

RECORD OF ORDINANCES

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BEAR GRAPHICS 800-325-8094 FORM NO. 30043

ORDINANCE CM – 21- 03

Ordinance No. _____ Passed March 9, 2021

ORDINANCE TO ACCEPT THE APPLICATION FOR THE ANNEXATION OF CERTAIN TERRITORY CONATINING 95.879 ACRES, MORE OR LESS, IN UNION TOWNSHIP, TO THE MUNICIPALITY OF WEST MILTON, OHIO

WHEREAS, a petition for the annexation of certain property in Union Township was duly filed on November 2nd, 2020; and

WHEREAS, Council has previously adopted legislation regarding municipal services, buffering requirements with this parcel, and consent, and

WHEREAS, the Board of County Commissioners of Miami County, Ohio has approved the annexation of said territory to the Municipality of West Milton, as hereinafter described, and

WHEREAS, the Board of County Commissioners of Miami County, Ohio certified the transcript of the proceedings in connection with said annexation with the map and petition required in connection therewith the Clerk of Council who received same on November 5th, 2020, and

WHEREAS, at least sixty (60) days from the date of said filing have now elapsed in accordance with the provisions of the Ohio Revised Code,

NOW THEREFORE, BE IT ORDAINED by the Council of the Municipality of West Milton, Ohio that:

SECTION I: The proposed annexation as applied for in the Petition for Annexation of Bennett Herron, Agent for Petitioners, filed November 2nd, 2020, and approved for annexation to the Municipality of West Milton, Ohio by the Board of County Commissioners on November 5th, 2020, is hereby accepted. The territory to be annexed is described as follows:

SEE "EXHIBIT A" ATTACHED HERETO AND MADE A PART HEREOF.

The territory described on the attached "Exhibit A" is adjacent and contiguous with the Municipality of West Milton, Ohio. The certified transcript of the proceedings for annexation, with an accurate map of the territory, together with the petition for annexation and other papers relating to the proceedings of the County Commissioners, are on file with the Clerk of the Council of the Municipality of West Milton, and have been for more than sixty days.

SECTION II: That the Clerk of Council is directed to make three (3) copies of this Resolution to each of which shall be attached a copy of the map accompanying the Petition for Annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof. The Clerk of Council shall then forthwith deliver one copy to the Miami County Auditor, one copy to the Miami County Recorder and one copy to the Secretary of State, and shall file notice of this annexation with the Board of Elections within thirty (30) days after it becomes effective, and the Clerk shall do all other things required by law.

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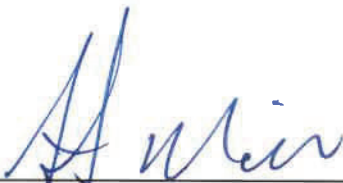
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Ordinance No. Ord. CM-21-03 Passed March 9, 2021

SECTION III: This Ordinance shall take effect and be in force from and after its passage

Passed this 9th day of March, 2021.


Anthony Miller, Mayor

ATTEST:


Linda L. Cantrell, CAP/OM
Clerk of Council

APPROVED AS TO FORM:



Lenée M. Brosh
Law Director

Exhibit A

LEGAL DESCRIPTION

ANNEXATION OF 95.879 ACRES TO THE VILLAGE OF WEST MILTON, OHIO

SITUATE IN THE SOUTHEAST QUARTER OF SECTION 16, TOWN 6, RANGE 5 EAST, UNION TOWNSHIP, MIAMI COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Beginning at a railroad spike found at the southeast corner of the southeast quarter of Section 16 and the northeast corner of the northeast quarter of Section 21 and being at the intersection of centerline of State Route 571 and the centerline of Iddings Road;

thence, South $89^{\circ}-52'-12''$ West, 2495.83 feet, partly along the centerline of State Route 571 and along the south line of said Section 16 to an iron pin with cap set at the southeast corner of a tract of land owned by Benjamin M. and Rebecca A. Garrett as described in Official Record 320, Page 415 and the southwest corner of a tract of land owned by Stillwater Ridge Properties, LLC, as described in Deed Book 710, Page 677;

thence, North $01^{\circ}-08'-41''$ East, 889.00 feet, along the east line of said Garrett tract and it's extension to a point on the easterly line of a tract of land owned by Richard A. and Eugenie Markley as described in 2015OR-05980, witness a metal post found North $01^{\circ}-08'-41''$ East, 0.79 feet from said corner;

thence, South $89^{\circ}-27'-06''$ West, 156.36 feet, along the easterly line of said Markley tract to an iron pin found;

thence, North $02^{\circ}-19'-34''$ West, 404.84 feet, along the east line of said Markley tract to an iron pin found at the northeast corner of same and being on the south line of a tract of land owned by Dos Pacos LLC as described in 2020OR-04635;

thence, North $88^{\circ}-30'-15''$ East, 1.03 feet, along the south line of said Dos Pacos LLC tract to an iron pin with cap set at the southeast corner of said Dos Pacos LLC tract and being on the west line of the said southeast quarter of Section 16;

thence, North $00^{\circ}-12'-05''$ West, 350.11 feet, along the east line of said Dos Pacos LLC tract to a point at the northwest corner of said Stillwater Ridge Properties tract and being the southwest corner of a tract of land owned by Robert E. Schilling(TOD) Robert E. Schilling, JR. and Linda L. Baker as described in Official Record 2012OR-09203, witness a wood post found North $89^{\circ}-45'-11''$ West, 2.67 feet from said corner;

