

EASTMAN & SMITH LTD.

ATTORNEYS AT LAW

Established 1844

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January 11, 2019

Via Certified Mail, Return Receipt Requested

Ms. Tarina Rose
Clerk of the Marion City Council
233 West Center Street
Marion, Ohio 43302

Re: Petition for Annexation of 444.561 Acres to the City of Marion, Ohio
Our File No: N1884-215432

Dear Madam:

This notice is given to you in your official capacity as Clerk of Marion City Council, Marion County, Ohio.

You are hereby advised that a Petition for an Expedited Type 2 Annexation under Revised Code Sections 709.021 and 709.023 has been filed with the Board of Commissioners of Marion County at approximately 3:30 p.m. on the 10th day of January, 2019, for the annexation of 444.561 acres in Marion Township to the city of Marion.

Attached hereto is a copy of the Petition and all attachments and documents filed with the petition.

Please contact me if you have any questions.

Very truly yours,

EASTMAN & SMITH LTD.



Brian P. Barger
Agent for the Petitioners

Enclosure

**PETITION FOR EXPEDITED TYPE 2 ANNEXATION
PURSUANT TO ORC§709.021 AND §709.023
OF 444.561 ACRES IN MARION TOWNSHIP
TO THE CITY OF MARION, OHIO
SUBMITTED TO THE
MARION COUNTY BOARD OF COMMISSIONERS**



The undersigned, being owners of the territory within the area hereinafter described consisting of 444.561 acres in Marion Township, Marion County, Ohio, adjacent and contiguous to the City of Marion, Ohio, do hereby respectfully submit this petition to the Marion County Board of Commissioners to request the annexation of the territory to the City of Marion, Ohio, under the special procedure provided for annexation in the Ohio Revised Code Sections 709.021 and 709.023 ("Petition").

1. Attached to this Petition, and made part hereof, is an accurate legal description of the perimeter of the territory proposed for annexation, marked as Exhibit A.
2. Attached to this Petition, and made part hereof, is an accurate map showing the boundaries of the territory proposed for annexation, marked as Exhibit B.
3. Attached to this Petition, and made part hereof, is a list of parcels in the territory proposed for annexation, marked as Exhibit C.
4. Attached to this Petition, and made part hereof, is a list of the parcels adjacent to the territory for annexation, marked as Exhibit D.

The undersigned petitioners hereby designate Brian P. Barger, attorney at law, who is located at 100 East Broad Street, Suite 2100, Columbus, Ohio 43215, as agent, as required by Section 709.02 of the Ohio Revised Code. The agent is hereby authorized to make any amendments and/or deletion that in his absolute and complete discretion is necessary or proper under the circumstances then existing, and in particular to make such amendment in order to correct any discrepancy or mistake noted by the Marion County Engineer in his examination of the plat or map and description attached to his petition, to the Board of Commissioners for Marion County, Ohio, on, before, or after the date set for hearing on this Petition. Further, the agent is authorized to make any amendment and/or deletion that in his absolute and complete discretion is necessary or proper under the circumstances then existing and do any and all things essential thereto and to take any action necessary for obtaining the granting of this petition, without further expressed consent of the petitioners. Further, the agent is authorized to withdraw this Petition on,

before, or after the date set for hearing on this Petition that action in his absolute and complete discretion is necessary to protect the interests of the sole owner of the territory described in Exhibit

A. The agent's contact information is as follows:

Brian P. Barger, Esq.
Eastman & Smith Ltd.
100 East Broad Street
Suite 2100
Columbus, Ohio 43215
bpbarger@eastmansmith.com

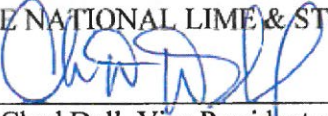
[SIGNATURE PAGES FOLLOW]

WAIVER OF RIGHT TO APPEAL

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.

