

TEMPORARY ORDINANCE NO. 5-25

PERMANENT ORDINANCE NO. 5-25

AN ORDINANCE TO ACCEPT A PETITION FOR THE ANNEXATION OF 5.08 +/- ACRES IN PLEASANT TOWNSHIP, TO CONSENT TO ANNEXATION, AND TO DECLARE AN EMERGENCY

WHEREAS, pursuant to Ohio Revised Code ("ORC") Sections 709.021 and 709.023, on December 31, 2024, the City of Lancaster was served with Petitioner's Expedited Type II Petition for Annexation of 5.08 +/- acres from Pleasant Township to the City of Lancaster; and

WHEREAS, Petitioner and the City have negotiated a Pre-Annexation Agreement which authorizes the City to receive and approve zoning and other development plans, subject to final acceptance of the annexation; and

WHEREAS, the City wishes to accept the Petition for Annexation and consent to the annexation pursuant to ORC Section 709.023(D); now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. That the City of Lancaster hereby accepts the Petition for Expedited Type II Annexation of 5.08 +/- acres herein described in Exhibit 1, and consents to the annexation thereof.

SECTION 2. That the City Law Director is hereby authorized to proceed with annexation proceedings on behalf of the City for the 5.08 +/- acres described in Exhibit 1, as an Expedited Type II annexation pursuant to ORC Sections 709.021 and 709.023.

SECTION 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the Municipality and its inhabitants and for the further reason that this ordinance is necessary to further economic development within the City; wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: 1/27/25 after 1 reading. Vote: Yeas 10 Nays 0

Approved: January 27, 2025

Clerk: [Signature]
President of Council
Jon G. Mulvanil
Mayor

Offered by: Mayra Hoop

Second by: Michael Wiggins

Requested by Economic Development Committee

I, Anitra Scott, Clerk of Council do hereby certify that on _____, 2025 the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council



**EXPEDITED TYPE H PETITION FOR ANNEXATION
(PURSUANT TO R.C. SECTION 709.023)
TO THE CITY OF LANCASTER
OF 5.08 ACRES
FROM THE TOWNSHIP OF PLEASANT**

DEC 23 2024

[Handwritten signature]

*TO THE BOARD OF COUNTY COMMISSIONERS
OF FAIRFIELD COUNTY, OHIO:*

The undersigned, being ALL OF THE OWNERS OF REAL ESTATE in the territory hereinafter described in Exhibit "A", consisting of + 5.08 acres, more or less, located in the Township of Pleasant, Fairfield County, Ohio, which area is contiguous along 1,111.89 feet or 51.4% and adjacent to the City of Lancaster do hereby respectfully petition the Board of Fairfield County Commissioners that said territory be annexed to the City of Lancaster according to the statutes of the State of Ohio, and specifically the expedited procedure specified in Ohio Revised Code Section 709.023.

The number of owners within the area is one (1).

1. Attached to this petition and made part hereof is a full legal description of the area to be annexed, marked as Exhibit "A".
2. Attached to this petition and made part hereof is an accurate map of the area to be annexed, marked as Exhibit "B".
3. Attached to this petition and made part hereof is a list of parcels in the area to be annexed and adjacent territory that includes the name of the owner, mailing address of owner and permanent parcel number, marked as Exhibit "C".

The undersigned petitioners do hereby designate David Hodge, Esq., Aaron Underhill, Esq., and Eric Zartman, Esq. attorneys, as their agents ("Agents") as required by Revised Code Section 709.02(C)(3), with full power and authority hereby granted to each said Agent individually to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase or delete the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this petition. Agents' contact information is as follows: Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054; Phone: (614) 335-9320, Fax: (614) 335-9329; and e-mail eric@uhlfirm.com.

WHOMEVER 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 SAID SPECIAL ANNEXATION PROCEDURE.

Petition signatures on following counterpart pages]

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PETITIONER:
BLUE LABEL PACKAGING COMPANY
3750 LANCASTER-NEW LEXINGTON RD NE
LANCASTER OH 43130
PID: 0270063600, 0270060800, 0270061100

Andrew M. Boyd

Date: November 13, 2024

Name

Title



DEC 23 2024

R. M. ...

DESCRIPTION OF 5.08 ACRES
FOR ANNEXATION FROM THE TOWNSHIP OF PLEASANT
INTO THE CITY OF LANCASTER
02/01/2024
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Situated in the State of Ohio, County of Fairfield, Township of Pleasant, Section 34, Township 15, Range 18, Congress Lands, being a portion of those tracts conveyed to Blue Label Packaging Company, by Instrument Numbers 202300006535, and 202300006337 (Auditor's Parcel Nos. 0270061100, 0270060800, 0270063b00), references being of the Fairfield County ReCorder's Office, and described as follows:

