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*125 Years of Legal Excellence*

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14

September 10, 2024

City of Lima  
Attn: Dana Addis, Council Clerk  
50 Town Square  
Lima, Ohio 45801

via Certified U.S. Mail

Re: Petition for Annexation of Health Partners of Western Ohio

Dear Ms. Addis:

Please find enclosed herewith a copy of the Petition for Annexation which has been delivered to the Board of Commissioners for Allen County, Ohio today, September 10, 2024.

As always, please feel free to contact me should you have any questions or concerns regarding this correspondence.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Dalton J. Smith', written over a horizontal line.

Dalton J. Smith, Esq.  
DJS/bmk

Enclosure



## **PETITION FOR ANNEXATION**

To: The Board of County Commissioners for Allen County, Ohio

Petitioner: Health Partners of Western Ohio

The Petitioner herein, as owner of the real estate in the territory proposed for annexation, respectfully submits this Petition for Annexation to the City of Lima, Allen County, Ohio, which is a contiguous municipal corporation. The Petitioner requests that the provisions of ORC 709.023 be followed. ORC 709.023 is a special annexation procedure where the land is not excluded from the township. Attached hereto and incorporated herein is an accurate legal description of the perimeter and an accurate map or plat of the territory proposed for annexation ("Exhibit A" attached hereto).

The name of the Agent for the Petitioner is: Dalton Smith, Attorney at the firm Cory, Meredith, Witter & Smith, 101 North Elizabeth Street, 6<sup>th</sup> Floor, Lima, Ohio 45801; 419-228-6365; [dsmith@corylpa.com](mailto:dsmith@corylpa.com)

Attached hereto and incorporated herein is a list of all tracts, lots and/or parcels in the territory proposed for annexation ("Exhibit B" attached hereto) together with a list of all tracts, lots and/or parcels located adjacent to the territory or directly across the road from it when the road is adjacent to it, including the owner names, mailing address for each tract, lot or parcel and the permanent parcel number from the County Auditor's permanent parcel numbering system ("Exhibit C" attached hereto).

Respectfully submitted,



Dalton J. Smith (0099159)  
CORY, MEREDITH, WITTER & SMITH, LPA  
A Legal Professional Association  
101 N. Elizabeth, 6<sup>th</sup> Floor  
Lima, OH 45801  
Tele: 419-228-6365 Fax: 419-228-5319  
E-mail: [dsmith@corylpa.com](mailto:dsmith@corylpa.com)  
Attorney for Petitioner

**Cory, Meredith, Witter & Smith**

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.

Petitioner:

Health Partners of Western Ohio

By: Janis Sunderhaus Date: 09/10/2024

Title: CEO

Cory, Meredith, Witter & Smith

DESCRIPTION FOR ANNEXATION

Thence along the east line of said southeast quarter, S.00°22'25"W., a distance of 118.05 feet to the northeast corner of said S.000 acre tract, being the Principal Point of Beginning;

Thence continuing along said east line, S.00°22'28"W., a distance of 579.11 feet to the southeast corner of said 4.825 acre tract;

Twice along the south line of said 4.825 acre tract, N.89°40'50"W. a distance of 743.53 feet to the southwest corner of said 4.825 acre tract;

Thence along the west line of said 4,825 acre tract and the west line of said 5,000 acre tract, N.00°32'36"E., a distance of 573.45 feet to the northwest corner of said 5,000 acre tract;

Thence along the north line of said 5,000 acre tract, N. 89° 52' 55" E., a distance of 741.88 feet to the Principal Point of Beginning;

Containing 3,825 acres more or less and being subject to all legal highways, rights-of-way, easements, restrictions, covenants, and/or conditions of record.

The above description based on a documents of record and prepared by Michael L. Howden, Registered Professional Surveyor No. 7859, July 15, 2024. The basis of bearings is based on Survey Record 00-446 Clayton T. Bacon, P.S. #5779.

