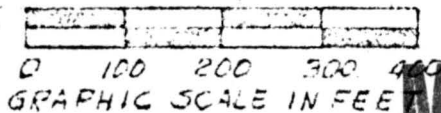


99066
 REC'D: June 11, 1973
 AT 9:21 O'CLOCK a.m.
 RECORDED: June 11, 1973
 HOLMES CO. PLAT VOL 7 PG 51
 FEE: \$ 2.00
Richard Grant RECORDER

11.51 Ac.

PLAT OF A SURVEY FOR
 KILLBUCK HEIGHTS
 DEVELOPEMENT INC. (Granted)
 Part of SW. 1/4 S6, T8N, R7W
 Killbuck Twp., Holmes County, Ohio.
 Robert L. Kasnar
 Registered Surveyor #5193



MAP OFFICE COPY

Deed Vol 184. Pg 192

VCL 184 PAGE 192

These annexation papers are on file. *Paid \$ 29.00*
Richard Graven, Recorder
99067

ORDINANCE ACCEPTING ANNEXATION ON APPLICATION OF OWNERS OF REAL ESTATE

An Ordinance No. 4-1973

To accept the application for the annexation of certain territory containing 11.51 acres in Killbuck Township to the Village of Killbuck.

Whereas, a petition for the annexation of certain territory in Killbuck Township was duly filed by KILLBUCK HEIGHTS, INC.; and

Whereas, the said petition was duly considered by the Board of County Commissioners of Holmes County, Ohio, on the 26th day of February, 1973, and

Whereas, the Board of County Commissioners has approved the annexation of said territory to the Village of Killbuck as hereinafter described; and

Whereas, the Board of County Commissioners certified the transcript of the proceedings in connection with said annexation with the map and petition required in connection therewith to the Clerk of the Village of Killbuck, who received same on March 5, 1973; and

Whereas, sixty days from the date of said filing have now elapsed in accordance with the provisions of RC 709.04; now, therefore,

Be it ordained by the Council of the Village of Killbuck

(1) That the proposed annexation as applied for in the petition of KILLBUCK HEIGHTS, INC., and a majority owners of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Holmes County, Ohio, on the 26th day of December, 1972, and which said petition prayed for annexation to the Village of Killbuck, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the Village of Killbuck by the Board of County Commissioners on the 26th day of February, 1973, be and the same is hereby accepted. Said territory is described as follows:

Situated in Killbuck Township, Holmes County, and State of Ohio: Known as part of the Southwest Quarter of Section 6, Township 8 North and Range 7 West and more fully described as follows: Beginning at an Iron Pipe at the Northeast corner of said Southwest Quarter; thence with the North line thereof N. 89 deg. 17' W. 205.00' to an Iron Pipe at the point of beginning of the herein conveyed parcel; thence leaving said line S. 0 deg. 15' 9" W. 1705.57' to an Iron Pipe; thence N. 89 deg. 14' 22" W. 290.00' to an Iron Pipe; thence N. 0 deg. 17' 40" W. 855.50'

to an Iron Pipe; thence N. 0 deg. 48' 18" E. 488.23' to a Railroad Rail; thence N. 0 deg. 48' 18" E. 361.69' to an Iron Pipe on the North line of Southwest Quarter; thence S. 89 deg. 17' E. 290.00' to the point of beginning and containing 11.51 acres.

The certified transcript of the proceedings for annexation with an accurate map of said territory, together with the petition for its annexation, and other papers relating to the proceedings thereto of said County Commissioners are all on file with the Clerk of the Village and have been for more than sixty days.

(2) That the Village Clerk be and she is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto and a certificate as to the correctness thereof. The Auditor shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder and one copy to the Secretary of State and shall file notice of this annexation with the Board of Elections within thirty days after it becomes effective, and said Clerk shall do all other things required by law.

