

ORDINANCE 723-04-19

AN ORDINANCE AUTHORIZING THE VILLAGE MAYOR TO EXECUTE AN ANNEXATION AGREEMENT WITH ROME TOWNSHIP FOR THE COMPOST SITE AND MORE FULLY DESCRIBED HEREIN, AND DIRECTING THE VILLAGE CLERK TO FILE THE SAME WITH THE ASHTABULA COUNTY COMMISSIONERS AND NOT DECLARING AN EMERGENCY

WHEREAS, the Council of the Village of Roaming Shores passed ordinance 658-2-2017 on April 8, 2017 authorizing the Village Mayor to execute an annexation agreement with Rome Township for the compost site.

WHEREAS, the annexation agreement was approved by Village Council, Rome Township and the Ashtabula County Board of Commissioners but was returned to the Village due to a problem with the legal description.

WHEREAS, the legal description has been corrected and the Village has been asked to pass a new ordinance reflecting the correction.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Roaming Shores, Ohio:

SECTION 1. That the Village Mayor is hereby authorized to execute the proposed annexation agreement with Rome Township (attached as exhibit A with legal description), for the purpose of annexing the land upon which the Village compost pile operates into the Village.

SECTION 2. That it is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3. This ordinance is deemed not to be an emergency and shall take effect thirty (30) days after passage.

PASSED this _____ day of _____, 2019.

Jennie D'Amicone

ATTEST:

Leeann Moses, Clerk/Treasurer

Kyle B. Smith, Solicitor

I hereby certify that a summary of the foregoing ordinance was published twice by the Gazette News on the following dates, _____ and _____, 2019.

Village Clerk

ANNEXATION AGREEMENT

This agreement is dated the ____ day of _____, 2019 by and between the Village of Roaming Shores, Ohio by its Mayor, Jennie D'Amicone, 5400 Hayford Rd., Roaming Shores, Ohio (hereinafter "Village") and Rome Township, by its President, Eric Eland, P.O. Box 5057, Rome, Ohio (hereinafter "Township") for the purpose of allowing the Village to annex a certain property consisting of approximately 48.690 acres into the Village pursuant to R.C. 709.192.

For valuable consideration, receipt of which is hereby acknowledged, the parties agree as follows:

- 1) The Village and Township agree that the property described in exhibit A is property owned and titled to the Village and is located within the Township and adjacent to the Village.
- 2) The Village and Township further agree that the property described in exhibit A shall be annexed to the Village pursuant to the conditions set forth in this agreement. Once annexed, the property shall be subject to the real estate taxes of the Village.
- 3) It is a condition of this agreement that in the event the Village sells the property described in exhibit A that such property shall be subject to real estate taxes of the Township.
- 4) This agreement shall not take effect until such time as it is approved by the Council of the Village of Roaming Shores, the Rome Township Board of Trustees and the Ashtabula County Commissioners. The Village shall bear the costs of recording this document.

Approved:

Jennie D'Amicone, Mayor
Village of Roaming Shores, Ohio

Eric Eland, President
Rome Township, Ohio

DESCRIPTION OF APROX. 48.690 ACRE PARCEL

SITUATED IN THE TOWNSHIP OF ROME, COUNTY OF ASHTABULA, STATE OF OHIO AND KNOWN AS BEING PART OF LOT 46 OF SAID TOWNSHIP AND BEING IN TOWNSHIP 9-N., RANGE 4-W. OF THE CONNECTICUT WESTERN RESERVE AND FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF U.S.R. 6 (60 FEET WIDE) AT THE NORTHEASTERLY CORNER OF LANDS DEEDED TO VICKIE E. AND STEVEN C. MILLER IN VOLUME 44, PAGE 9162 ASHTABULA COUNTY RECORDER'S GENERAL INDEX, SAID POINT BEING SOUTH 89 DEGREES, 03 MINUTES, 46 SECONDS WEST, ALONG THE CENTERLINE OF U.S.R. 6, 25.88 FEET FROM AN IDENTIFIED (ATB) IRON PIN (FOUND) AT A CENTERLINE DEFLECTION POINT AND SOUTH 88 DEGREES, 55 MINUTES, 40 SECONDS WEST, ALONG THE CENTERLINE OF U.S.R. 6, 50.00 FEET (PLAT) FROM THE INTERSECTION OF THE CENTERLINES OF U.S.R. 6 AND LAKE VUE DR. (50 FEET WIDE).

