

RESOLUTION ENTERING UPON THE JOURNAL THE EXPEDITED TYPE 2 PETITION FOR ANNEXATION OF CERTAIN TERRITORY IN THE TOWNSHIP OF ANDOVER TO THE VILLAGE OF ANDOVER, A TOTAL OF 119.611 ACRES OF LAND (VILLAGE OF ANDOVER 01-018-00-015-00 AND 01-018-00-016-00; ANDOVER COUNTRY MEADOWS, LLC 01-018-00-004-00; PYMATUNING AERIE 4035, FRATERNAL ORDER OF EAGLES, INC. PARCEL NO. 01-018-00-010-00 AND 01-018-00-013-00)

WHEREAS, On Wednesday, February 21, 2024, a petition for annexation pursuant to ORC 709.21(A) and 709.23(A) was filed with the Clerk of the Board in the offices of the Ashtabula County Commissioners; and

WHEREAS, properties seeking annexation are as follows: Village of Andover (Parcel No.'s 01-018-00-015-00 AND 01-018-00-016-00; Andover Country Meadows, LLC (Parcel No. 01-018-00-004-00: and Pymatuning Aerie 4035, Fraternal Order of Eagles, Inc. (Parcel No.'s 01-018-00-010-00 AND 01-018-00-013-00)

WHEREAS, Alfred E. Schrader, Attorney, Roderick Linton Belfance, LLP, 50 S. Main St., 10th Floor, Akron, OH 44308 has been appointed as agent for the properties currently situated in the Township of Andover; and

WHEREAS, The Board of Commissioners now comes to enter upon the record said petition; and

WHEREAS, the Board of Commissioners finds as follows:

- (A) The petition asks the Board to follow ORC 709.023 (Expedited Type 2 Annexation Petition);
- (B) The petition includes signatures of all property owners in the territory proposed to be annexed (ORC 709.02 (C) and 709.021 (B));
 - 1. Each signature includes a date it was obtained and no signature was obtained more than 180 days before petition was filed
 - 2. No owner who has signed the petition has been removed.
- (C) Petition includes an accurate legal description of the perimeter of the territory proposed to be annexed;
- (D) An accurate map or plat of territory is included;
- (E) Petition includes the name of Alfred E. Schrader, Attorney as Agent;
- (F) Petition includes statutory disclosure statement in bold face, capital letters regarding waiver of appeal rights in ORC 709.023(A);
- (G) Territory does not exceed 500 acres and shares a contiguous boundary with municipality for a continuous length of at least 5% of the perimeter;
- (H) Annexation will not create an unincorporated area completely surrounded by territory to be annexed;

WHEREAS, other information that must be filed with the petition but is not part of the petition, includes:

- (I) A list of all tracts, lots, or parcels in the territory to be annexed, and all tracts, lots, or parcels located adjacent to the territory to be annexed or directly across the road when the road is adjacent to the territory to be annexed that includes the owner name, owner mailing address and permanent parcel numbers;
- (J) Land is located in only one county;

WHEREAS, an Annexation Agreement dated November 27, 2023 by between the Village of Andover and Andover Country Meadows LLC and an Agreement by and between the Village of Andover and Andover Country Meadows, LLC and Pymatuning Aerie 4035, Fraternal Order of Eagles, Inc. were both received by the Clerk of the Board at the time the petition was filed; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that the annexation petition of territory located in the Township of Andover proposed to be annexed into the Village of Andover, as owned by the Village of Andover, Andover Country Meadows LLC, and Pymatuning Aerie 4035- Fraternal Order of Eagles and further described in the petition; is hereby entered upon the journal of the Ashtabula County Board of Commissioners, and as follows:

1. Agent to notify municipality, township and Board of Commissioners within 5 days after filing the petition, with proof of service to be filed with the Clerk of the Board of County Commissioners.
2. Andover Village to adopt an ordinance/resolution stating what services will be provided and an approximate date and an ordinance/resolution dealing with clearly incompatible land uses and zoning buffers if land proposed to be annexed is subject to county or township zoning (filed by Tuesday, March 12, 2024, within 20 days after the petition is filed).
3. Andover Village and Andover Township may adopt an ordinance or resolution consenting or objecting to the proposed annexation to be filed with Clerk of Board of County Commissioners by March 17, 2024, (within 25 days after the petition is filed).
4. If Andover Village and Andover Township consent to the proposed annexation or if no ordinance or resolution is submitted by March 17, 2024 (within 25 days after the petition is filed) it is presumed to be consent, the Ashtabula County Board of Commissioners shall at its next regular session enter upon its journal a resolution granting the proposed annexation.
5. If Andover Village and/or Andover Township object to the proposed annexation on the basis of the conditions specified in ORC 709.023 (E), the board must review the petition not less than 30 nor more than 45 days after February 21, 2024 (date the petition was filed) and determine if each of the conditions for expedited Type 2 Annexation has been met. If the board determines each condition has been met, it shall enter upon its journal a resolution granting the annexation. If the Board determines that one or more of the conditions have not been met, it shall enter upon its journal a resolution denying the petition and stating which of the conditions have not been met.

**ASHTABULA COUNTY COMMISSIONERS
CERTIFICATION PAGE**

Resolution No. 2024-131

February 27, 2024

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Upon the motion of J.P. Ducro IV, seconded by Casey R. Kozlowski.

VOTE:

**Kathryn L. Whittington
J.P. Ducro IV
Casey R. Kozlowski**

**Aye
Aye
Aye**

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution acted upon and duly passed by the Board of County Commissioners of Ashtabula County, Ohio, on the date noted above.



Lisa Hawkins, Clerk of the Board
Board of County Commissioners
Ashtabula County, Ohio