

RESOLUTION NO. 2026-07

A RESOLUTION AUTHORIZING THE VILLAGE TO ENTER INTO AN ANNEXATION AGREEMENT WITH CARRYALL TOWNSHIP, PAULDING COUNTY, OHIO REGARDING CERTAIN REAL PROPERTY LOCATED ADJACENT TO THE VILLAGE AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp, on behalf of the State of Ohio Department of Transportation, the owner of certain real property in Carryall Township, Paulding County, Ohio and further described in **Exhibit "A"** has caused to be prepared a petition for annexation of said real property into the Village of Antwerp, Paulding County, Ohio; and

WHEREAS, the Carryall Township Board of Trustees has indicated its willingness to allow this annexation to move forward and has requested that the Village and Township enter into an Annexation Agreement prior to the submission of the petition to the Paulding County Board of County Commissioners; and

WHEREAS, the Council of the Village of Antwerp, Ohio finds it desirous to enter into said Annexation Agreement and set forth the terms of said annexation, specifically, how tax revenues regarding the ODOT Parcel Described in **Exhibit "A"** will be allocated between the Township and Village during the pendency of the annexation proceedings and following the completion of the annexation; and

WHEREAS, execution of the Annexation Agreement is necessary for the immediate preservation of the public peace, property, health, safety, and welfare of the Village of Antwerp, Ohio and therefore this Resolution is deemed to be an emergency for the reason that the Township and Village wish to move forward with the annexation expeditiously.

NOW THEREFORE, BE IT RESOLVED BY A MINIMUM OF A THREE-FOURTHS VOTE by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. That the rules requiring three readings of any ordinance or resolution prior to its passage by a minimum of the majority of the council are hereby suspended pursuant to Ohio Revised Code Section 705.15.

Section 2. That the Council of the Village of Antwerp, Ohio authorizes the Mayor of Antwerp, Ohio, Bryan Smith, to enter into an annexation agreement with Carryall Township, Paulding County, Ohio concerning the ODOT real property further described in **Exhibit "A"**.

Section 3. That the Council of the Village of Antwerp, Ohio agrees that all tax revenues associated with said real property shall remain allocated to Carryall Township, Paulding County, Ohio during the pendency of the annexation proceedings, but shall be allocated to the Village of Antwerp, Ohio following the successful completion of said annexation proceedings.

Section 4. That it is hereby found and determined that all formal actions of the Council concerning or relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all

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deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 5. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, and welfare of the Village of Antwerp, Ohio and for the further reason that the Annexation Agreement allows the County and Township to move forward with the Annexation in a timely fashion, and provided it receives the affirmative vote of at least three-fourths of the members of this Council, the Resolution shall take effect and be in force immediately upon its adoption by this Council or otherwise it shall take effect and be in force after the earliest period allow by law.

Date _____

Bryan Smith, Mayor of the Village of Antwerp

Attest:

Kevin Hornish, Fiscal Officer

ANNEXATION AGREEMENT

This Agreement is made at Paulding County, Ohio, by and between the **Township of Carryall (hereinafter "Township")**, whose mailing address is PO Box 652, Antwerp Ohio 45813, and the **Village of Antwerp, (hereinafter Village")**, whose mailing address is PO Box 1046, Antwerp, Ohio 45813. The purpose of said Agreement is for the identification of property to be annexed into said Village that is currently identified in the boundaries of said Township. The parties further agree and recognize that:

WHEREAS, a certain area of land described as attached in Exhibit "A" is proposed for annexation from the Township to the Village; and

WHEREAS, both the Township and the Village residents will benefit from the provisions of this Agreement; and

WHEREAS, the Township and the Village are desirous of entering into an Agreement which contemplates that certain property located in Paulding County, Carryall Township will be annexed into the Village; and

WHEREAS, the Township and the Village wish to agree on issues which will arise as a result of such annexation; and

NOW, THEREFORE, in consideration of the mutual covenants and promises contained in the Agreement, the parties hereby agree as follows:

ARTICLE ONE: PROPERTY

The property as identified in Exhibit "A" and containing certain acreage and is now located in the Township of Carryall, Paulding County, Ohio and referred to as the ODOT Property.

ARTICLE TWO: CONSIDERATION GIVEN BY THE VILLAGE

The parties agree that the Township will continue to receive 100% of the real and personal property taxes assessed against the ODOT property during the pendency of this Annexation proceeding. Following the completion of the Annexation, the parties agree that the Village will begin to receive 100% of the real and personal property taxes assessed against the ODOT property from that time forward.

ARTICLE THREE: CONSIDERATION GIVEN BY THE TOWNSHIP

The Township, on behalf of itself, its agents, servants, members, trustees, employees, representatives, assigns, and successors, hereby fully releases and discharges the Village and its

ARTICLE NINE: GOVERNING LAW

This Agreement, and all the rights, duties and obligation of the Village and the Township shall be construed under and in accordance with the laws of the State of Ohio, and all obligations of the parties hereunder are performable in Paulding County, Ohio.

