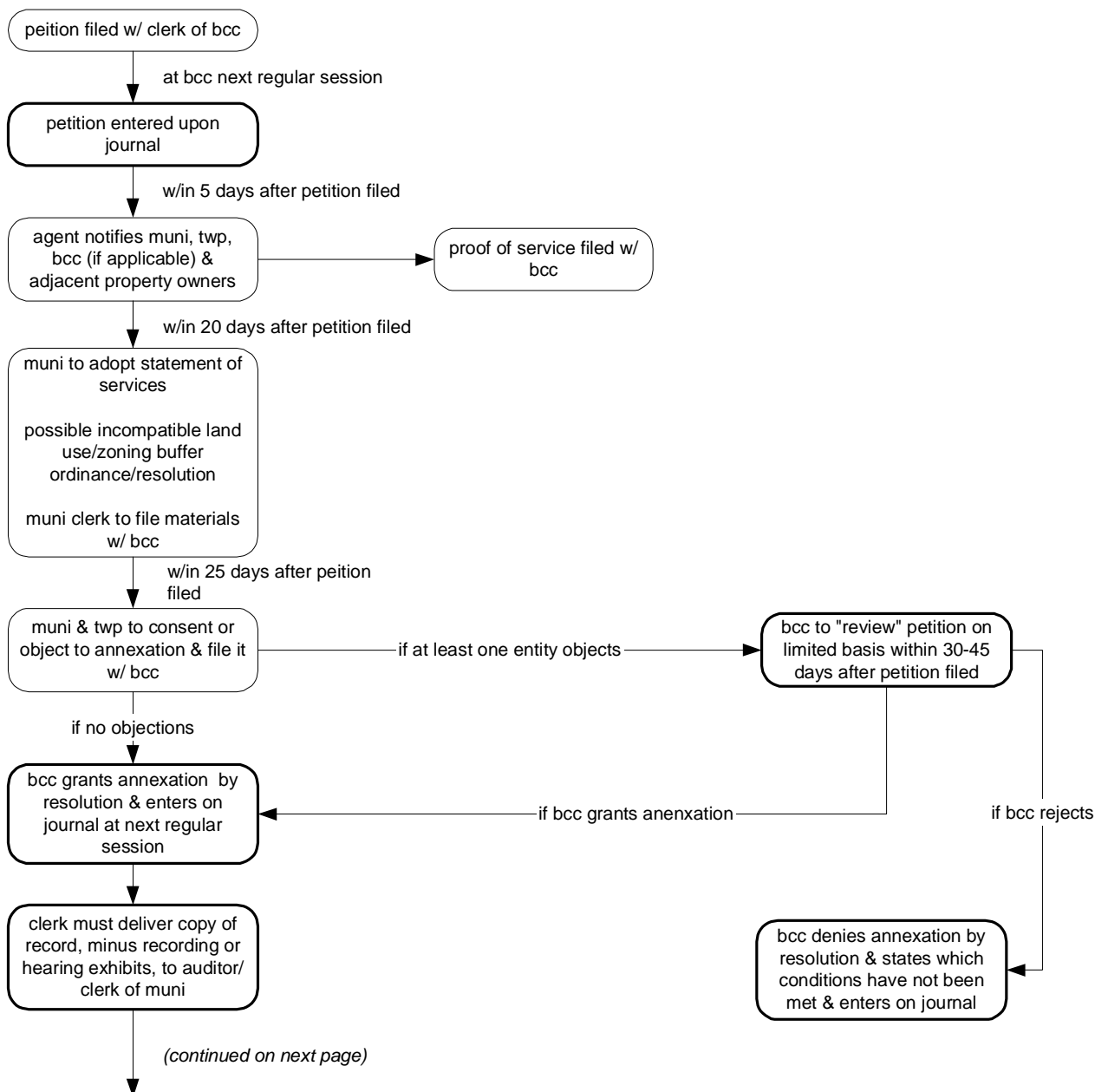
