer, to a point on the southeast corner of a parcel of land owned by Willis O. and Ruth H. Henschen;

Thence, northerly along the existing Corporation Line, the east property line of Willis O. and Ruth H. Henschen, and the west property line of Chester H. and Joann Dammeyer, to a point on the northeast corner of said Willis O. and Ruth H. Henschen property;

Thence, westerly along the existing Corporation Line, the south property line of Chester H. and Joann Dammeyer, and the north property line of Willis O. and Ruth Henschen, to a point on the northwest corner of said Willis O. and Ruth H. Henschen property; said point also being on the east property line of the aforementioned parcel of land owned by George L. and Dorothy I. Turpin;

Thence, northerly along the existing Corporation Line, the west property line of Chester H. and Joann Dammeyer, and the east property line of George L. and Dorothy I. Turpin, to a point on the southeast corner of a parcel of land owned by Cornwall Properties, Inc.;

Thence, continuing northerly along the existing Corporation Line, the west property line of Chester H. and Joann Dammeyer, and the east property line of Cornwall Properties, Inc., to a point on the northeast corner of said Cornwall Properties, Inc., said point also being on the centerline of State Route 703;

Thence, northwesterly and westerly along the centerline of State Route 703, to the Place of Beginning.

Containing 67 acres of land, more or less, a map of which territories is hereby attached, and containing 18 property owners.

Praying then that said territory be annexed to the City of St. Marys, in a manner provided by law and designating the undersigned as Agent in securing said Annexation.

The Board of County Commissioners, by

CERTIFICATE OF PUBLICATION

STATE OF OHIO, AUGLAIZE COUNTY, ss:

On this 19th day of July A. D. 1976

personally appeared before the undersigned, a Notary Public within and for said County and State, G. WINGET, who being duly sworn states on oath that (he) (she) is Assistant Business Manager of THE ST.

MARYS EVENING LEADER, a newspaper published daily at St. Marys, 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 4 weeks in its issues of

the 4th, 11th, 18th and 25th

June A. D. 1976

Georganna Winget 19th day of

Subscribed and sworn to me this

July A. D. 1976

Pr's Fees \$

Affidavit

Robert Edward Hunter Notary Public

Total, \$

ROBERT EDWARD HUNTER, NOTARY PUBLIC
IN AND FOR AUGLAIZE COUNTY, OHIO
MY COMMISSION EXPIRES OCTOBER 19, 1978

LEGAL NOTICE

Notice is hereby given that on the 21st day of May, 1976, there was presented to the Board of County Commissioners, County of Auglaize, State of Ohio, a petition signed by a majority of the owners of real estate of the following described territory situated in the County of Auglaize, Township of St. Marys, and adjacent to the City of St. Marys, to-wit:

Situated and being a part of Section Four (4), Town Six (6) South, Range Four (4)-East, and Section Nine (9), Town Six (6) South, Range Four (4) East, in St. Marys Township, Auglaize County, Ohio, and being further described as follows:

Beginning at a point in the center of State Route 703 (formerly State Route 29) said point also being the northwest corner of a parcel of land belonging to Eltinge, Graziadio and Sampson Development Company as recorded in Deed Book 211, Page 454, said point also being the Place of Beginning for this instrument;

Thence, South along the West property line of the EG&S Development Company and the west property line of a parcel of land owned by Allen L. and Carolyn J. Waterman, to a point on the southwest corner of said Allen L. and Carolyn J. Waterman property, said point also being on the north right-of-way line of the Norfolk and Western Railway Company;

Thence, in a southeasterly and easterly direction along the Norfolk and Western Railway Company's north right-of-way line to a point on the existing Corporation Line of the City of St. Marys;

Thence, northerly along the existing Corporation Line to a point on the south line of Lot 43 of the Hillsdale 1st Addition to the City of St. Marys, said point also being on the north line of Section Nine (9), Town Six (6) South, Range Four (4) East, St. Marys Township;

Thence, westerly along the existing Corporation Line, and the north property line of a parcel of land owned by Winona M. Brown and Carolyn J. Waterman, to a point on the southwest corner of a parcel of land owned by the St. Marys Board of Education, said point also being the southeast corner of a parcel of land owned by Robert E. and C. Bernadine Potbury;

Thence, northerly along the existing Corporation Line, the east property line of Robert E. and C. Bernadine Potbury, and the west property line of the St. Marys Board of Education to a point on the northwest corner of said St. Marys Board of Education property, said point also being on the southwest corner of a parcel of land owned by George L. and Dorothy I. Turpin;

Thence, easterly along the existing Corporation Line, the south property line of George L. and Dorothy I. Turpin, and the north property line of the St. Marys Board of Education, to a point on the southeast corner of said George L. and Dorothy I. Turpin property, said point also being on the southwest corner of a tract of land owned by W.H. and Clarabelle Zwiebel;

Thence, continuing easterly along the existing Corporation Line, the south property line of W.H. and Clarabelle Zwiebel, and the north property line of the St. Marys Board of Education, to a point on the southeast corner of said W.H. and Clarabelle Zwiebel property;

Thence, northerly along the existing Corporation Line, and the east property line of said W.H. and Clarabelle Zwiebel, to a point on the northeast corner of said property, said point also being on the south property line of a parcel of land owned by Chester H. and Joann Dammeyer;

Thence, westerly along the existing Corporation Line, the north property line of W.H. and Clarabelle Zwiebel, and the south property line of Chester H. and Joann Dammeyer, to a point on the southeast corner of a parcel of land owned by Willis O. and Ruth H. Henschen;

Thence, northerly along the existing Corporation Line, the east property line of Willis O. and Ruth H. Henschen, and the west property line of Chester H. and Joann Dammeyer, to a point on the northeast corner of said Willis O. and Ruth H. Henschen property;

