

Ordinance No. _____

**AN ORDINANCE VACATING A RIGHT-OF-WAY BETWEEN LOTS 21
AND 22 OF THE NORTH DEFIANCE ADDITION**

WHEREAS, the City received a petition to vacate the right-of-way adjacent to and adjoining Lot Nos. twenty-one (21) and twenty-two (22) in the North Defiance Addition to the City of Defiance, Ohio; and,

WHEREAS, the Planning & Zoning Commission heard the petition at the December 20, 2021 public hearing and voted unanimously to recommend the right-of-way vacation; and,

WHEREAS, the subject right-of-way contains no public or private utilities; and,

WHEREAS, Council finds good cause for vacating the alley and that the requested vacation will not be detrimental to the public interest pursuant to Section 905.19(a) of the Codified Ordinances of Defiance, Ohio;

Now therefore, be it enacted by the Council of the Municipality of Defiance, Ohio, that:

Section 1: The north-to-south right-of-way between Lot Nos. twenty-one (21) and twenty-two (22), or Permanent Parcel Nos. B01-3122-0-007-00 and B01-3122-0-008-00, in the North Defiance Addition to the City of Defiance, OH (403 W. High Street) is hereby vacated.

Section 2: The Law Director, or his designee, shall record a copy of this Ordinance to document the vacation of the public right-of-way lying between these parcels.

Section 3: It is found and determined that all legislative actions pertaining to the adoption of this Ordinance were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session or in Executive Session duly convened in accordance with law.

Section 4: This Ordinance shall be effective on the earliest date permitted by law.

Passed: _____, 2022

President of Council

Attest: _____, Clerk

Approved: _____, 2022

Mayor

Ordinance No. _____

AN ORDINANCE ACCEPTING THE ANNEXATION OF 1.557 ACRES OF LAND LOCATED IN RICHLAND TOWNSHIP, DEFIANCE COUNTY, OHIO

WHEREAS, Jaxson Enterprises, Ltd. and Cash Dog Enterprises, LLC filed a Petition seeking to annex 1.557 acres of land located in Lots 52, 53, 54, 55, 56, and part of Lot 57, and a part of Greenhouse Avenue in the Saunders – Snyder Addition, Richland Township, Defiance County, Ohio, into the City of Defiance; and,

WHEREAS, Council adopted Resolution No. 2524 consenting to the provision of all customary governmental and utility services on November 9, 2021; and,

WHEREAS, R.C. §709.04 requires the legislative authority of a municipality to accept or reject the petition for annexation within sixty (60) days of delivery of the resolution of the Board of County Commissioners approving annexation; and,

WHEREAS, sixty (60) days have elapsed since the Clerk of City Council received the resolution of the Board of Commissioners of Defiance County, Ohio and the Clerk of Council has made the Transcript of Proceedings and related documents available for public inspection in the manner and for the time required by law; and,

WHEREAS, Council finds that acceptance of the territory is in the best interests of the City and may further the Economic Development Pillar of the Defiance Community Strategic Plan;

Now therefore, be it enacted by the Council of the Municipality of Defiance, Ohio, that:

Section 1: The Petition of Jaxson Enterprises, Ltd. and Cash Dog Enterprises, LLC to annex 1.557 acres of land located in Lots 52, 53, 54, 55, 56, and part of Lot 57, and a part of Greenhouse Avenue in the Saunders – Snyder Addition, Richland Township into the City of Defiance, Ohio, as approved by the Board of County Commissioners of Defiance County, Ohio, is hereby accepted. All municipal officials are authorized to execute such plats and other documents as may be appropriate to conclude the proceedings.

Section 2: The City Administration is authorized to construct and provide water and sanitary sewer services upon development of the territory.

Section 3: It is found and determined that all legislative actions pertaining to the adoption of this Ordinance were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session or in Executive Session duly convened in accordance with law.

Section 4: This Ordinance shall be effective on the earliest date permitted by law.

