

ORDINANCE 2021-03

VILLAGE OF NEW RICHMOND, OHIO

Council for the Village of New Richmond, Ohio met in regular session this 23rd day of February, 2021 with the following members present:

Richard Feldkamp, Mary Allen, Larry Prues,
Melanie Slade, Becky Ploucha, Gary Skeene,

Councilperson Skeene moved for adoption of the following:

**AN ORDINANCE INDICATING THAT ALL SERVICES ARE AVAILABLE FOR A
PROPOSED ANNEXATION TO THE VILLAGE OF NEW RICHMOND, OHIO, FROM
OHIO TOWNSHIP AND CONSENT TO SAID ANNEXATION**

WHEREAS, Mary H. Grever, as owner of real estate identified by the Clermont County Auditor as Parcel #242708G053 at the address of 1260 U.S. State Route 52, New Richmond, Ohio 45157 ("Property"), by and through her agent, Richard A. Paolo, Esq., petitioned the Board of County Commissioners of Clermont County, Ohio, on February 4, 2021, for annexation of the aforementioned Property consisting of approximately 62.8313 acres of land, more or less, in Ohio Township, Clermont County, Ohio, to the Village of New Richmond, Ohio; and

WHEREAS, R.C. § 709.023, Ohio Revised Code, requires that municipal corporations such as the Village of New Richmond adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation; and

WHEREAS, R.C. § 709.023 further instructs that municipal corporations such as the Village of New Richmond adopt an Ordinance or Resolution consenting to such proposed annexation; and

WHEREAS, the Village of New Richmond believes that the proposed annexation will produce potential economic benefits to the Village and improve the overall health, safety, and general welfare of the residents of the Village of New Richmond.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Village of New Richmond, Ohio, with 4 of its members concurring:

- Section 1: In the event the proposed territory is approved for annexation by the Clermont County Board of Commissioners to the Village of New Richmond, Clermont County, Ohio, the Village shall provide water, police, sanitary sewer, fire services, emergency medical services and other municipal services to the annexed territory beginning on the approximate date of March 21, 2021.
- Section 2: The Village hereby consents to the annexation of the Property otherwise known as "Ashburn Woods" as is more fully described in the petition attached hereto as Exhibit "A".
- Section 3: The Village Administrator is hereby authorized to send a certified copy of this Ordinance to the Clermont County Board of Commissioners. The Village Administrator, Village Law Director, and the Director of Economic Development, Building & Zoning are hereby authorized to take whatever steps necessary to complete the annexation.
- Section 4. Pursuant to R.C. § 709.023(C), if the "Ashburn Woods" territory is annexed and becomes subject to the Village of New Richmond zoning which permits uses in the annexed "Ashburn Woods" territory that the Village of New Richmond determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Ohio Township from which the "Ashburn Woods" territory was annexed, the Village Council of the Village of New Richmond will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed "Ashburn Woods" territory to provide a buffer (ie. open space, landscaping, fences, walls, and other structured elements; streets and street rights-of-way; and bicycle and pedestrian paths and sidewalks) separating the use of the annexed "Ashburn Woods" territory and the adjacent land remaining within Ohio Township.
- Section 5. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including § 121.22 of the Ohio Revised Code.
- Section 6. That the Village by a $\frac{3}{4}$ majority vote hereby dispenses with the requirement that the Ordinance be read on three separate days and hereby authorizes the adoption of the Ordinance upon its first reading. That this Ordinance shall take effect and be in force from the earliest date allowed by law.

Councilperson Feldkamp seconded the motion to adopt the foregoing Ordinance and upon roll call the vote was as follows:

Richard Feldkamp	<u>yes</u>
Mary Allen	<u>yes</u>
Larry Prues	<u>yes</u>
Melanie Slade	<u>yes</u>
Becky Ploucha	<u>yes</u>
Gary Skeene	<u>yes</u>

First Reading

2-23-2021

Second Reading

Third Reading

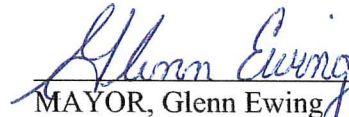
Adopted:

2-23-2021

Date

ATTEST:


CLERK OF COUNCIL, Theresa Leigh


MAYOR, Glenn Ewing

Approved as to form:



SOLICITOR, Scott Sollmann

CERTIFICATION

I, Greg Roberts, as Village Administrator of the Village of New Richmond, Ohio, hereby certify that a true and exact copy of Ordinance No. 2021-03 was passed by the Council of the Village of New Richmond, Ohio, at its regular meeting held on the 23rd day of February, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Village of New Richmond, Clermont County, Ohio on this 23rd day of February, 2021.


