

PETITION FOR ANNEXATION - MUNICIPAL

We, the undersigned, being a **majority** of the owners of real estate in the territory hereinafter described, hereby petition for the annexation of the following described territory to the _____ of _____
(City/Village) (Name of City/Village)
Wood County, Ohio, in the manner provided for by Sections 709.16 of the Revised Code of Ohio.

Petitioners have attached hereto and made a part of this petition a legal description* of the perimeter of the territory sought to be annexed, marked as Exhibit "A".

The described territory is contiguous with the _____ of _____, Ohio.
(City/Village) (Name of City/Village)

Petitioners have attached hereto and made a part of this petition, an accurate map* or plat of the territory sought to be annexed, marked Exhibit "B".

_____, _____ is hereby appointed agent for the
(Name) (Title)
undersigned Petitioners as required by Revised Code Section 709.02(C)(3), with full power and authority hereby granted to said agent to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase or delete the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this Petition. Said amendment, alteration, change, correction, withdrawal, refiling, substitution, compromise, increase or deletion or other things or action for granting of this Petition shall be made in the Petition, description and plat by said agent without further expressed consent of the Petitioners.

Signature of Agent

Typed or printed name of agent

Address

Phone Number/Fax Number

Email Address (if applicable)

* No larger than 8 1/2" x 14"

Return original to: Board of County Commissioners, One Courthouse Square, Bowling Green, Ohio 43402

[illegible][illegible]

§ 709.02 Petition for annexation by owners of contiguous real estate

Text of Statute

(A) The owners of real estate contiguous to a municipal corporation may petition for annexation to a municipal corporation in the manner provided by sections [709.02](#) to [709.11](#) of the Revised Code.

(B) Application for annexation shall be made by a petition filed with the clerk of the board of county commissioners of the county in which the territory is located.

(C) The petition required by this section shall contain the following:

(1) The signatures of a majority of the owners of real estate in the territory proposed for annexation. The person who signs or the circulator of the petition also shall write the date the signature was made next to the owner's name. No signature obtained more than one hundred eighty days before the date on which the petition is filed shall be counted in determining the number of signers of the petition. Any owner who signed the petition may have the signature removed before the document is filed by delivering a signed statement to the agent for the petitioners expressing the owner's wish to have the signature removed. Upon receiving a signed statement, the agent for the petitioners shall strike through the signature, causing the signature to be deleted from the petition.

(2) An accurate legal description of the perimeter and an accurate map or plat of the territory proposed for annexation;

(3) The name of a person or persons to act as agent for the petitioners. The agent for the petitioners may be an official, employee, or agent of the municipal corporation to which annexation is proposed.

(D) At the time of filing the petition for annexation, the agent for the petitioners also shall file with the clerk of the board a list of all tracts, lots, or parcels in the territory proposed for annexation, and all tracts, lots, or parcels located adjacent to that territory or directly across the road from it when the road is adjacent to it, including the name and mailing address of the owner of each tract, lot, or parcel, and the permanent parcel number from the county auditor's permanent parcel numbering system established under section [319.28](#) of the Revised Code for each tract, lot, or parcel. This list shall not be considered to be a part of the petition for annexation, and any error on the list shall not affect the validity of the petition.

(E) As used in sections [709.02](#) to [709.21](#), [709.38](#), and [709.39](#) of the Revised Code, "owner" or "owners" means any adult individual who is legally competent, the state or any political subdivision as defined in section [5713.081](#) [5713.08.1] of the Revised Code, and any firm, trustee, or private corporation, any of which is seized of a freehold estate in land; except that easements and any railroad, utility, street, and highway rights-of-way held in fee, by easement, or by dedication and acceptance are not included within those meanings; and no person, firm, trustee, or private corporation, the state, or any political subdivision, that has become an owner of real estate by a conveyance, the primary purpose of which is to affect the number of owners required to sign a petition for annexation, is included within those meanings. For purposes of sections [709.02](#) to [709.21](#), [709.38](#), and [709.39](#) of the Revised Code, the state or any political subdivision shall not be considered an owner and shall not be included in determining the number of owners needed to sign a petition unless an authorized agent of the state or the political subdivision signs the petition. The authorized agent for the state shall be the director of administrative services.