Passed: _____, 2022 _____
President of Council

Attest: _____, Clerk

Approved: _____, 2022 _____
Mayor

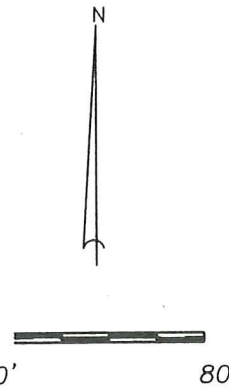
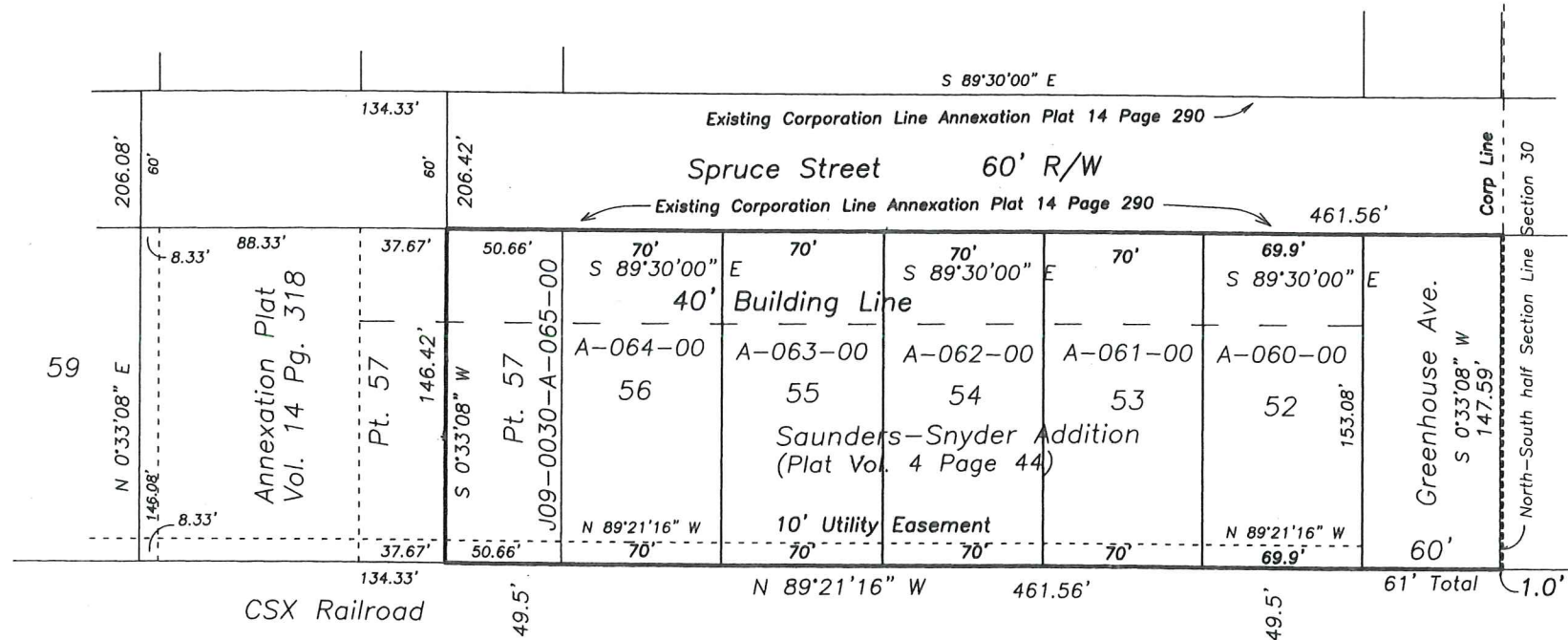
Proposed Annexation Plat to the City of Defiance

Being known as a part of Lot No. 57 and all of Lot No. 56, 55, 54, 53 & 52 and a part of Greenhouse Avenue located in Saunders-Snyder Addition, located in the Northwest quarter (1/4) of Section 30, Township 4 North, Range 5 East, Richland Township, Defiance County, Ohio.

Proposed Annexation Area = 1.557 Acres

Being known as a part of Lot No. 57 and all of Lot No. 52, 53, 54, 55, and 56 of Saunders-Snyder Addition located in the Northwest quarter (1/4) of Section 30 and being more particularly described as follows:

Beginning at the intersection of the North-South half section line and the northerly line of the CSX Railroad, (49.50 feet north of the baseline located 6.50 feet north of the east bound main); thence North 89 degrees 21 minutes 16 seconds West, on the north line of said railroad, 461.56 feet; thence North 0 degrees 33 minutes 08 seconds East, 146.42 feet to the north line of Lot 57; thence South 89 degrees 30 minutes 00 seconds East, the southerly line of Spruce Street, (60 feet right of way), 461.56 feet to the north-south half section line; thence South 0 degrees 33 minutes 08 seconds West, on the north-south half section line, 147.59 feet to the point of beginning. The parcel herein described contains 1.557 acres more or less.



Approval

We, the Board of Defiance County Commissioners, do hereby approve this Plat and release said described property for annexation to the City of Defiance, Ohio.

Date 11-18 2021.
 Name Mick Pocratsky Signature
 Name Absent Signature
 Name Ryan Mack Signature
 Name David S. Kern Signature

Approval

I, the Defiance City Engineer, do hereby approve this Plat.

Date _____ 2021.
 Name _____ Signature

Acceptance

We, the Council of the City of Defiance, Ohio, do hereby approve this Plat and accept said described property for annexation to the City of Defiance, Ohio.

By Ordinance No. _____
 Date _____ 2021.
 Name _____ Signature
 Clerk of Council

Certification
 I, The Defiance County Recorder, do hereby certify that the Plat has been recorded in
 Volume _____ Page _____
 of the Plat Records of the County of Defiance, Ohio.
 Date _____ 2021.
 Name _____ Signature
 Defiance County Recorder

Certification
 I, the Defiance County Auditor, do hereby acknowledge receipt of this Plat.
 Date _____ 2021.
 Name _____ Signature
 Defiance County Auditor

Certification
 I hereby certify that this survey and notes are correct to the best of my knowledge.
 _____ 7-12-21
 Thomas J. Henry
 Registered Surveyor No. 6787