Mayor Herman Proyer

Clerk Dr. Kay Lewis

Pres. of Council Forrest E. Chanay

May 7, 1973



VCL 184 PAGE 194

these annexation papers on file:

Richard Graven, Recorder

RESOLUTION

We, the members of the Board of County Commissioners of Holmes County, Ohio, do hereby certify that the papers attached hereto constitute all the original papers and a true transcript of all proceedings had by the Board of County Commissioners of Holmes County, Ohio, in connection with the petition filed by KILLBUCK HEIGHTS, INC., owner of real estate in the territory sought to be annexed, praying for the annexation of certain adjacent and contiguous territory in the Township of Killbuck, to the Village of Killbuck, Ohio, as described in said petition filed.

Voting aye thereon:

John Grayne
Warren Masie

BOARD OF COUNTY COMMISSIONERS OF
HOLMES COUNTY, OHIO

William Patterson, Deputy Clerk
Clerk, Board of County Commissioners

Commissioners' Journal,

Session, 19 73

National Graphics Corp., Columbus, Ohio - 614481

the minutes continued:

Auditor's Office, Holmes County,
Millersburg, O.,

December 26, 1972

KILLBUCK HEIGHTS, INCORPORATED - ANNEXATION PETITION SUBMITTED

George Ellis, Attorney, was present to submit to the Commissioners an Annexation Petition, in behalf of Killbuck Heights, Incorporated, to annex territory to the Village of Killbuck. The purpose of annexation is for residential use. The Petition follows:

ANNEXATION PETITION

To: Board of County Commissioners of Holmes County, Ohio.

KILLBUCK HEIGHTS, INCORPORATED, being the owner of real estate hereinafter described, hereby petitions for the annexation of the following described territory to the Village of Killbuck, Holmes County, Ohio.

Situated in the Township of Killbuck, County of Holmes and State of Ohio, and bounded and described as follows:

Known as the part of the Southwest Quarter of Section 6, Township 8 North and Range 7 West and more fully described as follows:

Beginning at an Iron Pipe at the Northeast corner of said Southwest Quarter; thence with the North line thereof, N. 89 deg. 17' W. 205.00' to an Iron Pipe at the point of beginning of the herein conveyed parcel; thence leaving said line S. 0 deg. 15' 9" W. 1705.57' to an Iron Pipe; thence N. 89 deg. 14' 22" W. 290.00' to an Iron Pipe; thence N. 0 deg. 17' 49" W. 855.50' to an Iron Pipe; thence N. 0 deg. 48' 18" E. 488.23' to a Railroad Rail; thence N. 0 deg. 48' 18" E. 361.69' to an Iron Pipe on the North line of Southwest Quarter; thence S. 89 deg. 17' E. 290.00' to the point of beginning and containing 11.51 acres.

The above-described territory is adjacent and contiguous with the said Village of Killbuck.

Petitioners have attached hereto and made a part of this Petition, an accurate map or plat showing the boundaries of the territory sought to be annexed, marked "Map of Territory to be Annexed to the Village of Killbuck".

There is one owner of real estate in the above-described territory which is sought to be annexed to the Village of Killbuck.

David J. Van Oss is hereby appointed agent for the undersigned petitioners as required by R.C. 709.02, 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 the granting of this petition shall be made in the petition, description, and/or plat by said agent without further expressed consent of the

CERTIFIED COPY OF ORIGINAL

Commissioner's Journal
Volume 184 Page 182
John J. Patterson
Deputy Clerk

Commissioners Journal,

Session, 1973

the minutes continued:

Auditor's Office, Holmes County,
Millersburg, O., December 26, 19 72

RESOLUTION FOR ANNEXATION ADOPTED - Killbuck Heights Incorporated

The following resolution for the annexation of Killbuck Heights Incorporated into the Village of Killbuck was adoned by the Commissioners by motion made by Mr. Giaouue, and seconded by Mr. Massie. Vote on roll call: Mr. Massie, yes; Mr. Giaouue, yes. Resolution follows:

RESOLUTION

A Petition for the annexation of certain territory in Killbuck Town-
ship, containing 11.51 acres, with David J. Van Oss as agent, having been
of Holmes County Commissioners
filed in the office of the Board, praying that the following described
territory be annexed to the Village of Killbuck:

Known as part of the Southwest Quarter of Section 6, Township 8
North and Range 7 West and more fully described as follows:

Beginning at an Iron Pipe at the Northeast corner of said Southwest
Quarter; thence with the North line thereof N. 89 deg. 17' W.
205.00' to an Iron Pipe at the point of beginning of the herein
conveyed parcel; thence leaving said line S. 0 deg. 15' 9" W.
1705.57' to an Iron Pipe; thence N. 89 deg. 14' 22" W. 290.00' to
an Iron Pipe; thence N. 0 deg. 17' 49" W. 855.50' to an Iron
Pipe; thence N. 0 deg. 48' 18" E. 488.23' to a Railroad Rail;
thence N. 0 deg. 48' 18" E. 361.69' to an Iron Pipe on the North
line of Southwest Quarter; thence S. 89 deg. 17' E. 290.00' to the
point of beginning and containing 11.51 acres.

And in consideration thereof, the Board finds that the Clerk has caused said
Petition to be entered upon the record of proceedings of the Board and has
filed a copy of such petition with the County Auditor of Holmes County; and
the Board further finds that a hearing should be had thereon in accordance with
law.

It is therefore ordered that a hearing on the annexation of the above
described territory be held at 2:00 P. M., on the 26th day
of February, 19 73, at Commissioner's Office, Court House, Mbg.

It is further ordered that the agent of petitioners be notified hereof and that
he give notice of said hearing in accordance with law. Motion was made by John
Giaouue and seconded by Warren Massie to accept the Resolution.
Vote on roll: Warren Massie, Yes; John Giaouue, yes.

BOARD OF COUNTY COMMISSIONERS OF
HOLMES COUNTY, OHIO

Warren Massie
John Giaouue

CERTIFIED COPY OF ORIGINAL
Commissioner's Journal
Volume 24 Page 183
Miller Patterson
Deputy Clerk.

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VGL 184 PAGE 197

Commissioners Journal Session, 1973

National Graphics Corp., Cincy., O., CD8481

the minutes continued:

Auditor's Office, Holmes County,
Millersburg, O., December 26, 1972

ANNEXATION - HEARING DATE SET

Public Hearing for the Annexation of Killbuck Heights, Incorporated into the Village of Killbuck will be held on Monday, February 26, 1973 at 2:00 P.M. in the Commissioners Office at the Court House.

TRANSFERS - MISC.

Motion was made by Mr. Giaouue, seconded by Mr. Kasner, to transferr the following funds: From 1-A-4 to 17-A-1 \$66.83; From 1-B-3 to 1-B-6 \$43.23; From 1-A-4 to Crip.Cld. \$48.51; From 6_A-4 to E-4-2 \$450.00. Vote on roll call: Mr. Massie, yes; Mr. Kasner, yes; Mr. Giaouue, yes.

APPOINTMENTS TO AIRPORT AUTHORITY BOARD

Motion was made by Mr. Kasner, seconded by Mr. Giaouue, to appoint Paul Young to replace Richard Morrison, and Dr. Carl H. Yoder to replace Jav Frank Bell to replace Dr. Carl H. Yoder on the Holmes County Airport Authority. Vote on roll call: Mr. Massie, yes; Mr. Kasner, yes; Mr. Giaouue, yes. The deputy Clerk was requested to contact each of these men of their appointments.

KREIGER - STARKER TO FINISH PETITION AT CO. BD. OF ED.

Motion was made by Mr. Kasner, seconded by Mr. Giaouue, to authorize Kreiger - Starker to extend the petition in the County Board of Education office. Vote on roll call: Mr. Massie, yes; Mr. Kasner, yes; Mr. Giaouue, yes.