THE TOWNSHIP OF CARRYALL:

THE VILLAGE OF ANTWERP:

By: _____
Joseph Brandon Barker, Trustee

By: _____
Bryan Smith, Mayor

And: _____
Benjamin Michael Kauser, Trustee

Attested By: _____
Kevin Hornish, Fiscal Officer

And: _____
Nathan A. Zuber, Trustee

Authorized by the Township of Carryall
Resolution No. _____, passed on
_____, _____, 20____

And by

Village of Antwerp Resolution No. _____,
passed on _____, _____, 20____

Approved as to form:

Brandon Grigsby, Solicitor, Village of
Antwerp

- 8) thence South 89 degrees 08 minutes 24 seconds East, a distance of 230.27 feet to the centerline of right of way of existing State Route 49 and the PC of a non tangent curve, said PC being 249.97 feet right of U.S. Route 24, centerline Station 899+42.32;
- 9) thence 399.48 feet on and along the arc of a curve deflecting to the right and existing State Route 49 centerline of right of way to a point 144.14 left of Station 898+98.47, said curve having a radius of 949.24 feet, a delta of 24 degrees 06 minutes 46 seconds, a chord bearing of North 10 degrees 26 minutes 37 seconds West and a chord length of 396.54 feet;
- 10) thence on and along the centerline of right of way of existing State Route 49, North 01 degrees 36 minutes 46 seconds East, a distance of 133.54 feet to a point at 277.02 feet left of U.S. Route 24, centerline Station 899+11.75;
- 11) thence on and along the south line of a parcel described in Volume 279, Page 16, South 89 degrees 24 minutes 37 seconds East, a distance of 257.78 feet to an iron pin found at 255.97 feet left of U.S. Route 24, centerline Station 901+68.67;
- 12) thence on and along the east line of a parcel described in Volume 279, Page 16, North 01 degrees 41 minutes 13 seconds East, a distance of 168.71 feet to an iron pin set at 423.83 feet left of U.S. Route 24, centerline Station 901+85.66;
- 13) thence South 89 degrees 22 minutes 43 seconds East, a distance of 173.58 feet to an iron pin set at 409.44 feet left of U.S. Route 24, centerline Station 903+60.11;
- 14) thence on and along the new north Limited Access Right of Way line of U.S. Route 24, South 89 degrees 22 minutes 43 seconds East, a distance of 549.52 feet to an iron pin found at 348.94 feet left of U.S. Route 24, centerline Station 909+24.96;
- 15) thence on and along the new north Limited Access Right of Way line of U.S. Route 24, South 63 degrees 39 minutes 24 seconds East, a distance of 222.07 feet to an iron pin set at 225.00 feet left of U.S. Route 24, centerline Station 911+13.96;
- 16) thence on and along the east line of the west half of the southeast quarter, South 01 degrees 16 minutes 25 seconds West, a distance of 436.43 feet to an iron pin set at 205.87 feet right of U.S. Route 24, centerline Station 910+44.47;
- 17) thence on and along the new south Limited Access Right of Way line of U.S. Route 24, South 81 degrees 02 minutes 47 seconds West, a distance of 147.15 feet to an iron pin set at 210.00 feet right of U.S. Route 25, centerline Station 909+00.00;
- 18) thence on and along the new south Limited Access Right of Way line of U.S. Route 24, South 63 degrees 13 minutes 51 seconds West, a distance of 327.82 feet to an iron pin set at 325.00 feet right of U.S. Route 24, centerline Station 906+00.00;

31) thence on and along the new south Limited Access Right of Way line of U.S. Route 24, North 86 degrees 07 minutes 27 seconds West, 13.36 feet to the TRUE POINT OF BEGINNING.

Containing in all 27.683 acres gross, of which 1.794 acres is PRO (present roadway occupied), leaving a net take of 25.889 acres, Paulding County Auditor's Parcel 11-34-011-02 contains 7.500 acres, of which 0.367 acres is PRO (present roadway occupied), leaving a net take of 7.133 acres. Paulding County Auditor's Parcel 11-34-012-00 contains 19.917 acres, of which 1.260 is PRO (present roadway occupied), leaving a net take of 18.657 acres. Paulding County Auditor's Parcel 11-34A-008-00 contains 0.114 acres, of which 0.083 acres is PRO (present roadway occupied), leaving a net take of 0.031 acres. Paulding County Auditor's Parcel 11-34A-009-00 contains 0.152 acres, of which 0.084 acres is PRO (present roadway occupied), leaving a net take of 0.068 acres.

All bearing are based on the State Plane Coordination System, Ohio North zone, NAD 1983 (95) adjustment.

Iron pins set in the above description are $\frac{3}{4}$ inch by 30 inch reinforcing rods with an aluminum cap, stamped "ODOT R/W DISTRICT 1".

