AN ORDINANCE PROVIDING FOR THE ANNEXATION OF 13.40 ACRES, MORE OR LESS, OF ADDITIONAL TERRITORY INTO THE CITY OF MORGANTOWN PURSUANT TO SECTION 8-6-4 OF THE WEST VIRGINIA CODE.

WHEREAS, petitions have been filed with the City of Morgantown pursuant to Section 8-6-4 of the West Virginia Code requesting the annexation of 13.40 acres, more or less, more specifically shown and described on the exhibit and metes and bounds description hereto attached and made a part of this ordinance;

WHEREAS, Morgantown City Council is of the opinion that the petitions, exhibit, and metes and bounds description conform to the requirements of Section 8-6-4 and all other applicable sections of the West Virginia Code; and

WHEREAS, Morgantown City Council is of the opinion that the City of Morgantown should annex said 13.40 acres, more or less, into its corporate limits.

NOW, THEREFORE, THE CITY OF MORGANTOWN HEREBY ORDAINS that the 13.40 acres, more or less, as more particularly shown and described on the exhibit and metes and bounds description hereto attached are annexed into the corporate limits of the City of Morgantown; that the minutes of City Council shall indicate the same; that the Mayor and City Manager are hereby authorized to execute and forward the attached certificate to the Monongalia County Commission.

This Ordinance shall be effective upon adoption.

FIRST READING:

_____
MAYOR

ADOPTED:

FILED:

_____
CITY CLERK

RECORDED:

WILLIAMS ENGINEERING COMPANY

ENGINEERS & SURVEYORS

211 FAYETTE STREET, SUITE 11
MORGANTOWN, WV 26505
304-292-8794

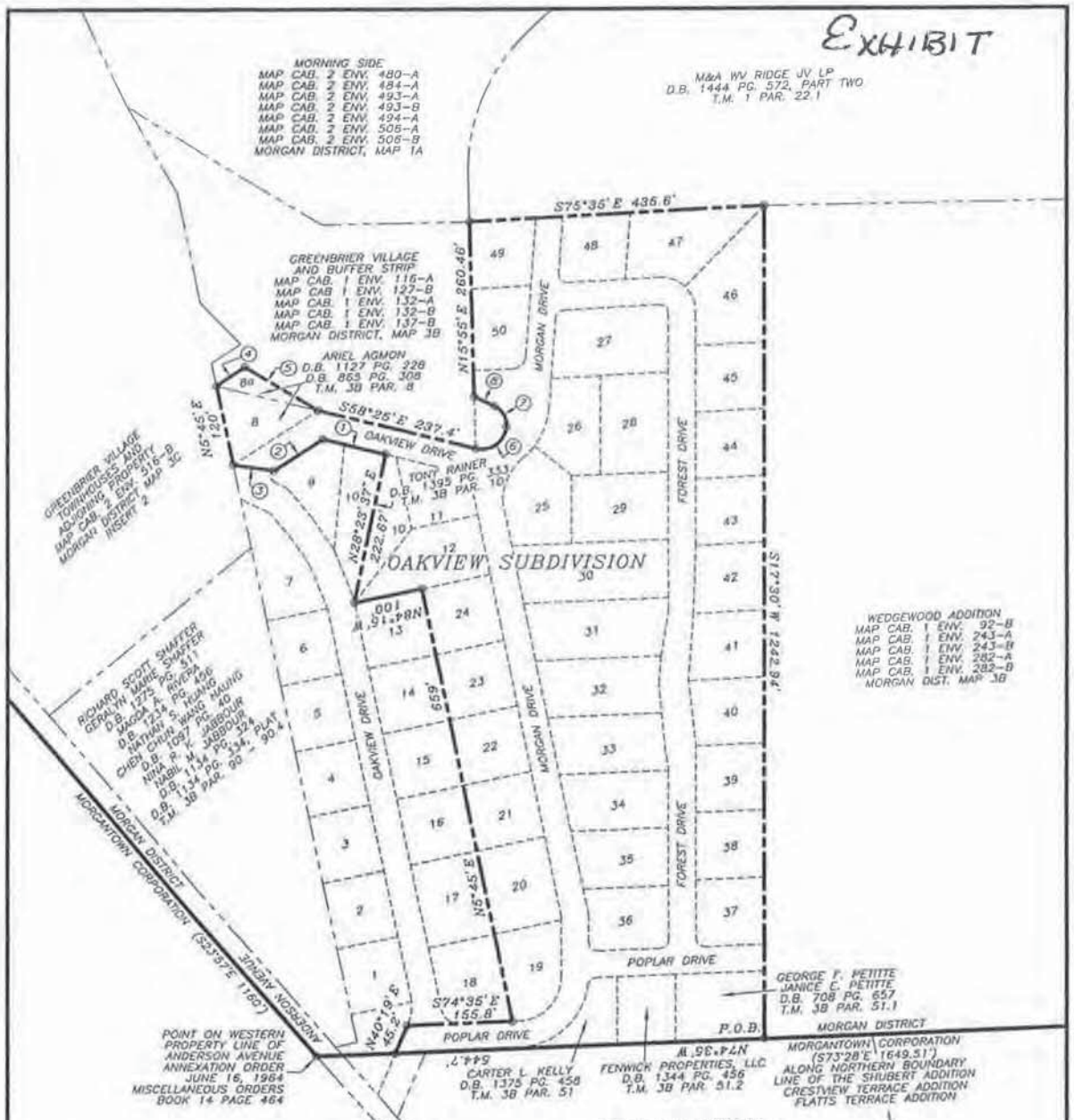
Re: AREA OF PROPOSED ANNEXATION BY PETITION
Preliminary Parcel Description
About 13.4 Acres, More Or Less
Morgan District, Monongalia County, West Virginia