THE NATIONAL LIME AND STONE COMPANY
aka THE NATIONAL LIME & STONE COMPANY

By: _____


Chad Doll, Vice President of
Corporate Relations and Development

Date: _____

12.20.18

WAIVER OF RIGHT TO APPEAL

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Jane Hamilton Ford

Jane Hamilton Ford, aka Jane H. Ford

Date: 12/20/18

JJH FARMS, LLC

By: Jane Hamilton Ford
Jane Hamilton Ford, Member

Date: 12/20/18

WAIVER OF RIGHT TO APPEAL

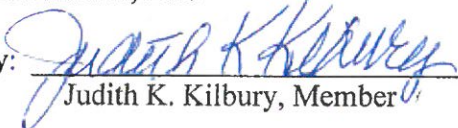
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Judith K. Kilbury

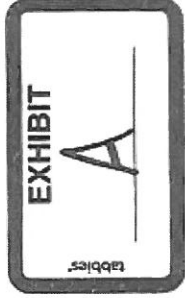
Date: 1-3-2019

JJH FARMS, LLC

By: 

Judith K. Kilbury, Member

Date: 1-3-2019



website: petermanaes.com
email: petermansw@aol.com

Phone: 419-422-6672
Fax: 419-422-9466

3480 N. Main St., Findlay, Ohio 45840

Job No. 18-0337

LEGAL DESCRIPTION
National Lime and Stone

444.561 Acres
Annexation Area

Situated in the Township of Marion, County of Marion, State of Ohio, and being a part of the NW1/4 of Section 2, a part of the NE1/4, NW1/4, SE1/4 and SW1/4 of Section 3 T5S, R15E, and a part of the SE1/4 of Section 34, T4N, R15E, Grand Prairie Township, a tract of land bounded and described as follows:

Beginning at a mag nail set on the north line of the NE1/4 of said Section 3, described as lying S89°18'03"E a distance of 25.97 feet from a monument box found marking the intersection of the centerline of State Route 4 with the north line of the NW1/4 of said Section 3;

thence from the above described point of beginning and along the north line of the NW1/4, and the north line of the NE1/4 of said Section 3, also being the centerline of Kenton-Galion Road (60' R/W) S89°18'03"E a distance of 1216.22 feet to a railroad spike found marking the southeast corner of a 0.229 acre tract of land conveyed to Marion Rural Electric Coop in Volume 409, Page 554 of the Marion County Deed Records;

thence along the east line of said 0.229 acre tract N26°04'42"E a distance of 33.21 feet to a 1" iron pin with aluminum cap found on the north right of way line of said Kenton-Galion Road and also lying on the existing corporation line of the City of Marion;

thence along said right of way line and existing corporation line S89°18'03"E a distance of 336.41 feet to a 1" iron pin with aluminum cap found;

thence continuing along the existing corporation line of the City of Marion S00°41'57"W a distance of 30.00 feet to a 5/8" iron pin with PAI cap found on the north line of the NE1/4 of said Section 3;

thence along the north line of the NE1/4 of said Section 3, and the north line of the NW1/4 of said Section 2, also being the existing corporation line of the City of Marion S89°18'03"E a distance of 1765.45 feet to an iron pin set marking the southwest corner of the SW1/4 of Section 35, T4S, R15E, passing an iron pin set at 1622.16 feet marking the northeast corner of the NE1/4 of said Section 3;

thence continuing along the existing corporation line of the City of Marion, and along the north line of the NW1/4 of said Section 2 S89°01'22"E a distance of 1767.54 feet to an iron pin set on the easterly right of way line of the Norfolk Southern Railroad;

thence along said easterly right of way line, also being the existing corporation line of the City of Marion S35°19'16"W a distance of 6777.48 feet to a mag nail set marking the intersection of said easterly right of way line with the centerline of Likens Road (60' R/W), passing an iron pin set 36.29 feet north thereof;

thence leaving said existing corporation line and along the south line of the SE1/4 of said Section 3, also being the centerline of said Likens Road N88°55'39"W a distance of 817.82 feet to a mag nail set marking the southwest corner of the SE1/4 of said Section 3, also being the southeast corner of a 3.702 acre tract of land conveyed to the Ohio Edison Company in Volume 338, Page 747 of the Marion County Deed Records;

thence along said east line, also being the west line of the SE1/4 of said Section 3 N01°55'26"E a distance of 329.94 feet to a 5/8" iron pin found marking the northeast corner of said 3.702 acre tract, passing an iron pin set at 30.00 feet;