PAY BILLS MOTION:

Motion was made by Mr. Giaouue, seconded by Mr. Kasner that the following bills which have been properly filed and signed, be and hereby are authorized paid. Vote on roll call: Mr. Massie, yes; Mr. Kasner, yes; Mr. Giaouue, yes. Bills Follow:

GENERAL FUND

| | | | |
|---|--------|---|--------|
| Seven Co. Comprehensive Reg. Hea. Pl. Comm. | 17-A-1 | Holmes Co. Share - 7 Co. Comp. R. g. Health | 400.00 |
| Office Appliance Co. | 2-B-3 | Taag covers, steno pads, etc. C.P. Ct. | 23.36 |
| Ohio Power Co. | 4-B-14 | Current Jail 61.69; Mass Rd. 2.79; D. Pou. 29.22 | 93.70 |
| Millersburg Hardware Co. | 4-B-11 | Supplies, Inv. 36931; 85288; 85287; 86106 - Janitor | 25.67 |
| Johnson Watson Dayton Bl. Bk. Co. | 1-B-3 | Co. Bkts., Sch. Twp. Vill. Dept. bud., 'Accept. rates | 115.90 |
| Office Appliance Co. | 1-B-3 | Supplies, Aud. | 1.96 |
| National Graphics | 1-B-3 | 50 A373 Ascnd. Off. Cert of Estim. Resources Twp.-Aud. | 10.65 |
| Wm. Lillienthal & Sons | 2-C-36 | 49.00 Juv. Rec. #10; 2-D-3 6 Acco. Binders 6.45 Prob. Ct. | 55.45 |
| Wm. Lillienthal & Sons | 2-D-3 | Canvas cover, binding, etc. Prob. Ct. | 67.10 |
| Wm. Lillienthal & Sons | 2-D-3 | Rec. #37, Rec. #22, & Rec. #8 Probate | 150.00 |
| Burroughs Corp. | 2-E-3 | Parts for repair - Clk. Cts. | 6/03 |
| Homes Co. Farmer Hub | 2-E-4 | Notice draw jury less overcharge on 8/17/72 - Clk Cts. | 1.62 |
| Wm. Lillienthal & Sons | 6-B-3 | 2 rms. 24 1/2 inch. Rd. Cornered Not punched - Recorder | 22.45 |
| C. Paul Anderson P.M. | 6-A-3 | Postage - Sheriff | 24.00 |
| Office App. Co. | 6-A-3 | Paper & ribbon - Sheriff | 21.42 |
| Stark Radio Telephone | 6-A-6 | Maint. for equip. for Dec. - Sheriff | 53.25 |
| Treasurer of State | 1-E-1 | Ex'm. Welfare Dept. Xerox & Tyle. | 6.10 |
| Treasurer of State | | TB care Maxine Close 9/8/72 thru 9/30/72 | 897.00 |
| Marilyn Towner | | Mileage for Dec. - 58 miler | 5.80 |
| L. Eugene Byers, DVM | | The eradication - Bangs control Nov. 1972 VET | 91.25 |
| Close Irving Ins. Agency | | Bond for Sheriff Weiss 1st prem. | 37.00 |
| Jacob & McDowell Ins. Agency | | Bond for Richard Casven, Recorder | 119.00 |
| Burgett Insurance Co. | | Bond for Pros. Atty. 78.00; Bond (Further Just.) 36.00 | 114.00 |