Beginning at a point on the present Corporation Line of the City Of Morgantown (Miscellaneous Orders, Book 14 Page 464), at a corner common to Oakview Subdivision (Deed Book 669 Page 472) and Wedgewood Addition (Map Cabinet 1 Envelopes 92-B, 243-A, 243-B, 282-A, and 282-B) and on line of lands now or formerly of Mr. and Mrs. Oscar E. Schubert (Deed Book 611 Page 338 and Map Cabinet 1 Envelope 57-B); thence with the present Corporation Line of the City Of Morgantown, lands now or formerly of Mr. and Mrs. Oscar E. Schubert, N74°35'W, 544.7', more or less, to a point on the eastern right-of-way line of Poplar Drive; thence through Oakview Subdivision (Deed Book 669 Page 472) with the eastern right-of-way line of Poplar Drive, N40°19'E, 45.2', more or less, to a point; thence crossing Oakview Drive with the northern right-of-way line of Poplar Drive, S74°35'E, 155.8', more or less, to a point, corner common to Lot 18 and Lot 19 of Oakview Subdivision; thence with the rear line common to Lot 13 through Lot 24 of said Oakview Subdivision, N5°45'E, 659', more or less, to a point on line of Lot 12; thence with Lot 12, N84°15'W, 100', more or less, to a point on the eastern right-of-way line of Oakview Drive; thence leaving Oakview Drive and running with an arbitrary line through Lot 10 of Oakview Subdivision, with the lands of Tony Rainer (Deed Book 1395 Page 333), N28°23'37"E, 222.67', more or less, to a point on the southern right-of-way line of Oakview Drive; thence with said Oakview Drive right-of-way line, N58°25'W, 102.55', more or less, to a point, corner to Lot 9 of said Oakview Subdivision; thence with same, S73°05'W, 84.44', more or less, to a point; thence crossing Oakview Drive, N63°48'W, 59.9', more or less, to a point on line of lands of, Greenbrier Village Townhouses (Map Cabinet 1 Envelopes 127-B, 132-A, 132-B, and 137-B), corner to Lot 8 of said Oakview Subdivision; thence the lands of said Greenbrier Village Townhouses, N5°45'E, 120', more or less, to a point, corner Lot 8a, lands of Ariel Agmon (Deed Book 1127 Page 228, Plat Deed Book 865 Page 308); thence with Lot 8a, N73°05E, 50', more or less, to a point; thence with same, S40°56'E, 124.63' , more or less, to a point on the northern right-of-way line of Oakview Drive, corner common to Lot 8 and Lot 8a; thence with the northern right-of-way line of Oakview Drive, lands of Greenbrier Village (Map Cabinet 1 Envelopes 127-B, 132-A, and 132-B), S58°25'E, 237.4', more or less, to a point at the intersection of the northern right-of-way line Oakview Drive with the western right-of-way line of Morgan Drive; thence through Oakview

Subdivision, with the western right-of-way line of Morgan Drive (with three lines scaled from the Oakview Subdivision drawing), with a curve to the left, radius = about 37.1', arc length = about 64.6', chord = about, N71°38'E, 56.8', more or less, to a point; thence by same, with a curve to the left, radius = about 30.6', arc length = about 36.7', chord = about, N12°42'W, 34.6', more or less, to a point; thence by same, about N47°05'W, 34.0', more or less, to a point on line of lands of Greenbrier Village; thence with the lands of Greenbrier Village, N15°55'E, 260.46', more or less, to a point, corner to lands of M&A WV Ridge JV LP (Deed Book 1444 Page 272, Part Two); thence with the lands of M&A WV Ridge JV LP, S75°35'E, 435.60', more or less, to a pint, corner to Wedgewood Addition; thence with Wedgewood Addition, S17°30'W, 1242.94', more or less, to the point of beginning. Containing about 13.4 acres, more or less.