thence, South $89^{\circ}-45'-11''$ East, 2649.94 feet, along the south line of said Schilling tract to a railroad spike found on the centerline of Iddings Road and being on the east line of said southeast quarter of Section 16, passing for reference an iron pin with cap set at 2619.94 feet;

thence, South 00°-02'-24" East, 1330.48 feet, along the centerline of Iddings Road to a Mag Nail set on the northeast corner of a Vectren Energy Delivery of Ohio, Inc. tract as described in 2016OR-16195;

thence, South 89°-57'-04" West, 80.00 feet, along the north line of said Vectren Energy Delivery of Ohio, Inc. tract to an iron pin with cap set;

thence, South 00°-02'-24" East, 50.00 feet, to an iron pin with cap set on the north line of a tract of land owned by Joseph L. & Diane M. Belmaggio as described in in Official Record 148, Page 577;

thence, North 89°-57'-04" East, 80.00 feet, along the south line of said Vectren Energy Delivery of Ohio, Inc. tract to a Mag Nail set in the centerline of Iddings Road and the east line of Section 16;

thence, South 00°-02'-24" East, 244.41 feet, along the centerline of Iddings Road and the east line of Section 16 to the place of beginning.

Containing 95.879 acres more or less and all being subject to any legal highways and easements of record.

The bearings are based on NAD 83 CORS 2011 adjustment, Ohio South Zone, ODOT VRS CORS Network.

The above description was prepared by Allen J. Bertke, Ohio Professional Surveyor Number 8629, based on a field survey performed under his direct supervision and dated October 21, 2020.

Allen J. Bertke
Allen J. Bertke, PS #8629



10-26-2020
Date

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BEAR GRAPHICS 800-325-8094 FORM NO. 30043

RESOLUTION CM-21-04

Ordinance No. _____

Passed

March 9, 2021

A RESOLUTION AUTHORIZING THE MUNICIPALITY OF WEST MILTON TO PARTNER WITH A CONTRACTOR TO ACCESS FIBER OPTICS FROM WEST MILTON'S POINT OF PRESENCE, ALSO KNOWN AS "POP" AND RUN FIBER FROM THE POP EASTBOUND TO STILLWATER CROSSINGS SUBDIVISION.

WHEREAS, The Municipality of West Milton recognized the need to run fiber optic cable as a utility; and

WHEREAS, AECOM Technical Services, 1178 Paysphere Circle, Chicago, IL agreed to partner with the Municipality of West Milton to connect to our POP and run new fiber optic cable from the intersection of W. Hayes Street and Jay Street east to the Stillwater Crossings subdivision; and

WHEREAS, AECOM agreed to incur all of the construction costs should the Municipality agree to paying the project engineering costs; and

WHEREAS, the cost of this project did not exceed the amount which would be required for sealed bid.

NOW THEREFORE, Be it resolved by the Council of the Municipality of West Milton, Ohio that:

SECTION I: The Municipal Manager is hereby authorized and directed to authorize payment to AECOM Technical Services for project engineering costs in the amount of \$20288.00.

SECTION II: This Resolution shall take effect and be in full force from and after its passage.

Passed this 9th day of March 2020

Anthony Miller
Anthony Miller, Mayor

ATTEST:

Linda L. Cantrell
Linda L. Cantrell, CAP/OM
Clerk of Council

APPROVED AS TO FORM:

Lenee M. Brosh
Lenee' Brosh
Law Director

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BEAR GRAPHICS 800-325-8094 FORM NO. 30043

RESOLUTION CM-21-06

Ordinance No. _____

Passed

March 9, 2021

A RESOLUTION AUTHORIZING THE PURCHASE OF A VEHICLE FOR THE WEST MILTON PUBLIC WORKS DIVISION

WHEREAS, the Municipality's 2021 budget includes \$38,000 for the purchase of a new service truck for the current calendar year and funds have been duly appropriated; and

WHEREAS, the Administration has reviewed and determined that the State of Ohio Cooperative Purchasing Program (Matching) offers the most advantageous option for the desired truck through the supplier Bob Moore Ford of Oklahoma City Oklahoma; and

WHEREAS, the sale price of this truck matches the State of Ohio Cooperative Purchasing Program and follows the West Milton Codified Ordinance 33.18 Purchasing; and

WHEREAS, it is the opinion of the Manager that this action is in the best interest of the Municipality.

NOW THEREFORE, Be it resolved by the Council of the Municipality of West Milton, Ohio that:

SECTION I:

The Municipal Manager is hereby authorized and directed to purchase a model year 2021 Ford F250 in the amount of \$35,002 which includes shipment to West Milton from Bob Moore Ford 8948 S. I 35 Service Road Oklahoma City, Oklahoma, and to execute all documents and agreements necessary to complete the transaction of this purchase.

SECTION II:

This Resolution will take effect immediately upon passage.

Passed this

9th

day of

March

2021

Anthony Miller
Anthony Miller, Mayor

ATTEST:

Linda L. Cantrell

Linda L. Cantrell, CAP/OM
Clerk of Council

APPROVED AS TO FORM:

Leneé M. Brosh

Leneé M. Brosh
Law Director