CITY OF SOUTH LEBANON, OHIO
RESOLUTION NO. 2022-44

A RESOLUTION INDICATING THE MUNICIPAL SERVICES TO BE PROVIDED TO 1.003± ACRES OF REAL PROPERTY PROPOSED TO BE ANNEXED TO THE CITY OF SOUTH LEBANON, OHIO, FROM UNION TOWNSHIP, WARREN COUNTY, AND DECLARING AN EMERGENCY

WHEREAS, pursuant to R.C. 709.023, real estate consisting of 1.003 acres of real property was identified in a petition for annexation ("Lenig Property Annexation") filed with the Board of County Commissioners of Warren County, Ohio, on October19, 2022, notice of such filing which, along with a copy of the petition, its attachments and documents accompanying the petition as filed, were duly served upon the City of South Lebanon as prescribed by law, and are on file with the City Fiscal Officer/Clerk; and

WHEREAS, R.C. 709.023(C) and R.C. 709.023(E)(6) provides that the municipality to which any such land is proposed to be annexed shall indicate those services it will provide to such land and an approximate date by which it will provide them to the territory proposed for annexation upon annexation; and

WHEREAS, R.C. 709.023(C) requires council to adopt a resolution indicating such services within twenty (20) days after the date the petition is filed; and

WHEREAS, immediate action is required to assure this resolution is adopted and submitted to the Board of County Commissioners within the timeframe specified in the Ohio Revised Code, and such action is necessary in order to preserve the public peace, health, safety or welfare of the City.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of South Lebanon, Ohio, at least two-thirds of all members elected thereto concurring:

Section 1. In the event the above-referenced 1.003 acres of real property known as the "Lenig Property Annexation" are annexed to the City of South Lebanon from Union Township, Warren County, Ohio, the City of South Lebanon will provide the entire annexed territory with the following services: police protection, snow and ice removal, zoning, a planning and zoning department with the full range of services including review, permit, inspection and developmental services, and waste collection. These services shall be available and provided when the City of South Lebanon's resolution or ordinance accepting the annexation becomes final as provided by law. Services will be provided by the City of South Lebanon

to the annexation territory on the same terms and conditions and subject to the rates, rules and regulations established by City ordinances including the codified ordinances of the City of South Lebanon as they are provided to properties located within the City of South Lebanon. A copy of the map or plat and legal description of the annexation territory is attached to this Resolution.

Section 2. The Council of the City of South Lebanon supports the Lenig Property Annexation.

Section 3. The Clerk is directed to provide a certified copy of this Resolution to the Board of County Commissioners of Warren County, Ohio for filing within 20 days after the filing of the petition for annexation.

Section 4. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 5. That this Resolution is hereby declared to be an emergency measure in accordance with Ohio Rev. Code § 731.30 for the immediate preservation of the public peace, health, safety and general welfare; and this Resolution shall be in full force and effective immediately upon its passage.

Section 6. That it is found and determined that all formal actions of the Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted this 20th day of October, 2022.

Attest: _____
Petrina D. Williams, Fiscal Officer/Clerk

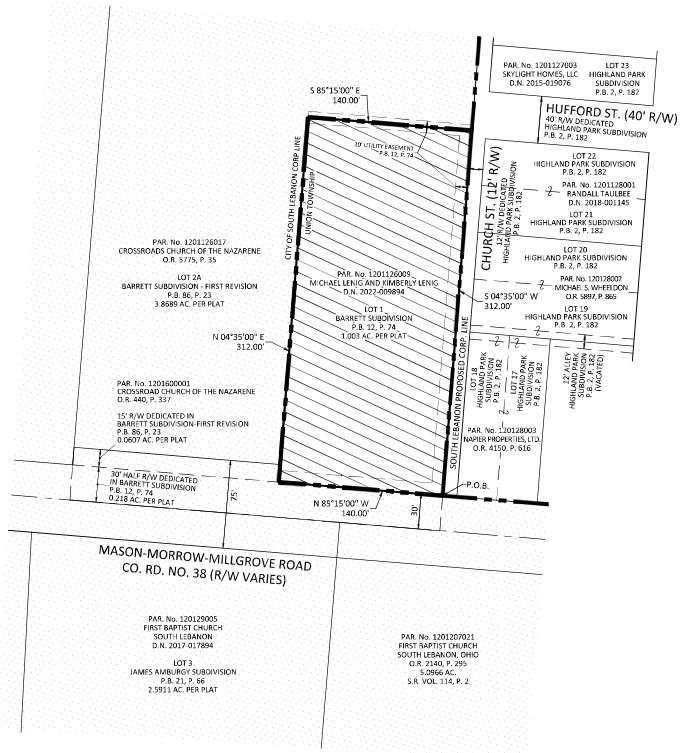
_____
James D. Smith, Mayor

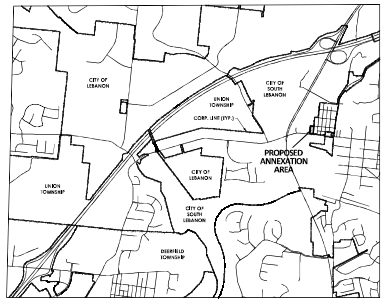
Rules Suspended: 10/20/2022 (if applicable)	Effective Date – 10/20/2022
Vote - 6 Yeas ____ Nays	
First Reading – / /2022 Second Reading – / /2022 Third Reading– / /2022	Effective Date – / /2022
Vote - ____ Yeas ____ Nays	

Prepared by and approved as to form:

ANDREW P. MEIER
CITY SOLICITOR
SOUTH LEBANON, OHIO

By: _____
Date: 10/20/2022





VICINITY MAP
NOT TO SCALE

COUNTY COMMISSIONERS:

WE, THE BOARD OF COUNTY COMMISSIONERS OF WARREN COUNTY, OHIO DO HEREBY APPROVE THIS PLAT ON THIS

_____ DAY OF _____, 20____.

COMMISSIONERS _____

_____

_____

CITY APPROVAL:

CITY OF SOUTH LEBANON CLERK

_____
DATE

COUNTY RECORDER:

FILE NO. _____

RECEIVED THIS ____ DAY OF _____, 20____, AT _____ A.M./P.M.