OAKVIEW 140528.DOC

EXHIBIT



NOTE: 1. ALL OF THE BEARINGS AND DISTANCES SHOWN HEREON SHOULD BE CONSIDERED APPROX. AND ARE FOR REFERENCE ONLY.

2. THIS DRAWING WAS DEVELOPED FROM RECORDED INFORMATION, NO FIELD SURVEY WAS PERFORMED.

TAX MAP NO. 3B PARCEL NOS. 8 AND 10 - 51.2

AREA = 13.4 ACRES, MORE OR LESS

TITLE REF.: OAKVIEW, SUBDIVISION OF THE MORGAN DEVELOPMENT CORP.
D.B. 654 PG. 37
D.B. 659 PG. 316
D.B. 669 PG. 472

LINE TABLE

1. N58°25' W 102.55'
2. S73°05' W 84.44'
3. N63°48' W 59.9'
4. N73°05' E 50'
5. S40°56' E 124.63'

Lines 6, 7, and 8 were scaled from the Oakview Subdivision drawing.

6. R=37.1' L=64.6' CHORD N71°38'E 56.8'
7. R=30.6' L=36.7' CHORD N12°42'W 34.6'
8. N47°05' W 34.0'

DRAWING OF

AREA OF PROPOSED ANNEXATION BY PETITION

MORGAN DISTRICT, MONONGALIA COUNTY, WV

SCALE: 1" = 200' **MAY 13, 2014**

WILLIAMS ENGINEERING COMPANY
MORGANTOWN, WV

0' 200' 400' 600'

OAKVIEW 140528.DWG
BOOK NO. 63 PAGE NO. 1

The City of Morgantown

Office of the City Clerk

Linda L. Little, CMC
389 Spruce Street, Room 10
Morgantown, West Virginia 26505
Direct: (304) 284-7439 Fax: (304) 284-7525
llittle@cityofmorgantown.org
www.morgantownwv.gov

July 10, 2014

City of Morgantown
Attn: Mr. Jeff Mikorski
389 Spruce Street
Morgantown, WV 26505

Dear Mr. Mikorski,

The City Clerk's office has researched the Annexation petitions presented to this office by Ms. Barbara Linn. I talked with Barbara on 6-23-14 and made her aware of the fact that I was re-checking the Petition, just for accuracy. There were 50 voters in the proposed annexation who were eligible to sign the petition of which 29 or, 58.00% were **for** the annexation.

As to the freeholder's petition, there were 18 voters in the proposed annexation area who were eligible to sign the petition of which 11 or, 61.11% signed the petition were **for** the annexation

Attached for reference is the Oakview Petition, map of proposed area and excel spreadsheet of the City Clerk's verification of voters and freeholders and some things found after researching data explained below:

102 Morgan Drive: Carter, Kevin, Stevin and Deniz Grocott Registered to vote in Monongalia County no longer live in WV.

108 Morgan Drive: Christine Byrd Registered voter lives at this address and is being added.

110 Forest Drive: Charles, Christina, Courtney, Mackenzie and Tamela as Registered Voters at this address no longer live in Morgantown. Property was sold to the Smothers.

113 Forest Drive: Erin Ponzurick a Registered Voter no longer lives at that address.

116 Forest Drive: Helen McCafferty a Registered Voter is deceased.

119 Forest Drive: Fredica Meitzen a Registered Voter lives in Virginia.

Address corrected on 7-1-14 per Rao Ramakrishna typed in wrong address.

510 Poplar Drive: **Carter Kelly was cancelled as a registered voter per Mon County Voter Registration.**

Barbara Linn talked with Carolyn Moses and asked her to get another Affidavit notarized for the most recent petition. She e-mailed Carolyn and the information will come to me by mail.

Please let me know if there is any further information or questions you may have in reference to this annexation matter as it pertains to the verification process.