Thence, westerly along the existing Corporation Line, the south property line of Chester H. and Joann Dammeyer, and the north property line of Willis O. and Ruth Henschen, to a point on the northwest corner of said Willis O. and Ruth H. Henschen property, said point also being on the east property line of the aforementioned parcel of land owned by George L. and Dorothy I. Turpin;

Thence, northerly along the existing Corporation Line, the west property line of Chester H. and Joann Dammeyer, and the east property line of George L. and Dorothy I. Turpin, to a point on the southeast corner of a parcel of land owned by Cornwall Properties, Inc.;

Thence, continuing northerly along the existing Corporation Line, the west property line of Chester H. and Joann Dammeyer, and the east property line of Cornwall Properties, Inc., to a point on the northeast corner of said Cornwall Properties, Inc., said point also being on the centerline of State Route 703;

Thence, northwesterly and westerly along the centerline of State Route 703, to the Place of Beginning.

Containing 67 acres of land, more or less, a map of which territories is hereby attached, and containing 18 property owners.

Praying therein that said territory be annexed to the City of St. Marys, in a manner provided by law and designating the undersigned as Agent in securing said Annexation.

The Board of County Commissioners, by Resolution, established and affixed the 23rd day of July, 1976, at 10:00 A.M. as the time for the

hearing of said Petition; that said hearing shall be held in the Office of the Board of County Commissioners of Auglaize County in the Auglaize County Courthouse, Basement, Wapakoneta, Ohio, at said time and place.

Dale F. Grimes, Jr.
Agent for the Petitioners

Publish: June 4
June 11
June 18
June 25

Step #5

County Commissioners' Office
Auglaize County, Ohio
July 23, 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,

this being the date set in their order of May 21, 1976 to hold a hearing on the annexation of lands to the city of St. Marys, Ohio - per the original petition filed with the Board - Journal #64, Page 24 & 25 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 agent, Dale F. Grimes Jr. and;

WHEREAS,

no one appearing at said hearing against the petition for annexation, it is the opinion of this Board of County Commissioners that the petition as originally 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 city of St. Marys, Ohio as per the original petition (same appearing on page: 24 & 25 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, Dale F. Grimes, Jr. from the office of the Board of County Commissioners.

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.

step # 6:

AFFIDAVIT

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 city of St. Marys, Ohio, do appear in the county commissioners journal # 64--- as designated:

<u>journal number</u>	<u>page</u>	<u>remarks</u>
64	<u>24-25</u>	<u>step # 1:</u> under date of May 21st, 1976 copy of petition for annexation of lands to city of St. Marys, Ohio filed with Board
64	<u>26</u>	<u>step # 2:</u> under date of May 21st, 1976- county commissioners resolution accepting petition- setting date of Hearing-etc.
64-	<u>108</u>	<u>step # 3:</u> legal notice from agent
64-	<u>107</u>	<u>step # 4:</u> proof of publication
64-	<u>109</u>	<u>step # 5:</u> resolution granting petition- per original petition

date: June 23rd - 1976

Alberta Maxson
clerk of board

cc: Dale F. Grimes- Jr. agent (2)
Auglaize County Engineer

CERTIFICATION

CITY OF ST. MARYS, OHIO
COUNTY, AUGLAIZE

I, Ruth A. Makley, Clerk of the St. Marys City Council
St. Marys, Ohio, do hereby certify that the foregoing
Ordinance No. 76:42 is a true and correct
copy, passed by the legislative body of the above
said city on the 27th day of September, 1976

IN TESTIMONY WHEREOF, I have hereunto placed my name
and affixed the seal of the City of St. Marys, Ohio.

Date September 28/1976

Ruth Makley
CLERK OF COUNCIL

ORDINANCE NO. 516.42

AN ORDINANCE ANNEXING CERTAIN TERRITORY IN
ST. MARYS TOWNSHIP TO THE CITY OF ST. MARYS

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
ST. MARYS, OHIO:

SECTION 1. City Council does hereby accept certain properties described in the Petition as filed with the Board of County Commissioners, a copy of which is hereby attached and made an exhibit to said ordinance; further, that the requirements of the State statutes as it pertains to annexation of property to the City of St. Marys, have been fulfilled and met, and it would be in the best interest of the petitioners and the City to accept said annexation.

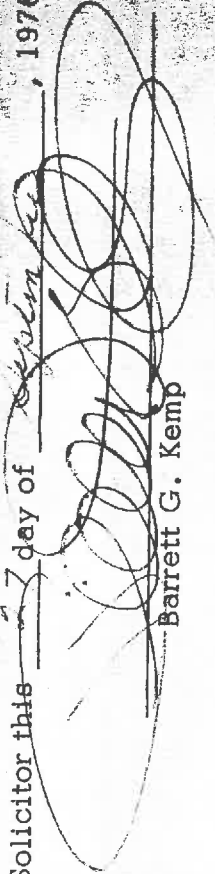
SECTION 2. The Clerk of Council is hereby directed after the passage of the ordinance herein to cause a copy of the annexation to be recorded in the Auglaize County Recorder's office and a copy to be certified to the Secretary of State, State of Ohio, in accordance with the statutes, so that adjustments may be made of the corporation limits of said City.

SECTION 3. This ordinance shall be in force and take effect at the earliest possible date provided by law.

Passed this 27 day of September, 1976.

Robert A. Mabley
President of the Council

Approved by the City Solicitor this 27 day of September, 1976.


Barrett G. Kemp

ATTEST:

Rich Mabley
Clerk

Approved this 27 day of September, 1976.

Kay E. Albert
Kay E. Albert, Mayor