Greg Roberts, Village Administrator



ARONOFF
ROSEN &
HUNT, LPA
Established 1928

Stanley J. Aronoff
Stephen R. Hunt
Richard A. Paolo
Tina M. Donnelly
Kevin L. Swick
Edward P. Akin
Edmonde P. DeGregorio
Stanton H. Vollman
Daniel A. Perry

rapaolo@arh-law.com

February 4, 2021

VIA HAND DELIVERY

FOUNDERS:

Irwin I. Aronoff (1905-1987)
Irving H. Rosen (1928-2016)

Mr. Greg Roberts
Village Administrator
Village of New Richmond
102 Willow Street
New Richmond, Ohio 45157

**RE: Annexation 62.8313 Acres of Land from Ohio Township
to the Village of New Richmond (The Grever Property
Annexation)**

Dear Mr. Roberts:

Enclosed please find The Grever Property Annexation Petition to The Board of County Commissioners in accordance with Ohio Revised Code Section 709.023. Attached to the Petition is a legal description of the area to be annexed, together with an accurate plat of the territory. Further, I have enclosed the Statement of Agent for Petitioners as well as a listing of all parcels proposed for annexation, which listing shows the parcels adjacent to the territory proposed for annexation (or directly across the street from such territory).

Copies of the Petition and attachments are being served upon the Village of New Richmond, to which the property is proposed to be annexed, and Ohio Township, from which the property is to be detached.

Sincerely yours,

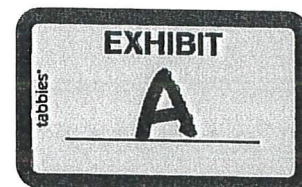
ARONOFF, ROSEN & HUNT, LPA

Richard A. Paolo, Agent for Petitioners

RAP:kb

cc: Stephen R. Hunt, Esq.

2/4/21\RMWP\KBuglione_Letters\SRH\HPA\New Richmond Annexation\Village of New Richmond.docx



**PETITION FOR ANNEXATION OF
CERTAIN TERRITORY INTO THE VILLAGE OF NEW RICHMOND**

January 19, 2021

TO: The Commissioners of Clermont County, Ohio:

The undersigned being all of the owners of the real estate in the territory located in the County of Clermont, Ohio Township and adjacent to the Village of New Richmond, as such territory is described upon "Exhibit A" attached hereto and made a part hereof, hereby petition for annexation of this territory to the Village of New Richmond, Ohio, all in accordance with Ohio Revised Code Section 709.023, to-wit:

See "Exhibit A" for territory to be annexed, commonly known as the "Grever Property Annexation".

The territory to be annexed is further delineated upon the Plat attached hereto marked as "Exhibit B" and by reference incorporated herein.

Stephen R. Hunt or Richard A. Paolo, Attorneys at Law, 2200 U.S. Bank Tower, 425 Walnut Street, Cincinnati, Ohio 45202, either one of them acting alone, is hereby appointed agent for the undersigned Petitioner in accordance with Ohio Revised Code Section 709.02. Said agent is hereby authorized to make any amendment or deletion to the within Petition, legal description, and Plat which, in his absolute and complete discretion, he deems necessary or proper under the circumstances then existing and, in particular, to make any amendments in order to correct any discrepancy or mistake noted by the County Engineer in his examination of the Petition, legal description, or Plat.

NOTICE TO PETITIONER. Your signature below is important and requests annexation of your property to the Village of New Richmond.

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.

