

# **Bond Case Briefs**

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## **ANNEXATION - OHIO**

### **State ex rel. Natl. Lime & Stone Co. v. Marion Cty. Bd. of Commrs.**

**Court of Appeals of Ohio, Third District, Marion County - March 7, 2016 - N.E.3d - 2016 WL 859892 - 2016 -Ohio- 859**

Relator filed petition seeking writ of mandamus ordering county board of commissioners to approve relator's petition to annex relator's land, over a portion of which railroad had ownership interest.

The Court of Appeals held that railroad was "owner" of land in territory proposed for annexation, and thus railroad's signature was required in petition for annexation.

Railroad was "owner" of land in territory proposed for annexation, and thus relator's failure to obtain railroad's signature in petition to annex rendered denial of petition appropriate, where land was transferred to railroad's predecessor by deed, and nothing in deed stated that interest transferred was easement, right-of-way, or fee for the purpose of operating a railroad.