## COUNTY COMMISSIONERS

The Board of Allen County Commissioners hereby accepts this Plat of Annexation of land to the City of Lima by Commissioners Resolution No. \_\_\_\_\_

Dated: \_\_\_\_\_

**President of the Board of Allen County Commissioners**

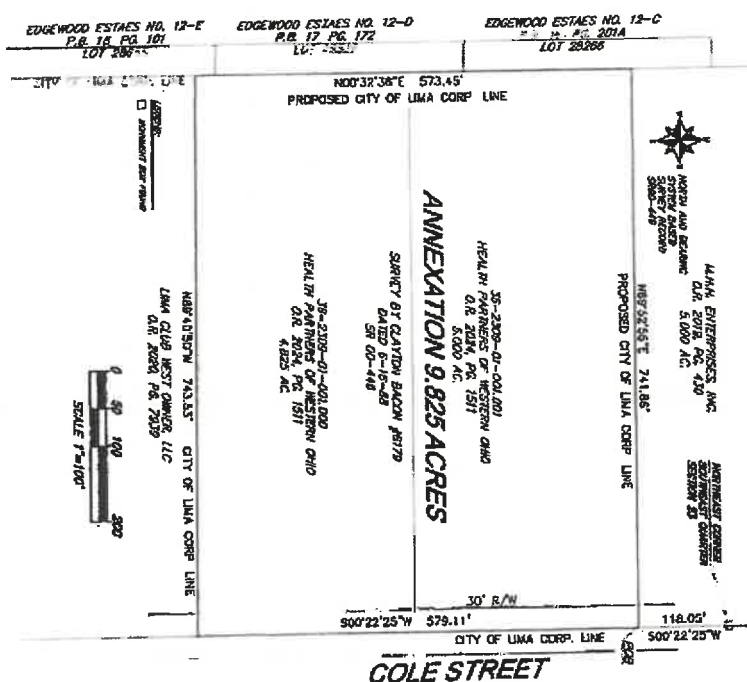
## CITY OF LIMA

Yes, the City of Lima, Do hereby acknowledge this plat of Annexation of land to the City of Lima by Ordinance No. \_\_\_\_\_ Dated: \_\_\_\_\_

**Mayor of the City of Lima**



**ANNEXATION PLAT  
TO THE CITY OF LIMA**



COUNTY AUDITOR

I hereby certify that the land described by this plat was transferred on \_\_\_\_\_

COUNTY RECORDERS CERTIFICATE

I hereby certify that this plat was filed for recording on \_\_\_\_\_ and that it was recorded on \_\_\_\_\_ in Official Record, \_\_\_\_\_ Page \_\_\_\_\_

plat records of Allen County, Ohio. For \$ \_\_\_\_\_

Allen County Recorder

*Michael L. Hubbard*

JOHN W. HUBBARD  
JAMES E. HUBBARD  
DAVID J. HUBBARD

7-15-94



# EXHIBIT

# Allen County Ohio GIS

Mon Jun 3 18:53:00 UTC 2024



This map was prepared by the Allen County Engineer as the Allen County, OH tax map in accordance with Section 5713.09 of the Ohio Revised Code. Allen County assumes no legal responsibility for the information contained on the map.

**LIST OF ALL TRACTS, LOTS OR PARCELS IN THE  
TERRITORY PROPOSED FOR ANNEXATION  
EXHIBIT B**

<u>Owner Name</u>	<u>Address</u>	<u>Parcel Numbers</u>
Health Partners of Western Ohio	329 North West Street Lima, Ohio 45801	36-2309-01-001.000 36-2309-01-001.001

**LIST OF ALL TRACTS, LOTS OR PARCELS LOCATED ADJACENT  
TO THE TERRITORY OR DIRECTLY ACROSS THE ROAD  
FROM THE TERRITORY PROPOSED FOR ANNEXATION  
EXHIBIT C**

<u>Owner Name</u>	<u>Address</u>	<u>Parcel Numbers</u>
MHH Enterprises Inc.	2015 Cole Street, Lima, OH 45801	36-2308-01-001.001
City of Lima	50 Town Square, Lima, OH 45801 Utilities-Attn: Mike Caprella	36-2410-07-002.000
Cornerstone Harvest Church	2200 North Cole Street, Lima, OH 45801	36-2410-07-001.600
Lima Club West Owner LLC	2 University Plaza Drive, Suite 109 Hackensack, NJ 07601 C/O Imovina	36-2309-01-005.000
St. Henry Bank	231 East Main Street Saint Henry, OH 45883	36-2309-02-031.000 36-2309-02-014.000 36-2309-02-005.000