This description was prepared on January 5, 2005 by Kevin Canavan, Professional Surveyor Number 7448 for the Ohio Department of Transportation.

Parcel Number: 11-34S-011-02

**Petition for Annexation on Application of Owners
Pursuant to Ohio Revised Code 709.022**

To: The Board of County Commissioners of Paulding County, Ohio

The Undersigned, being petitioner on behalf of one hundred percent (100%) of the owners (consent to Petitioner filing this petition on behalf of owner attached as Exhibit "C") of real estate in this territory, hereby petition for the annexation of the following territory to the Village of Antwerp, Paulding County, Ohio:

See attached Exhibit "A".

The territory is adjacent and contiguous with the Village of Antwerp.

Attached is an accurate map showing the boundaries of the territory sought to be annexed, marked "Bounds of Territory to be Annexed to the Village of Antwerp."

There is one (1) owner of real estate in the territory to be annexed.

Brandon M. Grigsby, whose phone number is 419-523-6104, is appointed agent for the petitioner as required by Revised Code 709.02, with full power to amend, increase or decrease the area, to 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 petitioner.

The petitioner whose signature appears below specifically elects that this Petition for Annexation follow the special procedures for annexation as outlined in Ohio Revised Code § 709.021. A certified copy of the Annexation Tax Compensation Agreement is attached hereto as Exhibit "B".

"WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY."

Signature of Petitioner

Date

Bryan Smith, Mayor
Village of Antwerp

ADJOINING PROPERTY OWNERS

1. **Name:** BMJW Investments, LLC
Mailing Address: 15 North Liberty Street, Powell, Ohio 43065
Parcel Number(s): 12-17S-021-05 & 12-17S-023-00
2. **Name:** Advisory Board, Northwest Ohio District Church of the Nazarene
Mailing Address: P.O. Box 574, Antwerp, Ohio 45813
Parcel Number(s): 12-17S-021-00
3. **Name:** State of Ohio (Ohio Department of Transportation District One)
Mailing Address: 1885 North McCullough Street, Lima, Ohio 45801
Parcel Number(s): 11-34S-015-05, 11-34S-011-00, 11-34S-008-02, 12-17S-021-04, 11-34A-007-01 & 11-34S-012-06
4. **Name:** Joseph B. Barker and Jodi M. Barker
Mailing Address: P.O. Box 304, Antwerp, Ohio 45813
Parcel Number(s): 11-34S-012-04, 11-34S-012-00, 11-34A-009-00, 11-34A-008-00 & 11-34S-012-00
5. **Name:** Willyam C. Buford
Mailing Address: 13257 Road 43, Antwerp, Ohio 45813
Parcel Number(s): 11-34S-012-03
6. **Name:** Jessie M. Kniceley
Mailing Address: 13101 State Route 49, Antwerp, Ohio 45813
Parcel Number(s): 11-34A-007-00

- 8) thence South 89 degrees 08 minutes 24 seconds East, a distance of 230.27 feet to the centerline of right of way of existing State Route 49 and the PC of a non tangent curve, said PC being 249.97 feet right of U.S. Route 24, centerline Station 899+42.32;
- 9) thence 399.48 feet on and along the arc of a curve deflecting to the right and existing State Route 49 centerline of right of way to a point 144.14 left of Station 898+98.47, said curve having a radius of 949.24 feet, a delta of 24 degrees 06 minutes 46 seconds, a chord bearing of North 10 degrees 26 minutes 37 seconds West and a chord length of 396.54 feet;
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This description was prepared on January 5, 2005 by Kevin Canavan, Professional Surveyor Number 7448 for the Ohio Department of Transportation.

Parcel Number: 11-34S-011-02



**Department of
Administrative
Services**

DAS.Ohio.gov

Mike DeWine, Governor Jim Tressel, Lt. Governor Kathleen C. Madden, Director

December 24, 2025

Paulding County Board of Commissioners
451 McDonald Pike, Suite E
Paulding, Ohio 45879

Re: Petition for Annexation – Village of Antwerp
Portions of Paulding County Parcel Nos. 11-34-011-02, 11-34A-008-00 & 11-34A-009-00 (the “Property”)

Dear County Commissioners:

Please be advised that the State of Ohio is the record owner of the above-captioned Property presently located in the Township of Carryall, which Parcels are contiguous to real property located in the Village of Antwerp and are the subject of a Petition for Annexation to be filed by the Village of Antwerp.

Pursuant to the requirements of Ohio Revised Code Section 709.16(D), please accept this correspondence as the State of Ohio’s written consent to the proposed Petition for Annexation to be filed by the Village of Antwerp.

Thank you for giving this matter your attention. If you have questions regarding this consent, you may call Sharon Jennings at (614)728-9336 or Allie Butchello at (614)995-0936.

Sincerely,

Kathleen C. Madden
Director of the Ohio Department
of Administrative Services