THENCE NORTH 89 DEGREES, 03 MINUTES, 46 SECONDS EAST, ALONG THE CENTERLINE OF U.S.R. 6, 61.64 FEET TO A POINT AT THE NORTHWESTERLY CORNER OF LANDS DEEDED TO TIMOTHY W. AND SHIRLEY MAY WHITE IN VOLUME 54, PAGE 9132 ASHTABULA COUNTY RECORDER'S GENERAL INDEX.

THENCE SOUTH 00 DEGREES, 59 MINUTES, 00 SECONDS EAST, ALONG WHITE'S WESTERLY LINE, PASSING THROUGH A 5/8 INCH DIAMETER IRON PIN (FOUND) AT 29.84 FEET, A TOTAL DISTANCE OF 1848.18 FEET (1830.00 DEED) TO AN IDENTIFIED (WESTFALL,7677) IRON PIN (FOUND) AT WHITE'S SOUTHWESTERLY CORNER.

THENCE NORTH 89 DEGREES, 01 MINUTES, 00 SECONDS EAST, ALONG WHITE'S SOUTHERLY LINE, 1085.40 FEET (DEED) TO A 1/2 INCH DIAMETER IRON PIN (FOUND) ON THE WESTERLY LINE OF NEW LYME TOWNSHIP AT WHITE'S SOUTHEASTERLY CORNER.

THENCE SOUTH 00 DEGREES, 15 MINUTES, 00 SECONDS EAST, ALONG THE WESTERLY LINE OF NEW LYME TOWNSHIP, 897.56 FEET TO AN IDENTIFIED (WESTFALL,7677) IRON PIN (FOUND) AT THE NORTHEASTERLY CORNER OF LANDS DEEDED TO CYNTHIA A. WYNN IN VOLUME 68, PAGE 272 ASHTABULA COUNTY RECORDER'S GENERAL INDEX.

THENCE DUE WEST, ALONG WYNN'S NORTHERLY, 1453.35 FEET TO A 1/2 INCH DIAMETER IRON PIN (FOUND) ON THE HIGH BANK AT THE SOUTHEASTERLY CORNER OF LANDS DEEDED TO MATTHEW J. AND SHANDI L. WYLAND IN VOLUME 390/1297 ASHTABULA COUNTY OFFICIAL RECORDS.

THENCE NORTH 59 DEGREES, 03 MINUTES, 23 SECONDS WEST, ALONG WYLAND'S EASTERLY LINE, 153.79 FEET TO A 1/2 INCH DIAMETER IRON PIN (FOUND) AT THE WATERS EDGE, BEING THE SOUTHEASTERLY CORNER OF LANDS DEEDED TO ROBERT H. AND JANE D. WYNN IN VOLUME 743, PAGE 94 ASHTABULA COUNTY DEEDS.

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG THE WATERS EDGE, BEING WYNN'S EASTERLY LINE:

NORTH 47 DEGREES, 18 MINUTES, 00 SECONDS WEST, ABOUT 280.00 FEET TO A POINT:

NORTH 59 DEGREES, 50 MINUTES, 00 SECONDS WEST, ABOUT 123.00 FEET TO A POINT ON THE SOUTHERLY LINE OF LANDS DEEDED TO ELEANOR R. MURPHY, TRUST IN VOLUME 51, PAGE 1459 ASHTABULA COUNTY RECORDERS GENERAL INDEX AT WYNN'S NORTHEASTERLY CORNER.

THENCE NORTH 79 DEGREES, 42 MINUTES, 29 SECONDS EAST, ALONG MURPHY'S SOUTHERLY LINE, 144.57 FEET TO AN IDENTIFIED (WESTFALL,7677) IRON PIN (FOUND) AT CORNER OF MURPHY'S LANDS.