thence along the north line of said 3.702 acre tract N89°08'26"W a distance of 487.64 feet to a 5/8" iron pin found marking the northwest corner of said 3.702 acre tract;

thence along the west line of said 3.702 acre tract S02°23'18"W a distance of 330.00 feet to a mag nail found on the south line of the SW1/4 of said Section 3, also being the southwest corner of said 3.702 acre tract, passing a 5/8" iron pin found 30.01 feet north thereof;

thence along the south line of the SW1/4 of said Section 3, also being the centerline of Likens Road N89°08'26"W a distance of 1506.00 feet to a mag nail set marking the intersection of the south line of the SW1/4 of said Section 3 with the easterly right of way line of State Route 4 (75' R/W)

thence along the easterly right of way line of said State Route 4 N16°20'54"E a distance of 1200.65 feet to the south line of a 1.758 acre tract of land conveyed to Sharon R. Park in Volume 264, Page 62 of the Marion County Deed Records, passing an iron pin set at 31.13 feet;

thence along said south line S89°35'11"E a distance of 536.14 feet to a 10" wood post found marking the southeast corner of said 1.758 acre tract, passing a 5/8" iron pin found at 5.22 feet;

thence along the east line of said 1.758 acre tract, and the east line of a 1.652 acre tract of land conveyed to Billy L. and Janet E. Coleman in Volume 559, Page 717 of the Marion County Deed Records N03°16'54"E a distance of 175.02 feet to a 10" wood post found marking a southwest corner of a 37.543 acre tract of land conveyed to Russell Bufford in Volume 102, Page 760 of the Marion County Deed Records;

thence along the south line of said 37.543 acre tract S89°05'53"E a distance of 1156.97 feet to a 5/8" iron pin found marking the southeast corner of said 37.543 acre tract;

thence along the east line of said 37.543 acre tract, also being the east line of the SW1/4 of said Section 3 N01°55'26"E a distance of 1321.76 feet to a 10" wood post found marking the northeast corner of said 37.543 acre tract and being the center of said Section 3;

thence along the north line of the SW1/4 of said Section 3, also being the north line of said 37.543 acre tract N86°32'43"W a distance of 756.76 feet to a 1" iron pipe found marking the southeast corner of a 5.236 acre tract of land conveyed to Michael D. Fown in Volume 812, Page 832 of the Marion County Official Records;

thence along the east line of said 5.236 acre tract, the east line of a 1.369 acre tract and 1.150 acre tract of land conveyed to Barbara E. Miller in Volume 1448, Page 327 of the Marion County Official Records N00°54'54"E a distance of 790.54 feet to a 3/4" iron pipe found marking the northeast corner of said 1.150 acre tract and lying on the south line of a 4.054 acre tract of land conveyed to Richard K. Green in Volume 1146, Page 746 of the Marion County Official Records;

thence along the south line of said 4.054 acre tract S88°30'28"E a distance of 253.60 feet to a 5/8" iron pin found with Fox cap marking the southeast corner of said 4.054 acre tract;

thence along the east line of said 4.054 acre tract N02°45'42"E a distance of 312.26 feet to a 5/8" iron pin found marking the northeast corner of said 4.054 acre tract;

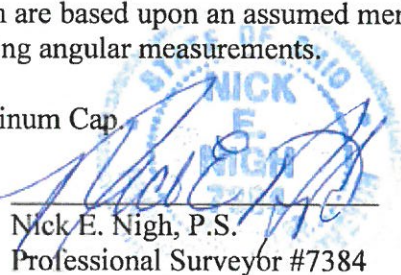
thence along the north line of said 4.054 acre tract N88°26'53"W a distance of 501.04 feet to an iron pin set on the easterly right of way line said State Route 4;

thence along the easterly right of way line of said State Route 4 N16°24'32"E a distance of 1850.14 feet to the Point of Beginning, passing an iron pin set 31.16 feet southwest thereof and containing 444.561 acres of land, more or less, of which, 49.916 acres lie in the NW1/4 of Section 3, 174.411 acres lie in the NE1/4 of Section 3, 108.088 acres lie in the SE1/4 of Section 3, 50.129 acres lie in the SW1/4 of Section 3, 61.780 acres lie in the NW1/4 of Section 2, all in Marion Township, and 0.237 acre lies in the SE1/4 of Section 34 Grand Prairie Township, subject however to all legal highways and prior easements of record.