NAME/MAILING ADDRESS	ADDRESS OF PROPERTY	LOT NO. OR ACREAGE	AUDITOR'S BOOK, PAGE & PARCEL #
Mary H. Grever 1260 US 52 New Richmond, OH 45157	Bethel New Richmond Road	62.8313 Acres	242708G053

TOTAL ACREAGE TO BE ANNEXED: 62.8313 Acres per Annexation Plat

EXCLUSIVE OF RIGHT OF WAY:

SIGNATURE PAGE
TO PETITION FOR ANNEXATION OF
CERTAIN TERRITORY INTO THE VILLAGE OF NEW RICHMOND

Mary H. Grever
Mary H. Grever

Date: 1/12/2021

Mark Grever
Mark Grever

Date: 1/12/2021

DOWER INTEREST ONLY

EXHIBIT "A"

Date: December 16, 2020
Description: 62.8313 Acres to be
Annexed to the Village of New Richmond.
Location: Village of New Richmond
Clermont County, Ohio



Situated in the State of Ohio, David Stephenson's Military Survey #722, Ohio Township, Village of New Richmond, Clermont County and being all the lands of Mary H. Grever (28.4258 Ac.) as recorded in Official Record 1324, Page 1303 and all of the lands of Mary H. Grever (34.4166 Ac.) as recorded in Official Record 1400, Page 1409 of the Clermont County, Ohio Recorder's Office and being further described as follows:

Beginning at found railroad spike at the northwest corner of Lot #1 of Grandview Subdivision as recorded in Plat Cabinet J, Page 48 of the Clermont County, Ohio Recorder's Office and being on the northeast corner of the lands of Kenneth R. and Pamela R. Frasure (1.81 Ac.) as recorded in Official Record 712, Page 760 of the Clermont County, Ohio Recorder's Office and being on the centerline of Bethel-New Richmond Road and the southerly boundary of the lands of Gregory C. Wahl (40.9755 Ac.) as recorded in Official Record 2637, Page 1918 of the Clermont County, Ohio Recorder's Office; thence leaving the easterly boundary of said Kenneth Frasure (1.81 Ac.) and with the centerline of said Bethel-New Richmond Road and the southerly boundary of said lands of Gregory C. Wahl (40.9755 Ac.), North 83° 59' 23" West, 381.33 feet to set Magnail on the southeast corner of said lands of Mary H. Grever (28.4258 Ac.) and being the True Point of Beginning;

thence, continuing with the centerline of said Bethel-New Richmond Road for the following two courses:

- 1) North 83° 59' 23" West, 454.21 feet to a set Magnail;
- 2) North 74° 33' 07" West, 71.30 feet to a set Magnail on the southeast corner of the lands of Greg and Ann M. Feldkamp (0.597 Ac.) as recorded in Official Record 2666, Page 1856 of the Clermont County, Ohio Recorder's Office;

thence, leaving the centerline of said Bethel-New Richmond Road and with the easterly boundary extended of said lands of Greg and Ann M. Feldkamp (0.597 Ac.) and the easterly boundary of the lands of Paul E. Leibold, Tr. (5.00 Ac.) as recorded in Deed Book 484, Page 317 and the easterly boundary of the lands of Joseph L. Bernardin (3.35 Ac.) as recorded in Deed Book 544, Page 269 and the easterly boundary of the lands of Ryan P. and Sarah E. Adams (5.162 Ac.) as recorded in Official record 2723, Page 2 and the easterly boundary of the lands of Andrew D. and Laurie A. Messner (5.00 Ac.) as recorded in Official Record 1735, Page 284 and with the easterly boundary of the lands of Linda A. Buehler (2.50 Ac.) as recorded in Official Record 1251, Page 2305 and with the easterly boundary of the lands of Kevin P. and Kathleen J. Reid (2.3809 Ac.) as recorded in Official Record 1829, Page 738 and with the easterly boundary of the lands of Arron E. and Lesta E. Blasky (4.924 Ac.) as recorded in Official Record 573, Page 312 of the Clermont County, Ohio Recorder's Office, North 10° 21' 07" West, (passing a found 5/8" iron pin capped "Nichols" at 22.57 feet and a found 1" iron pipe at 264.73 feet (0.51 feet West) and a found 1" iron pipe at 1117.45 feet and a found 1" iron pipe at 1333.25 feet (0.40 feet West) and a 1/2" iron pin at 1934.60 feet