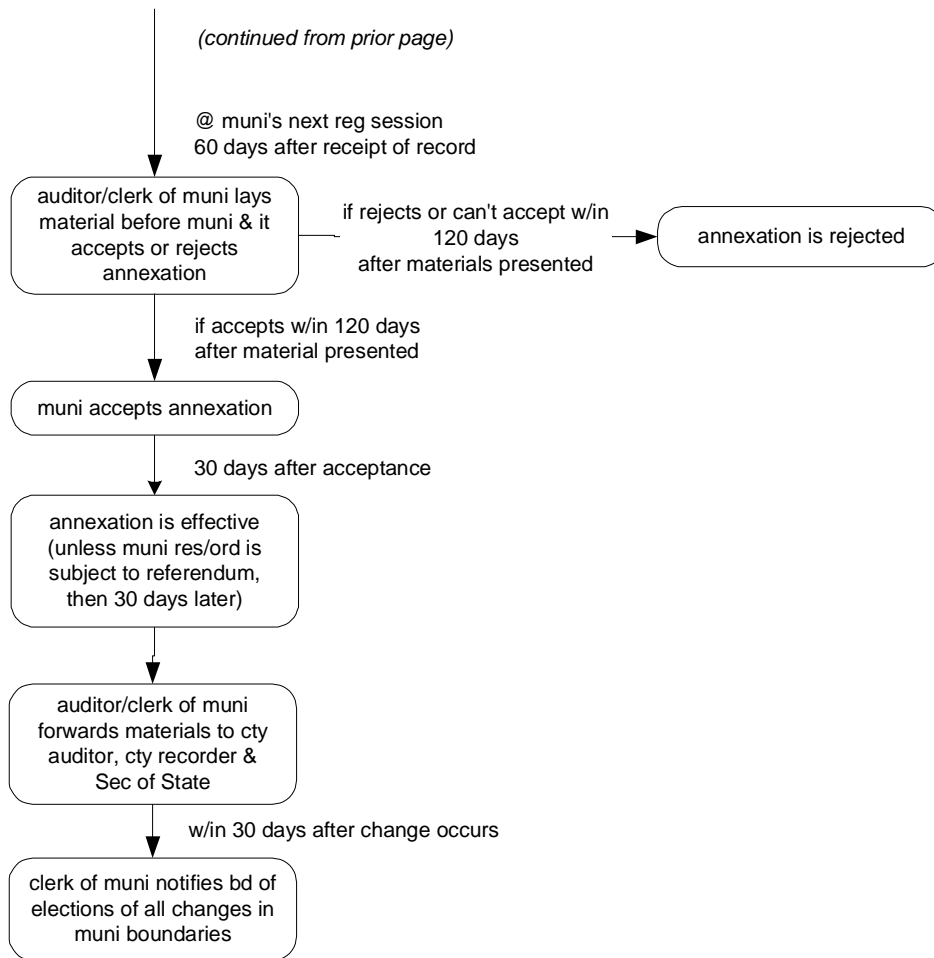