RECORDED THIS ____ DAY OF _____, 20____, AT _____ A.M./P.M.

RECORDED IN PLAT BOOK NO. _____, PAGE _____

FEE: _____

BY: _____ _____
DEPUTY WARREN COUNTY RECORDER

COUNTY AUDITOR:

TRANSFERRED THIS ____ DAY OF _____, 20____

BY: _____ _____
DEPUTY WARREN COUNTY AUDITOR

EX. CITY OF SOUTH LEBANON CORP.

AREA TO BE ANNEXED TO THE CITY OF SOUTH LEBANON

TOTAL AREA IN PROPOSED ANNEXATION: 1.003 ACRES ±

TOTAL AREA IN PROPOSED ANNEXATION: 1.003 ACRES ±

ACREAGE BREAKDOWN (BASED ON RECORDS AND SHOULD BE CONSIDERED APPROXIMATE):

PARCEL	OWNER	DEED REFERENCE	ACRES
1201126009	MICHAEL LENIG AND KIMBERLY LENIG	D.N. 2022-009894	1.003 AC. ±
			1.003 AC. ± TOTAL

LENGTHS OF EACH ROAD IN TERRITORY:

NO ROADS IN TERRITORY

CERTIFICATION

THIS PLAT WAS PREPARED FROM EXISTING DEEDS, PLATS AND SURVEYS OF RECORD NOTED HEREON, AND IS NOT THE RESULT OF A FIELD SURVEY.

Richard D. Nichols 08/30/2022

RICHARD D. NICHOLS
OHIO PROFESSIONAL SURVEYOR No. 7929
DATE

STATE OF OHIO
RICHARD D. NICHOLS
S-7929
REGISTERED
PROFESSIONAL SURVEYOR

PLAT OF ANNEXATION
CITY of SOUTH LEBANON
"LENIG ANNEXATION"

SECTION 1, TOWN 4 EAST, FRACTIONAL RANGE 3 NORTH
BETWEEN THE MIAMIS, UNION TOWNSHIP
WARREN COUNTY, OHIO

Revision	By	Date
PER 1ST REV COMMENTS	CB	08-30-22

Date	29 JUL 2022
Scale	1" = 50'
Drawn By / Proj. Mgr.	CMB / RDN
Survey Database	N/A
DWG	06308293-ANX-00
X-Ref(s)	
Project Number	06308.29
File No. 06308.29	Sheet No. 1 / 1

MSP DESIGN
McGill Smith Punshon
■ Architecture
■ Engineering
■ Landscape Architecture
■ Planning
■ Surveying
3700 Park 42 Drive
Suite 190B
Cincinnati OH 45241
Phone 513.759.0004
www.mspdesign.com

DESCRIPTION FOR: **CITY OF SOUTH LEBANON**

LOCATION: **LENIG ANNEXATION**
1.003 +/- Acres

Situate in Section 1, Town 4 East, Fractional Range 3 North, Union Township, Warren County, Ohio and being all 1.003 acres of Lot 1 of Barrett Subdivision recorded in Plat Book 12, Page 74 (all records of the Warren County, Ohio Recorder's Office), as conveyed to Michael Lenig and Kimberly Lenig in Document Number 2022-009894 and also being more particularly described as follows:

Beginning at a point in the existing corporation line of the City of South Lebanon, located at the southeast corner of said lot and being the intersection of the north right-of-way line of Mason-Morrow-Millgrove Road (Co. Rd. No. 38) dedicated in Plat Book 12, Page 74 and west line of a 12' alley as dedicated in Plat Book 2, Page 182;

Thence along said corporation line and north right-of-way line of Mason-Morrow-Millgrove Road, North 85°15'00" West, 140.00 feet to the southeast corner of 0.0607 acres dedicated right-of-way in Plat Book 86, Page 23;

Thence continuing along said corporation line, in part with the east line of said 0.0607 acres dedicated right-of-way and in part with an east line of Lot 2A of Barrett Subdivision- First Revision, being a 3.8689 acre lot recorded in Plat Book 86, Page 23, North 04°35'00" East, 312.00 feet;

Thence continuing along said corporation line and with a south line of said Lot 2A, South 85°15'00" East, 140.00 feet to the aforesaid the west line of aforesaid 12' alley;

Thence leaving said corporation line, along the west line of said 12' alley and with the South Lebanon proposed corporation line, South 04°35'00" West, 312.00 feet to the point of beginning.

Containing 1.003 acres, more or less, of land.

Subject to all legal highways, easements and restrictions of record.

The above description is the result of a Plat of Annexation by McGill Smith Punshon, Inc. under the direction of Richard D. Nichols, P.S. No. 7929, dated the 29th of July 2022. The bearings in the above description are based on Barrett Subdivision record plat as recorded in Plat Book 12, Page 74, record of the Warren County, Ohio Recorder's Office.

Prepared by: McGill Smith Punshon, Inc.
Date: 29 JUL 2022
MSP No.: 06308.29

06308293-CLI-LEG-Lenig Parcel

McGill Smith Punshon, Inc.
3700 Park 42 Drive, Suite 190B ▪ Cincinnati, Ohio 45241
513.759.0004 ▪ Fax 513.563.7099 ▪ www.mspdesign.com

MSP DESIGN