6900 Tylersville Road, Suite A
Mason, OH 45040
513-336-6600

110 South College Ave, Suite 101
Oxford, OH 45056
513-523-4270

1404 Race Street, Suite 204
Cincinnati, OH 45202
513-834-6151

209 Grandview Drive
Fort Mitchell, KY 41017
859-261-1113

<http://www.bayerbecker.com>

(0.18 feet West) and a found 1/2" iron pin at 2135.03 feet), 2429.74 feet to a found wooden post at the southwest corner of the lands of John Edward Coyne (51.700 Ac.) as recorded in Deed Book 477, Page 25 of the Clermont County, Ohio Recorder's Office;

thence, leaving the easterly boundary of said lands of Arron E. and Lesta E. Blasky (4.924 Ac.) and with the southerly boundary of said lands of John Edward Coyne (51.700 Ac.) for the following six courses:

- 1) North 88° 18' 53" East, 1263.90 feet to a set 5/8" iron pin;
- 2) North 04° 19' 07" West, 214.50 feet and being witnessed by a found 5/8" iron pin (capped "Nichols", disturbed, North 66° 05' 59" East, 1.58 feet);
- 3) North 16° 49' 07" West, 135.96 feet to a set 5/8" iron pin;
- 4) North 21° 37' 53" East, 211.86 feet and being witnessed by a found 5/8" iron pin capped "Nichols", disturbed, North 84° 42' 08" East, 0.83 feet);
- 5) North 03° 45' 36" East, 196.80 feet to a found 5/8" iron pin (capped "Nichols");
- 6) South 83° 07' 22" East, 390.77 feet to a found 5/8" iron pin (capped "Nichols") on the southwest corner of the lands of Laura R. Jones (15.682 Ac.) as recorded in Official Record 2147, Page 235 of the Clermont County, Ohio Recorder's Office;

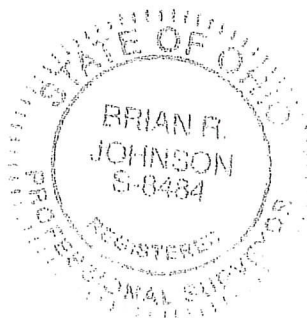
thence, leaving the southerly boundary of said lands of John Edward Coyne (51.700 Ac.) and with the southerly boundary of said lands of Laura R. Jones (15.682 Ac.), South 75° 14' 46" East, 267.96 feet to a found stone on the northwest corner of the lands of Christopher J. and Mina Santorsola-Lockey (10.0166 Ac.) as recorded in Official Record 2587, Page 288 of the Clermont County, Ohio Recorder's Office;

thence, leaving the southerly boundary of said lands of Laura R. Jones (15.682 Ac.) and with the westerly boundary of said lands of Christopher J. and Mina Santorsola-Lockey (10.0166 Ac.), South 01° 01' 16" West, 1441.71 feet to a found 5/8" iron pin (capped "Nichols") on the northeast corner of said lands of Gregory C. Wahl (40.9755 Ac.);

thence, leaving the westerly boundary of said lands of Christopher J. and Mina Santorsola-Lockey (10.0166 Ac.) and with the northerly boundary of said lands of Gregory C. Wahl (40.9755 Ac.) for the following two courses:

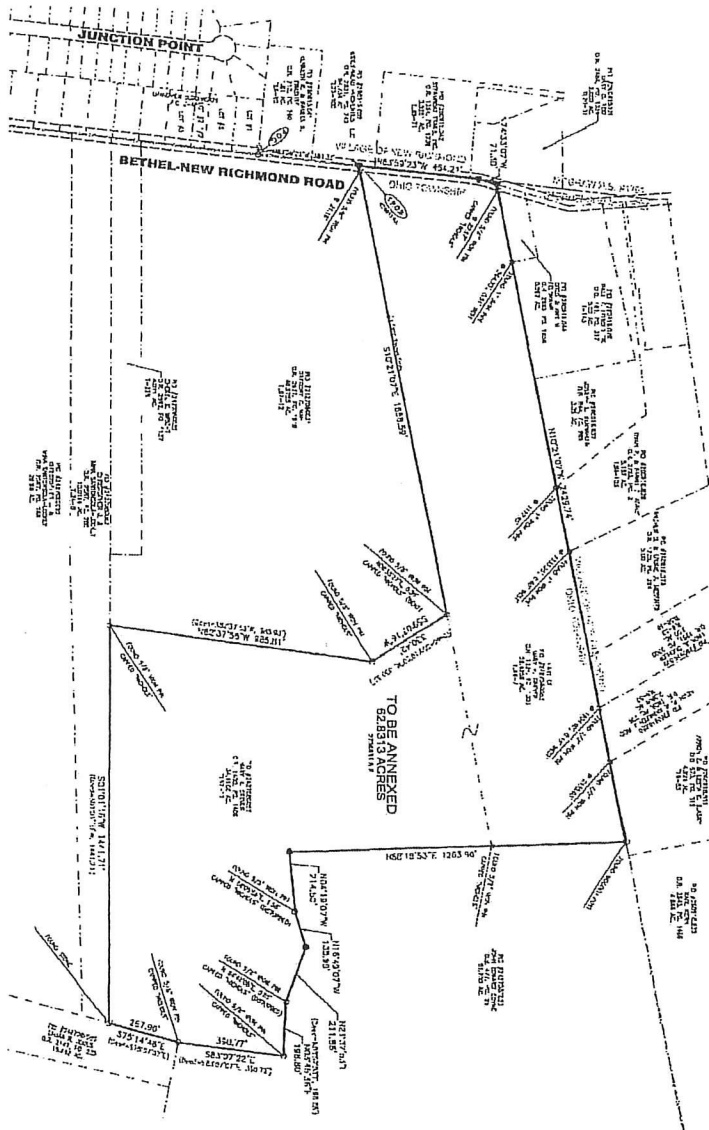
- 1) North 82° 37' 56" West, 985.81 feet to a found 5/8" iron pin (capped "Nichols");
- 2) South 59° 07' 16" West, 330.42 feet to the northwest corner of said lands of Gregory C. Wahl (40.9755 Ac.) and being witnessed by a found 5/8" iron pin (capped "Nichols", disturbed, North 06° 35' 27" East, 0.36 feet);

thence, leaving the northerly boundary of said lands of Gregory C. Wahl (40.9755 Ac.) and with the westerly boundary of said lands of Gregory C. Wahl (40.9755 Ac.), South 10° 21' 07" East, 1658.59 feet to the **True Point of Beginning**, containing 2,736,931 square feet or 62.8313 acres of land, more or less, and being subject to all easements, legal highways, restrictions and rights-of-way of record.



B. Johnson
12/10/2020

Ref: 254.165 Encl. 400 370.497

[illegible]

● Full R/A* Available at 50° Latq and 17h
 (Forced "Sun" setting)

- ☐ A. Not likely
- ☐ B. Likely
- ☐ C. Not likely
- ☐ D. Likely

WILCOE COUNCIL
HERBERT COUNTRY ON THE _____ DAY OF _____, 2010 THIS
AGREEMENT WAS ACCEPTED BY ORDINANCE NO. _____
ADOPTED BY THE COUNCIL OF THE TOWN OF BETHLEHEM IN OHIO
COUNCIL

ATTENAT: CLAY

INVESTIGABLE IN THE BEST OF MY RESEARCHING, NEGOTIATING
AND CONSULTING, I HAVE DETERMINED THAT THE CORRECT
REPLY OF ALL OF THE ABOVE IS MADE UNDER MY SIGNATURE AND
THAT IT AND THE INFORMATION CONTAINED THEREIN ARE TRUTHFUL AND
SHOWN TO BE CORRECT BY MY CALCULATIONS WITH THE TENSILE
STRENGTHING OF BOWLING BALLS IN THE STATE OF OHIO.

George F. [Signature] DATE 12/16/2020

DRIVEN IN, JOHNSON DATE
INTERMEDIATE FUNCTION 1988

STATE OF OHIO



LEGAL DESCRIPTION - 62.8313 ACRES

THESE FINDINGS, CONTINGENT WITH THE ESTABLISHED, NEW/OLD/ADULT HYPOTHESES, PROVIDE SUPPORT FOR THE RELATIONS BETWEEN THE TWO CONSTRUCTS.