Appendix L

Procedural Flow Chart for Expedited Type 2 Annexations ORC 709.023

Petitions Submitted By All Property Owners With or Without Consent of Municipality & Township(s)





Appendix M

Procedural Checklist for Expedited Type 2 Annexations ORC 709.023

Petitions Submitted By All Property Owners With or Without Consent of Municipality & Township(s)

Petition Number _____

Name of Agent _____

Agent's Address _____

Agent's Phone # _____

Agent's Fax # _____

Agent's E-mail _____

Municipality to Which Annexation Is Proposed _____

Township(s) Included In Proposed Annexation _____

Other County Included in Annexation _____

Statutory Time Frame/Requirement	Description of Provision/Requirement	Date Received/ Completed
	Petition filed.	
Next regular session of board	Petition entered upon the journal. (ORC 709.023 (B))	
Anytime	Filing proof of service by agent that notices to each	

Statutory Time Frame/Requirement	Description of Provision/Requirement	Date Received/ Completed
	appropriate governmental official has been completed within 5 days after filing of petition. Note: Proof of service is limited to governmental officials even though notices to adjacent property owners must be sent by regular first class mail. (ORC 709.023 (B))	
Within 20 days after filing of petition	Filing of municipal statement of services. (ORC 709.023 (C))	
Within 20 days after filing of petition	Filing of municipal statement of incompatible land use and zoning buffer if area to be annexed is currently subject to county or township zoning. (ORC 709.023 (C))	
Within 25 days after filing petition	Filing of ordinance or resolution by municipality or township(s) consenting or objecting to the annexation. If no ordinance or resolution is submitted within 25 days, it is presumed to be consent. (ORC 709.023 (D))	
At next regular session of board IF both municipality and township(s) consent	Board must adopt a resolution granting annexation. (ORC 709.023 (D))	
Not less than 30 or more than 45 days after filing of petition IF either municipality or township(s) objects.	Board must "review" the petition and grant or deny the petition by resolution if it meets all of the conditions listed in ORC 709.023 (E) (1) - (7).	

Statutory Time Frame/Requirement	Description of Provision/Requirement	Date Received/ Completed
Immediately upon journalization of resolution granting or denying petition.	<p>If petition is granted, clerk delivers certified copy of entire record of annexation proceedings, all resolutions of the board, the petition, and map, and all other papers on file to the clerk or auditor of municipality.</p> <p>If petition is denied, clerk should send a certified copy of all resolutions to the municipality and agent. Note: The law is silent on this issue; however, CCAO recommends it be done. (ORC 709.023 (G) & ORC 709.033 (C) (1))</p>	
After adoption of resolution denying petition	Writ of Mandamus to compel the board to perform its duties may be sought by any party. (ORC 709.023 (G))	

Appendix N

Technical Checklist for Expedited Type 2 Annexations ORC 709.023

Petitions Submitted By All Property Owners With or Without Consent of Municipality & Township(s)

Petition Number _____

Name of Agent _____

Agent's Address _____

Agent's Phone # _____

Agent's Fax # _____

Agent's E-mail _____

Municipality to Which Annexation Is Proposed _____

Township(s) Included In Proposed Annexation _____

Other County Included in Annexation _____

No.	Technical Requirement	Yes	No	Comments/Explanation/Notes
1	Deposit received. (ORC 709.014 (A))			
2	Fees received. (ORC 709.014 (A))			
3	Petition asks board to follow ORC 709.023. (ORC 709.021 (A) & ORC 709.023 (A))			

No.	Technical Requirement	Yes	No	Comments/Explanation/Notes
4	Petition includes signatures of all property owners in the area to be annexed. (ORC 709.021 (B))			
5	All signatures are of “owners” as defined in ORC 709.02 (E). Owners must be authorized to sign the petition and have title to property on date petition was filed. (ORC 709.02 (E))			
6	Each signature includes a date it was obtained, and no signature was obtained more than 180 days before petition was filed. (ORC 709.02 (C) (1))			
7	Petition includes accurate legal description of perimeter. (ORC 709.02 (C) (2))			
8	Petition includes accurate map or plat. (ORC 709.02 (C) (2))			
9	Petition includes name and address of agent for petitioners. (ORC 709.02 (C) (3))			
10	List of parcels in area to be annexed and adjacent territory that includes name of owner, mailing address of owner, and permanent parcel number was submitted with petition. (ORC 709.02 (D))			
11	Real estate is contiguous to municipality to which annexation is proposed. (ORC 709.021 (A))			
12	Petition includes statutory disclosure statement in bold face, capital letters regarding waiver of appeal rights and right to sue or seek a variance from buffer requirements. (ORC 709.023 (A))			