An owner is determined as of the date the petition is filed with the board of county commissioners. If the owner is a corporation, partnership, business trust, estate, trust, organization, association, group, institution, society, state, or political subdivision, the petition shall be signed by a person who is authorized to sign for that entity. A person, who owns more than one parcel of real estate, either individually or as a tenant in common or by survivorship tenancy, shall be counted as one owner for purposes of this chapter.

HISTORY: RS § 1589; Bates § 1536-31; 66 v 264, §§ 679, 680; GC § 3548; Bureau of Code Revision, 10-1-53; 132 v S 220 (Eff 12-1-67); 133 v H 491 (Eff 11-21-69); 137 v H 732 (Eff 3-14-79); 149 v S 5. Eff 10-26-2001.

§ 709.15 Petition to board of county commissioners

Text of Statute

The application of a municipal corporation to the board of county commissioners requesting the annexation of contiguous territory under section [709.16](#) of the Revised Code shall be by a petition setting forth that, under an ordinance of the legislative authority of the municipal corporation, the territory described in the petition was authorized to be annexed to the municipal corporation. The petition shall contain an accurate legal description of the perimeter and shall be accompanied by an accurate map or plat of the territory proposed for annexation.

HISTORY: RS § 1601; Bates § 1536-43; 74 v 36, § 692; GC § 3560; Bureau of Code Revision, 10-1-53; 149 v S 5. Eff 10-26-2001.

§ 709.16 Limitation on territory that can be annexed; proceedings by commissioners

Text of Statute

(A) A municipal corporation may petition the board of county commissioners to annex contiguous territory owned only by the municipal corporation, a county, or the state. The clerk of the board shall cause the petition to be entered upon the board's journal at its next regular session. This entry shall be the first official act of the board upon the petition. Proceedings on the petition shall be conducted under this section to the exclusion of any other provisions of this chapter except for sections 709.014 [709.01.4], 709.14, 709.15, 709.20, and 709.21 of the Revised Code.

(B) If the only territory to be annexed is contiguous territory owned by a municipal corporation, the board of county commissioners, by resolution, shall grant the annexation. The annexation shall be complete upon the entry upon the journal of the board of the resolution granting the annexation.

(C) If the only territory to be annexed is contiguous territory owned by a county, the board of county commissioners, by resolution, may grant or deny the annexation. The annexation shall be complete upon the entry upon the journal of the board of a resolution granting the annexation.

(D) If the only territory to be annexed is contiguous territory owned by the state and the director of administrative services has filed a written consent to the granting of the annexation with the board of county commissioners, the board, by resolution, shall grant the annexation. The annexation shall be complete upon the entry upon the journal of the board of a resolution granting the annexation.

(E) The board of county commissioners shall act upon a petition for annexation filed under this section within thirty days after receipt of the petition.

(F) No appeal in law or in equity shall be allowed from the granting of an annexation under this section.

(G) When a municipal corporation purchases real property below an appraised fair market value and sells or agrees to sell the property back to the person that sold it to the municipal corporation, an annexation of that property completed under this section shall be void, and the annexed property shall become part of the township from which it was annexed, if it still exists. If the township no longer exists, the board of county commissioners shall attach the annexed territory to another township.

(H) Territory annexed under this section shall not be excluded from the township under section [503.07](#) of the Revised Code.

HISTORY: 149 v S 5. Eff 10-26-2001. Analogous to former RC § [709.16](#) (141 v H 981; 142 v S 38, § 1; 142 v S 38, § 3), repealed 149 v S 5, § 2, eff 10-26-2001.

Analogous to former RC § [709.16](#) (RS § 1602; Bates § 1536-44; 66 v 266, § 693; GC § 3561; 122 v 249; Bureau of Code Revision, 10-1-53; 130 v 227; 140 v S 58; 141 v S 238), repealed, 141 v H 981, § 2, eff 6-7-86.

See provisions, § 3 of SB 5 (149 v --) following RC § [709.01.3](#).