**62.8313 ACRES TO BE ANNEXED TO
THE VILLAGE OF NEW RICHMOND**
DAVID STEPHENSON'S MILITARY SURVEY NO. 722
OHIO TOWNSHIP
CLERMONT COUNTY
OHIO

ANNEXATION PLAT

**bayer
becker**
www.bayerbecker.com
6002 Tyler's Ridge Road, Suite A
Mason, OH 45130 • 513.358.6600

**STATEMENT BY AGENT OF TERRITORY SOUGHT TO BE ANNEXED
TO THE VILLAGE OF NEW RICHMOND, OHIO**

POPULAR NAME OF TERRITORY: **Grever Property Annexation**
62.8313 Acres, Ohio Township

AGENT'S NAME: Richard A. Paolo, Esq. and Stephen R. Hunt, Esq.

ADDRESS: 2200 U.S. Bank Tower
425 Walnut Street
Cincinnati, Ohio 45202-3954
(513) 241-0400

LOT # OR ACREAGE	NAMES OF ALL OWNERS OF REAL ESTATE AS THEY APPEAR ON DEED	OWNER'S ADDRESS	SIGNED PETITION ?
			MARK YES OR NO
242708G053 62.8313 Acres	Mary H. Grever	1260 US 52 New Richmond, OH 45157	Yes

1. Number of owners of real estate in territory 1
2. Number of owners of real estate signing petition 1
3. Percent of signatures to total number of owners
 of real estate 100%

IN RE: PETITION FOR ANNEXATION OF THE GREVER PROPERTY

Listing of all parcels in territory proposed for all annexation:

PETITIONER'S NAME	MAILING ADDRESS	PERMANENT PARCEL NO.
Mary H. Grever	1260 US 52 New Richmond, OH 45157	242708G053

Listing of parcels located adjacent to the territory (or directly across from it when road is adjacent to territory, proposed for annexation):

ADJACENT OWNER'S NAMES	MAILING ADDRESS	PERMANENT PARCEL NO.
Kenneth Frasure II and Pamela R. Frasure	1560 Bethel New Richmond Road, Lot 55 New Richmond, Ohio 45157	260915.041
Widespread Properties LLC	2059 Buckler Road New Richmond, Ohio 45157	260915.002
Steamboat Trails Inc.	1221 Bethel New Richmond Road New Richmond, Ohio 45157	260915.042
Mary C. Reid	1209 Bethel New Richmond Road New Richmond, OH 45157	260915.001
Greg and Ann M. Feldkamp	1208 Bethel New Richmond Road New Richmond, OH 45157	260916.044
Joseph L. Bernardin c/o St. Peters Church	1192 Bethel New Richmond Road New Richmond, OH 45157	260916.837
Paul F. Leibold, Trustee	St. Peter Congregation 1192 Bethel New Richmond Road New Richmond, OH 45157	260916.079
Ryan P. and Sarah E. Adams	2426 Country Place New Richmond, Ohio 45157	260916.838
Andrew D. and Laurie A. Messner	2448 Country Place New Richmond, Ohio 45157	260916.076
Linda A. Buehler	2462 Country Place New Richmond, Ohio 45157	260916.849
Kevin P. and Kathleen J. Reid	2470 Country Place New Richmond, Ohio 45157	260916.850
Aaron E. and Lesta E. Blasky	2476 Country Place New Richmond, Ohio 45157	260916.851
Karl Kern	2486 Country Place New Richmond, Ohio 45157	260916.839

John Edward Coyne	1217 Twelve Mile Road New Richmond, Ohio 45157	242708F023
Laura R. Jones	1292 Bethel New Richmond Road New Richmond, Ohio 45157	242708G033 242708F096
Gregory C. Wahl	1240 Bethel New Richmond Road New Richmond, Ohio 45157	242708G031
Christopher J. Lockey and Mina Santorsola-Lockey	1290 Bethel New Richmond Road New Richmond, Ohio 45157	242708G052 242708G050
Cheryl K. Wright	23 Carolida Way Newland, NC 28657	242708G032