COUNTY HOUS

| | | | |
|-----------------------------------|--------|-------------------------------------|--------|
| Burkey's Quality Shoppe | 9-A-3 | Raint & Supplies | 43.94 |
| Treas. of Stat | 9-A-3 | Surplus - Commodity Act. | 2.60 |
| Cline Plumbing & Heating | 9-A-3 | 1 pr. beaters | 41.25 |
| Croskey Shoe Repair | 9-A-3 | Shoe repair | .50 |
| Ohio Store Fixtures | 9-A-3 | Coffee Basket | 2.49 |
| Ohio China | 1-A-3 | Mop heads & plastic bucket | 6.40 |
| Millersburg Furniture Co. | 9-A-3 | Sewing machine, chest, & 2 sweepers | 146.95 |
| XXXXXXXXXXXXXXXXXXXX Fire Service | 1-A-3 | Tire service for farmall H | 199.68 |
| Steinel Village Motors Inc. | 9-A-3 | Repairs fo car | 11.50 |
| Carrige Cleaners | 9-A-3 | Cleasina | 9.05 |
| Seess Shoe Store | 9-A-3 | Shoes 11/20/72 | 31.80 |
| Ohio Power Co. | 9-A-6 | Current - Co. Rd. 349 (349) | 2.26 |
| United Telephone Co. of Ohio | 9-A-6 | P. Ch. Ho. 5.05; Co. Ho. 29.92 | 34.97 |
| Frank Brumme | 9-A-12 | Travel | 16.75 |

MAINTENANCE FUND

| | | | |
|--------------------------------|------|--|----------|
| Burkey's Body Shop | K-43 | Repairing grader | 532.95 |
| Fred Huobner, Et. Al. | K-11 | 6691.63; K-25 394.40; K-394.40; K-40 1745.60 | 7,822.97 |
| Canton City Blue Prints, Inc. | K-3 | Steel tapre | 43.00 |
| Briar Hill Stone Co. | K-12 | C. B. Scrap | 6/05 |
| New Bedford Engine Repair | K-26 | Labor & parts - Br. Dept. | 395.04 |
| Buckeye Culvert & Supply Inc. | K-26 | Culvert | 177.84 |
| The Superior Steel Corp. | K-26 | Sheet piling etc. | 2,611.23 |
| Millersburg Electric | K-39 | Supplies for shop | 50.52 |
| Berlin Plumbing & Heating Inc. | K-39 | Repairs in shop | 97.65 |
| M. E. C. O. Equip. Co. | K-39 | Pressure gauge | 11.50 |
| Curtis Industries, Inc. | K-39 | Electrical tape | 13.74 |
| Glenhill Road Mach. Co. | K-43 | Flag spring | 16.32 |
| Ohio Power Co. | K-39 | S_rvice (11/14/73 - 12/14/78) | 83.62 |
| V. B. Machine Shop | K-43 | REPAIRS | 7.25 |

Commissioners' Journal, Session, 1973

the minutes continued:

Auditor's Office, Holmes County, Millersburg, O., January 2, 1973

CONTRACT FOR JAIL KFEF REC'D. FROM HOLMESVILLE VILLAGE

The Agreement was received from the Holmesville Village Mayor, Earl Lowe, for the keep of prisoner's in the County Jail. A copy was submitted to the Sheriff and another returned, signed, to Mayor Lowe.

SHERIFF TO INQUIRE FROM OTHER COUNTIES ABOUT JAIL MEAL RATES

Sheriff Darryl Weiss was authorized to check with other counties and get their meal rates for the prisoner's in the County Jail. He is to then report back to the Commissioners.

SANITARY LANDFILL LAND LEASE - KLINE'S RIDENBAUGH PRESENT

Mr. Klines Ridenbaugh was present to discuss with the Commissioners the situation of the land lease for the Sanitary Landfill. As Mr. E.E.Mullet could not be here, he is to be contacted and asked to come in this month.

BILL PYERS, PROBATE JUDGE ELECT PRESENT

Mr. Bill Pvers, Probate and Juvenile Judge-Elect was present to inquire about funds available to pay his expense to a Judge's Conference at Youngstown, since he is not yet in office. The Commissioner's informed him that he should check further into the situation and report back to them.

