

**ANNEXATION & STREET / ALLEY VACATION
STANDARD FOR DETERMINING ACCURACY**

RESOLUTION

The Board of County Commissioners of Putnam County, Ohio, met in regular session on the 1st day of May, 2018, at the office of said Board with the following members present: Mr. Michael Lammers, Mr. John Love and Mr. Vincent T. Schroeder-absent.

Mr. Love moved the adoption of the following Resolution:

WHEREAS, the Putnam County Real Property Conveyance Standards (Effective January 2, 2017) state: "Annexations must be submitted in the form of plats and descriptions" and "all plats and descriptions shall meet a.) the requirements for legal descriptions, and b.) the requirements for new surveys, splits or subdivisions as per Ohio Administrative Code 4733-37"; and

WHEREAS, Ohio Revised Code 709.02(C)(2) states that a petition for annexation shall contain "an accurate legal description of the perimeter and an accurate map or plat of the territory proposed for annexation"; and

WHEREAS, the Putnam County Real Property Conveyance Standards (Effective January 2, 2017) also state: "the County Engineer must be informed of any road, street or alley vacation by the responsible government agency via a recorded legal instrument" and instructs agents to use Ohio Revised Code 711.39 for road, street or alley vacations; and

WHEREAS, Ohio Revised Code 711.39 states that a "plat, map or other plane representation showing such public way sought to be vacated, and all intersecting or connective public ways, shall be prepared and certified to by a licensed surveyor or engineer, and shall form a part of the petition and proceedings for such vacation"; and

WHEREAS, 2016 Op. Att'y Gen. No. 2016-019 determined that "whether a legal description of the perimeter and a map or plat of the territory proposed for annexation are accurate are questions of fact to be determined by the board of county commissioners"; and

WHEREAS, the Board of County Commissioners desires to set a standard by which to determine the accuracy of legal descriptions, plats, and maps submitted as part of petitions for annexation or for alley/street vacations;

now therefore, be it

RESOLVED, the Board of County Commissioners does hereby require, for the purposes of determining accuracy, that the legal descriptions, plats and maps submitted as part of petitions for annexation per ORC 709.02(C)(2) and for alley/street vacations per ORC 711.39 be prepared by a licensed professional surveyor registered in the State of Ohio.

Mr. Lammers seconded the motion and the roll being called upon its adoption, the vote resulted as follows:

John Love . yes

Michael Lammers . yes

BOARD OF COUNTY COMMISSIONERS
PUTNAM COUNTY, OHIO

Attest: Cindy Landwehr
Cindy Landwehr, Clerk