Sincerely,

Linda L. Little

Linda L. Little, CMC
City Clerk

JM/lll
Cc: File

Morgan District Map 3B

			Name				
	Parcel No.	Parcel Address	Voter	Freeholder	For	Against	Unsigned
1	8	116 Oakview Drive		Ariel Agmon	x		
2	10	117 Oakview Drive		Anthony Rainer	x		
3	11	117 Oakview Drive		Anthony Rainer	x		
4	12	114 Morgan Drive	Razi Gaskari		x		
5	19	102 Morgan Drive	Carter Grocott			x	
6	19	102 Morgan Drive	Patricia A Grocott			x	
7	20.1	102 Morgan Drive		Patricia A Grocott		x	
8	20	104 Morgan Drive	Huseyin Bilgesu		x		
9	20	104 Morgan Drive	Zehra Bilgesu			x	
10	20	104 Morgan Drive	Susan Bilgesu				x
11	21	106 Morgan Drive	Knox Van Dyke				x
12	21	106 Morgan Drive	Cynthia Van Dyke				x
13	22	108 Morgan Drive	Nancy Byrd				x
14	22	108 Morgan Drive	Christine Byrd				x
15	23	110 Morgan Drive		Christine Wang		x	
16	24	112 Morgan Drive	Roger Lohmann		x		
17	24	112 Morgan Drive	Nancy Lohmann		x		
18	25	118 Morgan Drive	Sherri Hood		x		
19	25	118 Morgan Drive	David Hood		x		
20	26	121 Morgan Drive	Anna Lee		x		
21	27	121 Morgan Drive		Anna Lee	x		
22	27.1	119 Forest Drive	David Linn		x		
23	27.1	119 Forest Drive	Barbara Linn		x		
24	28	117 Forest Drive	Billy Poffenberger			x	
25	28	117 Forest Drive	Patricia Poffenberger			x	
26	29	115 Forest Drive		Scott Properties, LLC		x	
27	30	113 Forest Drive	Ellison Ponzurick		x		
28	31	111 Forest Drive	John Fisher II		x		
29	31	111 Forest Drive	Susan Fisher		x		
30	32	111 Forest Drive		John Fisher II	x		
31	32.1	107 Forest Drive		Alan Poffenberger		x	
32	33	107 Forest Drive	Alan Poffenberger			x	
33	33	107 Forest Drive	Tracy Poffenberger			x	
34	34	105 Forest Drive	Robert Milvet Jr.			x	
35	34	105 Forest Drive	Natalie Milvet			x	
36	35	103 Forest Drive	Elina Lvov		x		
37	35	103 Forest Drive	Maxim Sokolov		x		
38	36	101Forest Drive	Peter J. Klemkowski				x
39	36	101Forest Drive	Tamara Klemkowski				x
40	36	101 Forest Drive	Ashley Klemkowski				x
41	36	101 Forest Drive	Jenna Klemkowski				x
42	37	102 Forest Drive	Sylvia Cooper		x		
43	38	104 Forest Drive		Sylvia Cooper	x		
44	39	106 Forest Drive	Robert Griffith		x		
45	39	106 Forest Drive	Mary Davis		x		
46	39	106 Forest Drive	Jessica Griffith		x		
47	40	106 Forest Drive		Robert Griffith	x		
48	40.1	110 Forest Drive		Angel Smothers	x		
49	41	110 Forest Drive	Daniel Smothers		x		
50	41	110 Forest Drive	Angel Smothers		x		
51	42	112 Forest Drive	Richard Brooks		x		
52	42	112 Forest Drive	Susan Morgan		x		
53	43	116 Forest Drive		Carolyn Moses	x		
54	44	116 Forest Drive		Carolyn Moses	x		
55	45	118 Forest Drive	Jeffrey Kreitzer			x	
56	46	120 Forest Drive	Ramakrishna Rao		x		
57	46	120 Forest Drive	Judy McDonnell-Rao		x		
58	**47**	122 Forest Drive		Aldo Romero			x
59	48	124 Forest Drive	Kara Samaj		x		
60	49	126 Morgan Drive	Regan Bruni		x		
61	49.1	124 Morgan Drive		Zachary Mendelson	x		
62	50	124 Morgan Drive	Zachary Mendelson		x		
63	50	124 Morgan Drive	Krista Mendelson		x		
64	50	124 Morgan Drive	Yale Mendelson			x	
65	51	510 Poplar Drive		Carter Kelly		x	
66	51.1	530 Poplar Drive	George Petitte			x	
67	51.1	530 Poplar Drive	Janice Petitte			x	
68	51.2	Poplar Drive		Fenwick Properties		x	

Totals: 50 18 29 Voter
11 FH

***Parcel 47 per records owned by Zhang and Wu.**
Just a matter of record no vote indicated.

11/18 = 61.11% Freeholders

29/50 = 58.00% Voters