Eric B. Westfall
Professional Land Surveyor
Jefferson, OH 44047

DESCRIPTION OF APPROX. 48.690 ACRE PARCEL
(CONTINUED)

THENCE SOUTH 89 DEGREES, 25 MINUTES, 00 SECONDS EAST, ALONG MURPHY'S SOUTHERLY LINE, 62.50 FEET TO AN IDENTIFIED (WESTFALL, 7677) IRON PIN (FOUND) AT MURPHY'S SOUTHEASTERLY CORNER.

THENCE NORTH 17 DEGREES, 28 MINUTES, 30 SECONDS EAST, ALONG MURPHY'S EASTERLY LINE, 164.00 FEET TO AN IDENTIFIED (WESTFALL, 7677) IRON PIN (FOUND) ON THE EAST BANK OF THE MILL RACE AT A CORNER OF MURPHY'S LANDS.

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG THE EAST BANK OF THE MILL RACE, BEING MURPHY'S EASTERLY LINE:

NORTH 14 DEGREES, 04 MINUTES, 00 SECONDS WEST, ABOUT 180.00 FEET TO A POINT;

NORTH 01 DEGREES, 42 MINUTES, 00 SECONDS EAST, ABOUT 250.00 FEET TO A POINT;

NORTH 18 DEGREES, 10 MINUTES, 51 SECONDS EAST, ABOUT 740.00 FEET TO A POINT;

NORTH 27 DEGREES, 52 MINUTES, 34 SECONDS WEST, ABOUT 450.00 FEET TO A POINT AT THE SOUTHWESTERLY CORNER OF SAID MILLER'S LANDS.

THENCE NORTH 89 DEGREES, 42 MINUTES, 11 SECONDS EAST, ALONG MILLER'S SOUTHERLY LINE, 225.00 FEET TO A 5/8 INCH DIAMETER IRON PIN (FOUND) AT A CORNER OF MILLER'S LANDS.

THENCE NORTH 00 DEGREES, 17 MINUTES, 49 SECONDS WEST, ALONG MILLER'S EASTERLY LINE, 199.51 FEET TO AN IDENTIFIED (WESTFALL, 7677) IRON PIN (FOUND) AT A CORNER OF MILLER'S LANDS.

THENCE NORTH 89 DEGREES, 42 MINUTES, 11 SECONDS EAST, ALONG MILLER'S SOUTHERLY LINE, 262.19 FEET TO A 5/8 INCH DIAMETER IRON PIN (FOUND) AT A CORNER OF MILLER'S LANDS.

THENCE NORTH 01 DEGREES, 06 MINUTES, 43 SECONDS WEST, ALONG MILLER'S EASTERLY LINE, PASSING THROUGH A CONCRETE R/W MARKER (FOUND) ON THE SOUTHERLY LINE OF U.S.R. 6, A TOTAL DISTANCE OF 486.16 FEET TO THE PLACE OF BEGINNING AND CONTAINING APPROXIMATELY 48.690 ACRES OF LAND BE THE SAME MORE OR LESS, BUT SUBJECT TO ALL LEGAL HIGHWAYS AND EASEMENT OF RECORDS.

BEING ALL OF THE LANDS DEEDED TO VILLAGE OF ROAMING SHORES, KNOWN AS TRACT 5, IN VOLUME 24, PAGE 8808 ASHTABULA COUNTY RECORDER'S GENERAL INDEX, AS PER A SURVEY COMPLETED IN APRIL 1999 AND A SURVEY UPDATE IN NOVEMBER 2018 BY ERIC B. WESTFALL, P.S. OHIO #7677, JEFFERSON, OHIO, BASIS FOR BEARINGS HEREIN: WEST LINE OF NEW LYME TOWNSHIP SOUTH 00 DEGREES, 15 MINUTES, 00 SECONDS EAST-DEED.

ASHTABULA CO. ENGINEER
APPROVED
11-23-18 M.E.S.
SURVEY DEPT.