FORCE ACCOUNT APPROVED FOR COUNTY ENGINEER

Motion was made by Mr. Kasner, seconded by Mr. Massie, to approve the following:

Whereas, it being determined by the Holmes County Board of County Commissioners that the health, welfare, and safety of the General Public can best and most efficiently be served by force account in matters pertaining to maintenance, repair, construction, and reconstruction of Holmes County roads, bridges, and culverts;

Now therefore, be it resolved, that Robert Kasner, County Engineer of Holmes County is hereby authorized to employ labor, purchase materials, and proceed by force account in the maintenance, repair, construction, and reconstruction of roads, bridges, and culverts in Holmes County for the year of 1973; however, the County Commissioners reserve the right to take bids on repairs, construction, and reconstruction of roads, bridges, and culverts in certain instances if they so desire.

Vote on roll call: Mr. Massie, yes; Mr. Kasner, yes.

AFFIDAVIT OF SERVICE OF NOTICE & NOTICE OF FILING OF ANNEXATION PETITION FOR KILLBUCK HEIGHTS INC.

The following AFFIDAVIT OF SERVICE OF NOTICE and NOTICE OF FILING ANNEXATION PETITION were received by the commissioner's upon motion made by Mr. Kasner, and seconded by Mr. Massie. Vote on roll: Mr. Massie, yes; Mr. Kasner, yes.

AFFIDAVIT OF SERVICE OF NOTICE

COUNTY OF HOLMES, ss: STATE OF OHIO.

The undersigned, being first duly sworn, deposes and says that he is agent for the petitioners seeking annexation of certain territory located in the Township of Killbuck, County of Holmes, State of Ohio, to the Village of Killbuck, County of Holmes, State of Ohio, and further says that he did personally deliver the attached "Notice of Filing of Annexation Petition" to

Walter P. [Signature] Clerk of the legislative authority of the Township of Killbuck, by handing her a copy thereof (or other authorized manner of service) on the 29th day of December, 1972.

Further affiant sayeth not.

[Signature] Agent for Petitioners for Annexation

Sworn to before me and subscribed in my presence this 29th day of December, 1972.

[Signature] Notary Public

MARY M. RAYMOND, Notary Public My Commission Expires December 8, 1973

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VOL 184 PAGE 199

Commissioners' Journal, *January 2, 1973* Session, 1973

National Graphics Corp., Cols., O. - C134431

the minutes continued:

Auditor's Office, Holmes County,
Millersburg, O. January 2, 1973

NOTICE OF FILING ANNEXATION PETITION

To: Clerk of the Township of Killbuck:

You will hereby take notice that certain petitioners seeking the annexation of certain territory located in the Township of Killbuck, County of Holmes, State of Ohio, to the Village of Killbuck, County of Holmes, State of Ohio, filed a Petition for the annexation of such territory in the office of the Board of County Commissioners of Holmes County, Ohio, on the 26th day of December, 1972.

This notice is given by the undersigned agent of such petitioners pursuant to RC 709.03.

Said Petition contains a full description of the territory sought to be annexed and other matters required by law and is signed by a majority of the owners of real estate in such territory.

David J. VanDusen
Agent for Petitioners for Annexation

LETTER TO BE WRITTEN TO FLOYD WOLFE - TWP. RD. #5, WASHINGTON TWP.

Letter is to be written to Mr. Floyd Wolfe, informing him that the Commissioners have gone over Washington Township Road #5 and it is to their agreement that no action be taken at this time.