NOTE: The bearings in this legal description are based upon an assumed meridian and are used only for the purpose of describing angular measurements.

I.P. Set = 1" x 30" Rebar with Aluminum Cap

Date: 12-03-2018



Nick E. Nigh, P.S.
Professional Surveyor #7384

Exhibit C

**Marion Township
Annexation to City of Marion
List of Parcels in the Territory Proposed for Annexation**

Parcel Number	Owner Name	Tax Mailing Address
190020000800	JUDITH K. KILBURY JANE HAMILTON FORD AKA JANE H. FORD JFH FARMS, LLC	2150 MARION BUCYRUS ROAD MARION, OH 43302-9743
190020001300 190020003700 190020003900 190020004000 190020004100 190020004200 190020004300 190020004400 190020004500 190020004600 190020004700 190020004800	THE NATIONAL LIME AND STONE COMPANY aka THE NATIONAL LIME & STONE COMPANY	P.O. BOX 120 FINDLAY, OH 45839-0120
190840203200 190840305500	NORFOLK & WESTERN RAILWAY (fka COLUMBUS, SANDUSKY & HOCKING RAILROAD CO.)	NORFOLK SOUTHERN CORPORATION TAXATION DEPARTMENT THREE COMMERCIAL PLACE-BOX 209 NORFOLK, VA 23510

Exhibit D

List of Parcels Adjacent to the Territory Proposed for Annexation

Parcel No.	Property Owner:	Property Address:	Mailing Address:
190020000400	National Lime & Stone Co.	1974 Marion Bucyrus Road Marion, OH 43302-9701	P.O. Box 120 Findlay, OH 45839-0120
190020000700	North Main Storage LLC	Marion Bucyrus Rd. Marion, OH 43302	P.O. Box 732 Marion, OH 43301-0732
1900200001600	Sharon R. Park	2262 Marion Bucyrus Rd. Marion, OH 43302-9743	385 Adrienne Drive Marion, OH 43302
1900200001700	Billy L. and Janet E. Coleman	2278 Marion Bucyrus Rd. Marion, OH 43302-9743	2278 Marion Bucyrus Rd. Marion, OH 43302-9743
1900200002800	Russell Bufford	Marion Bucyrus Rd. Marion, OH 43302	2354 Marion Bucyrus Rd. Marion, OH 43302-9743
190020002700	Michael D. & Christina M. Fown	2480 Marion Bucyrus Rd. Marion, OH 43302-9743	2480 Marion Bucyrus Rd. Marion, OH 43302-9743
190020003300	Barbara E. Miller	Marion Bucyrus Rd. Marion, OH 43302	2558 Marion Bucyrus Rd. Marion, OH 43302-9743
190020003400	Barbara E. Miller	2546 Marion Bucyrus Rd. Marion, OH 43302	2558 Marion-Bucyrus Rd. Marion, OH 43302
190020003500	Barbara E. Miller	2558 Marion-Bucyrus Rd. Marion, OH 43302	2558 Marion-Bucyrus Rd. Marion, OH 43302
190020003600	Richard K. Green	2580 Marion Bucyrus Rd. Marion, OH 43302-9743	2580 Marion Bucyrus Rd. Marion, OH 43302-9743
190020003000	Mickey M. & Linda L. Landon	Marion Bucyrus Rd. Marion, OH 43302	2589 Marion-Bucyrus Rd. Marion, OH 43302
190020003100	Larry F. & Kathleen K. Walters	2631 Marion Bucyrus Rd. Marion, OH 43302-9703	2631 Marion Bucyrus Rd. Marion, OH 43302-9703
190020003200	Michael J. and Sharon Murphy	2651 Marion Bucyrus Rd. Marion, OH 43302	2432 Marion Bucyrus Rd. Marion, OH 43302
190020003201	Brent Goble	2671 Marion Bucyrus Rd. Marion, OH 43302-9703	2671 Marion Bucyrus Rd. Marion, OH 43302-9703
190020004901	Abigail L. Lama Gaffney, Trustee	2695 Marion Bucyrus Rd. Marion, OH 43302	2695 Marion Bucyrus Rd. Marion, OH 43302
190020004900	Kepford Land Company LLC	Marion Bucyrus Rd. Marion, OH 43302	2528 Marseilles Galion Road E. Marion, OH 43302
190020004904	Judy A. Nemeth	Marion Bucyrus Rd. Marion, OH 43302	2779 Marion Bucyrus Rd. Marion, OH 43302
190020004903	Judy A. Nemeth	2779 Marion Bucyrus Rd. Marion, OH 43302	2779 Marion Bucyrus Rd. Marion, OH 43302
190020004902	Kepford Land Company LLC	Kenton Galion Road. Marion, OH 43302	2825 Marseilles Galion Road E. Marion, OH 43302
090260000100	Ridgedale Land Co. Inc.	Kenton Galion Road Marion, OH 43302	2160 Marseilles Galion Road E. Marion, OH 43302-8556
090260003402	Thomas R. & Cheryl L. Obenour	740 Kenton Galion Road Marion, OH 43302-9700	740 Kenton Galion Rd. Marion, OH 43302-9700
090260003401	Milton F. & Linda S. Johnson	786 Kenton Galion & 770 Road Marion, OH 43302	786 Kenton Galion Rd. E. Marion, OH 43302-9700
090260003406	Marti J. & Linda K. Strzelecki	810 Kenton Galion Rd. Marion, OH 43302	810 Kenton Galion Rd. Marion, OH 43302