Beginning at the southeast corner of said Blue Label Packaging Company Property (Auditor's Parcel No. 0270061100), the same being the southwest corner of property conveyed to Blue Label Packaging Company by Deed Volume 621, Page 803 (Auditor's Parcel No. 0535011982), being in the common line with Post Consumer Brands, LLC in Instrument Number 202100016608 (Auditors Parcel No. 0525000310), said corner being in the centerline of Lancaster — New Lexington Rd. (S.R.37), and being in an existing corporation line for the City of Lancaster as recorded in Official Record 1333 Page 3397 (Ord. #53-03) and Plat Book 9 Page 3Z (Ord. #27-66), of said Fairfield County Recorder's Office, said corner also being the True Point of Beginning;

Thence, with the common fine of said Post Consumer Brands property and said Blue Label Packaging Company property, and along said centerline and existing corporation line, the following two (2) courses:

North 90 degrees 00 minutes 00 seconds West, 180.67 feet to a point in said centerline of State Route 37,

North 89 **degrees 29** minutes 57 seconds West, 430.98 feet to a point being on the southern line of said Blue Label Packaging Company property (Auditors Parcel No. 0270063600) and in the centerline of State Route 37;

Thence, through said Blue Label Packaging Company property (Auditor's Parcel No. 0270063600, North 00 **degrees 30** minutes 03 seconds East, 30.00 feet to a point being on the intersection of the existing S.R. 37 and US. 22 Right-Of-Way;

Thence, through said Blue Label Packaging Company (Auditor's Parcel Nos. 0270061100, 0270060800, 0270063600) property, and along US 22 Right-of-Way line per ODOT Plan FAI-22-16.42 Dated 19y1, the following five (5) courses:

North 70 degrees 15 minutes 27 seconds West, 147.55 feet to a point;

North 40 degrees 59 minutes 45 seconds East, 49.24 feet to a point;

North 62 degrees 03 minutes 49 seconds East, 395.65 feet to a point.

North 00 degrees 25 minutes 23 seconds East, 16.79 feet to a point;

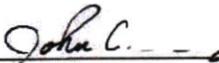
North 64 degrees 30 minutes 54 seconds East, 412.06 feet to a point, being on

the east line of said Blue Label Packaging Company (Auditor's Parcel No. 02700611D0) property and the west line of said Blue Label Packaging Company (Auditor's Parcel No. 0535011982) property, also being a corner for said existing corporation line;

DESCRIPTION OF 5.08 ACRES
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Thence, with the common line of said Blue Label Packaging Company (Auditors Parcel No. 0270061100) property, and said Blue Label Packaging Company (Auditor's Parcel No. 0535011982) property, and long said existing corporation line, South 00 degrees 25 minutes 23 seconds West, 500.24 feet to the True Point of Beginning containing 5.08 acres, more or less.

Subject to all, legal, easements, right-of-ways, conditions and restrictions. This description is based on existing Auditor's and Recorder's, Fairfield County, Ohio, record information and is to be used for annexation purposes only.



John C. Dodgion, P.S. 8069



PETITIONER:

BLUE LABEL PACKAGING
COMPANY
3750 LANCASTER-NEW
LEXINGTON RD NE
LANCASTER OH 43130

ATTORNEY:

DAVID HODGE
UNDERHILL & HODGE LLC
8000 WALTON PARKWAY,
SUITE 260
NEW ALBANY, OH 43054

**SURROUNDING PROPERTY
OWNERS:**

CROUSE MOLLY J
3500 CINCINNATI ZANESVILLE
RD
LANCASTER OH 43130
PID: 0270063500

BLUE LABEL PACKAGING
COMPANY
3750 LANCASTER-NEW
LEXINGTON RD NE
LANCASTER OH 43130
PID:
0535011982,0270061000

THE REFUGE INC
PO BOX 163173
COLUMBUS OH 43216 3173
PID: 0270061200

3775 LANCASTER NEW LEXINGTON
ROAD LLC
1062 E LANCASTER AVE STE 30B
BRYN MAWR PA 19010
PID: 0535000310, 0535000300

BEERY DAVID R
4465 LANCASTER-NEW
LEXINGTON RD SE
LANCASTER OH 43130
PID: 0270060900