No.	Technical Requirement	Yes	No	Comments/Explanation/Notes
13	If land is located in more than one county, a majority of acreage in territory within county of filing. (ORC 709.011)			
14	Territory does not exceed 500 acres. (ORC 709.023 (E) (3))			
15	Territory shares a contiguous boundary with municipality for a continuous length of at least 5% of the perimeter. (ORC 709.023 (E) (4))			
16	Annexation will not create an unincorporated area completely surrounded by territory to be annexed. (ORC 709.023 (E) (5))			
17	Petition entered on journal at next regular session of board after filing. (ORC 709.023 (B))			
18	Agent has filed proof of service that notices to governmental bodies has been completed. Note: While proof of service to adjacent property owners is not required, such notice must be sent by the agent by regular first class mail. (ORC 709.023 (B))			
19	Municipal ordinance/resolution stating what services will be provided and an approximate date was filed with the board within 20 days after petition was filed. (ORC 709.023 (C) & ORC 709.023 (E) (6))			
20	Municipal ordinance/resolution dealing with clearly incompatible land uses and zoning buffers was filed IF land proposed to be annexed is subject to county or township zoning. (ORC 709.023 (C))			

No.	Technical Requirement	Yes	No	Comments/Explanation/Notes
21	Municipality has filed ordinance/resolution consenting or objecting to annexation. If not filed within 25 days after petition was filed, it is deemed consent. (ORC 709.023 (D))			
22	Township has filed resolution consenting or objecting to annexation. If not filed within 25 days after petition was filed, it is deemed consent. (ORC 709.023 (D))			
23	IF a resolution is filed objecting to the petition, commissioners must “review” petition between 30 and 45 days after petition is filed. This “review” is not a “hearing.” (ORC 709.023 (E))			
24	The petition meets all the requirements set forth in and was filed in the manner specified in ORC 709.021. Note: This is essentially a reconfirmation that items 3 and 6 - 13 of this checklist have been met. (ORC 709.023 (E) (1))			
25	The persons who signed the petition are owners of the real estate located in the territory proposed to be annexed and constitute all of the owners of real estate in that territory. Note: This is essentially a reconfirmation that items 4 and 5 of this checklist have been met. (ORC 709.023 (E) (2))			
26	The territory proposed to be annexed does not exceed 500 acres. Note: This is essentially a reconfirmation that item 3 has been met. (ORC 709.023 (E) (3))			
27	The territory proposed to be annexed shares a contiguous boundary with the municipality to which annexation is proposed for a continuous length of at least five per cent of the			

No.	Technical Requirement	Yes	No	Comments/Explanation/Notes
	<p>perimeter of the territory proposed to be annexed. Note: This is essentially a reconfirmation that item 15 of this checklist has been met. (ORC 709.023 (E) (4))</p>			
28	<p>The annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed to be annexed. Note: This is essentially a reconfirmation that item 16 of this checklist has been met. (ORC 709.023 (E) (5))</p>			
29	<p>Municipality has agreed to provide the services specified in the ordinance/resolution specified in item #19 above. Could be part of ordinance/resolution adopted under item #20 above or by a separate ordinance/resolution. Not required if both municipality and township consent. (ORC 709.023 (E) (6))</p>			
30	<p>Municipality has agreed to assume street maintenance or otherwise correct a road maintenance problem if a street is divided or segmented by boundary line between township and municipality that creates a road maintenance problem. This agreement could be included in municipal ordinance/resolution adopted under item #19 above or by a separate ordinance/resolution. Not required if both municipality and township consent. (ORC 709.023 (E) (7))</p>			
31	<p>Commissioners' resolution granting or denying the petition has been adopted and entered on the journal. If petition denied, the resolution must state which condition(s) listed in ORC 709.023 (E) (1) - (7) has not been met.</p>			
32	<p>If the annexation is granted, clerk has delivered certified copy of the entire record of proceedings to clerk or auditor of municipality. The entire record includes all resolutions of</p>			

No.	Technical Requirement	Yes	No	Comments/Explanation/Notes
33	<p>the board signed by a majority of the commissioners, the petition, map, and all other papers on file. (ORC 709.023 (G))</p> <p>If the annexation is denied, clerk should send a certified copy of all resolutions to the municipality and agent. Note: the law is silent on this issue; however, CCAO recommends it be done.</p> <p>Writ of mandamus filed to compel board to perform its duties. (ORC 709.023 (G))</p>			