090260003408	William D. Rose	820 E. Kenton Galion Rd. Marion, OH 43302	P.O. Box 732 Marion, OH 43301-0732
090260003411	Jason A. & Kimberly J. Reynolds	822 E. Kenton Galion Rd. Marion, OH 43302	822 E. Kenton Galion Rd. Marion, OH 43302
090260003800	Marion Rural Elec Coop Inc.	Kenton Galion Rd. Marion, OH 43302	1210 W. Lima Street Kenton, OH 43326
190020000401	Del Mar Concrete LLC	627 Likens Rd. Marion, OH 43302	P.O. Box 164119 Columbus, OH 43216-4119
190020000900	Jones Blacktop & Excavating Inc.	635 Likens Rd. Marion, OH 43302-8653	635 Likens Rd. Marion, OH 43302-8653
190020001000	Jones Blacktop & Excavating Inc.	Likens Rd. Marion, OH 43302	635 Likens Rd. Marion, OH 43302
190020001101	Michael D. Meade	663 Likens Rd. Marion, OH 43302-8653	663 Likens Rd. Marion, OH 43302-8653
190020001200	William T. & Jodie C. Crabtree	683 Likens (Ct Rd 167) Rd Marion, OH 43302	122 Kenton Galion Rd. Marion, OH 43302
190840203001	Norfolk & Western Railway		Norfolk Southern Corporation Taxation Department Three Commercial Place Box 209 Norfolk, VA 23510
190020000801	Ohio Edison Co.	606 Likens Rd. Marion, OH 43302	Ohio Edison Company Attn: Tax Department 800 Cabin Hill Drive Greensburg, PA 15601
090840200300	Norfolk & Western Railway		Norfolk Southern Corporation Taxation Department Three Commercial Place Box 209 Norfolk, VA 23510
151300000300	Ohio State (MCI)	745 Likens Rd. Marion, OH 43302	P.O. Box 57 Attn: Accts Payable Marion, OH 43301-0057
151300000200	Ohio State (MCI)	Likens Road Marion, OH 43302	P.O. Box 57 Attn: Accts Payable Marion, OH 43301-0057
151300000100	Ohio State (MCI)	1312 Likens Road Marion, OH 43302	P.O. Box 57 Attn: Accts Payable Marion, OH 43301-0057
090330000900	National Lime & Stone Co.	Lin Hipsher Rd. Marion, OH 43302	P.O. Box 120 Findlay, OH 45839-0120
090260003000	National Lime & Stone Co.	Kenton Gallion Rd. Marion, OH 43302	P.O. Box 120 Findlay, OH 45839-0120
090330001100	National Lime & Stone Co.	Kenton Gallion Rd. Marion, OH 43302	P.O. Box 120 Findlay, OH 45839-0120