

**Instructions for filing an EXPEDITED TYPE 2 Petition for Annexation  
With the Medina County Board of Commissioners**

1. Items to be filed:
  - a) The original signed petition and mylar plat plus 3 paper copies as well as a fourth 8-1/2X11 copy of the mylar must be filed with the Commissioners Office, and must contain the following:
    - i) The petition must state the type of petition being filed, the number of owners in the territory, the name & address of a person to act as Agent, and include a legal description of the territory to be annexed.
    - ii) The petition must state in boldface capital letters immediately above the heading for signatures “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”.
    - iii) The petition and plat must be signed by all of the property owners in the area proposed to be annexed. Signatures are to show the date of signing. No signature shall be obtained more than 180 days prior to filing.
    - iv) The Mylar must have appropriate signature blocks for the Commissioners, city/village, Auditor, Tax Maps, and Recorder.
    - v) The Mylar needs to state in the “title” the total acreage to be annexed.
  - b) A list of parcels in the area to be annexed and the adjacent territory must be filed with the above referenced petition and Mylar. The list must include the name of owner(s), mailing address(es) of owner(s), and permanent parcel number(s).
  - c) Payment of deposit/fees.
2. The Clerk will immediately forward the petition and plat to the Tax Maps Department for review of the accuracy of the legal description of the up perimeter of the plat. Inaccuracies are cause for rejection of the annexation petition. FYI copies are also sent to the Auditor & Prosecutor.
3. Within 5 days of filing, the Agent shall provide written notice to the Clerk of the municipal corporation, the Clerk of each Township involved, the Clerk of Commissioners of each County involved, and the adjacent property owners. The notice shall state the date and time the petition was filed as well as the date, time and place of the review, and shall be accompanied with a copy of the petition and any other document that was filed. The notice to the governmental agencies shall be by certified mail, return receipt requested, or personally served with proof of service by affidavit by the person delivering the notice. Proof of service that the notices to the governmental entities were sent shall be filed with the Commissioners’ Office.

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4. Within 20 days, the municipality shall adopt an ordinance stating the services that will be provided to the property once annexed. If the proposed annexed territory is subject to municipal zoning that is incompatible with township zoning the municipality is also required to file an ordinance relative to the zoning regulations and any requirement for a buffer between the annexed property and township.
5. The municipality and township(s) involved have 25 days to file their ordinance/resolution consenting or objecting to the annexation. If these are not received within 25 days, it is deemed the entities consent to the annexation.
  - a) Upon receipt by the Board of ordinance/resolution(s) consenting or if no ordinance/resolution is received within 25 days, the Commissioners will grant the petition for annexation at their next regular session.
  - b) Upon receipt by the Board of ordinance/resolution(s) objecting, the Commissioners will review the petition for annexation not less than 30 or more than 45 days after the date that the petition was filed and determine that each of the conditions for Expedited 2 has been met.
6. Once the decision is made, a copy of the resolution will be sent to the Agent and the complete transcript will be forwarded to the City/Village involved.

ORC 709.04: After 60 days from the date of receipt of the annexation transcript from the Commissioners' Office the municipality must pass their ordinance/resolution accepting or rejecting the annexation. If this is not passed within 120 day it will be considered rejected.

(Revised 1/21/14)