

## **PETITION FOR ANNEXATION – EXPEDITED TYPE 1**

We, the undersigned, being **all** 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, being filed under **Sections 709.021(A) & 709.022(A)** 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.

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Signature of Agent

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Typed or printed name of agent

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Address

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Phone Number/Fax Number

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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

Annex Petition - Expedited Type 1 BLANK.doc

**"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, TYPED NAME AND ADDRESS**

DATE

## **§ 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.

## **§ 709.021 Procedure where owners unanimously request annexation**

### **Text of Statute**

(A) When a petition signed by all of the owners of real estate in the unincorporated territory of a township proposed for annexation requests the annexation of that territory to a municipal corporation contiguous to that territory under one of the special procedures provided for annexation in sections 709.022 [709.02.2], 709.023 [709.02.3], and 709.024 [709.02.4] of the Revised Code, the annexation proceedings shall be conducted under those sections to the exclusion of any other provisions of this chapter unless otherwise provided in this section or the special procedure section chosen.

(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, and the procedures contained in divisions (C), (D), and (E) of section [709.02](#) of the Revised Code shall be followed, except that all owners, not just a majority of owners, shall sign the petition. To be valid, each petition circulated for the special procedure in section [709.022](#) [709.02.2] or 709.023 [709.02.3] of the Revised Code shall contain the notice provided for in division (B) of section [709.022](#) [709.02.2] or division (A) of section [709.023](#) [709.02.3] of the Revised Code, whichever is applicable.

(C) Except as otherwise provided in this section, only this section and sections 709.014 [709.01.4], 709.015 [709.01.5], 709.04, 709.10, 709.11, 709.12, 709.192 [709.19.2], 709.20, and 709.21 of the Revised Code apply to the granting of an annexation described in this section.

(D) As used in sections 709.022 [709.02.2] and 709.024 [709.02.4] of the Revised Code, "party" or "parties" means the municipal corporation to which annexation is proposed, each township any portion of which is included within the territory proposed for annexation, and the agent for the petitioners.

HISTORY: 149 v S 5. Eff 10-26-2001.

## **§ 709.022 Annexation with consent of all parties**

### **Text of Statute**

(A) A petition filed under section [709.021](#) [709.02.1] of the Revised Code that requests to follow this section is for the special procedure of annexing land with the consent of all parties. The petition shall be accompanied by a certified copy of an annexation agreement provided for in section [709.192](#) [709.19.2] of the Revised Code or of a cooperative economic development agreement provided for in section [701.07](#) of the Revised Code, that is entered into by the municipal corporation and each township any portion of which is included within the territory proposed for annexation. Upon the receipt of the petition and the applicable agreement, the board of county commissioners, at the board's next regular session, shall enter upon its journal a resolution granting the annexation, without holding a hearing.

(B) Owners who sign a petition requesting that the special procedure in this section be followed expressly waive their right to appeal any action taken by the board of county commissioners under this section. There is no appeal from the board's decision under this section in law or in equity.

The petition circulated to collect signatures for the special procedure in this section shall contain in boldface capital letters immediately above the heading of the place for signatures on each part of the petition the following: "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."

(C) After the board of county commissioners grants the petition for annexation, the clerk of the board shall deliver a certified copy of the entire record of the annexation proceedings, including all resolutions of the board, signed by a majority of the members of the board, the petition, map, and all other papers on file, and the recording of the proceedings, if a copy is available, to the auditor or clerk of the municipal corporation to which annexation is proposed.

HISTORY: 149 v S 5. Eff 10-26-2001.