DAY BILLS MOTION

Motion was made by Mr. Kasner, seconded by MR. Massie, that the following bills which have been properly filed and signed, be and hereby are authorized paid. Vote on roll call: Mr. Massie, yes; Mr. Kasner, yes. Bills follow:

| <u>GENERAL FUND</u> | | | |
|---------------------------------|--------|---|-------------|
| Macin E. Estill, Prob. Judge | 1-A-11 | Lunacy for Sam Kinsey, Case No. 1002 | 20.60 |
| R. & G. Pickup Service | 1-A-11 | Hauling for Bd. of Ed. office - 4 wks. | 5.00 |
| Sanco Products Inc. | 4-B-11 | Sanco Glyaire-Disinfectant, Dreme Poilet Bowl cleaner-Janitor | 70.45 |
| Columbia Gas of Ohio Inc. | 4-B-14 | Gas Ct. Ho. 585.68; Jail 153.53 | 544.26 |
| Millersburg Water Works | 4-B-14 | Water Rent for Ct. House and Jail | 194.75 |
| United Telephone Co. of Ohio | 4-B-14 | Rent & Toll for Ct. House and Jail | Pros. Atty. |
| Ohio Power Co. | 4-B-14 | Current for Court House | 163.55 |
| Wm. Lillenthal & Sons | 1-B-3 | Bins for storage - ui.: Approp. & P.R. records - 33.00 | 92.00 |
| Co. Auditors Assn. of Ohio | 1-B-3 | Tabs & Sheets - Aud. 59.00 | 115.12 |
| Jacob & McDowell Ins. Service | 1-B-3 | Assoc. Adm. Program R.C. 5252 - Auditor | 156.00 |
| Jacob & McDowell Ins. Service | | Insurance for Jail Bldg. Pol. 105554 51.00; Pol. 1CF187-842 54.00 | 10.00 |
| Jacob & McDowell Ins. Service | | Pol. 287055 51.00. | 4.95 |
| Jacob & McDowell Ins. Service | 6-A-3 | Bond for Dog Warden 1973 | 1.07 |
| Office Appliance Co. | 6-A-3 | File folders Inv. 61559 1972 bill - Sheriff | 273.24 |
| Office Appliance Co. | 6-A-3 | 1972 bill for ko-rec-type - Sheriff | 52.94 |
| Claire Weiss, Matron | 6-A-4 | 1972 bill for meals for December | 216.30 |
| Schlabach's Store | 6-A-4 | Film & bulbs 1972 bill - Sheriff | 1.96 |
| Sanco Products Co., Inc. | 4-B-11 | Sweeper, sance ice melt, dis., etc. - Janitor, 1972 bill | 12.00 |
| Millersburg Hardware & Supply | 6-A-3 | Rock salt, 1902 Bill - Sheriff - Inv. 84627 | 6.00 |
| R. & G. Pickup Service | 6-A-3 | Service for December 1972 | |
| Central Exterminating Co., Inc. | 6-A-6 | Service for December 1972 | |

DOG & KENNEL FUND

Arthur Hoxworth

Mile. for Dec. 633 Miles; Phone 7.20

1140.14

70.50

1170.64

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1973

Commissioners' Journal,

Session, 1973

National Graphics Corp., Colo., O. CD2481

The minutes continued:

Auditor's Office, Holmes County,
Millersburg, O., January 8, 1973

KILLBUCK HEIGHTS, INCORPORATED - AFFIDAVIT OF SERVICE OF NOTICE & NOTICE OF FILING OF ANNEXATION PETITION:

The Affidavit of Service of Notice and Notice of Filing of Annexation Petition were submitted to the Commissioners by David VanDoss, Agent for petitioners for annexation for Killbuck Heights Incorporated:

AFFIDAVIT OF SERVICE OF NOTICE

COUNTY OF HOLMES,
SS:
STATE OF OHIO.

The undersigned, being first duly sworn, deposes and says that he is agent for the petitioners seeking annexation of certain territory located in the Township of Killbuck, County of Holmes, State of Ohio, to the Village of Killbuck, County of Holmes, State of Ohio, and further says that he did personally deliver the attached "Notice of Filing of Annexation Petition" to Mrs. Kay Lorenz, Clerk of the legislative of the Village of Killbuck by handing her a copy thereof (or other authorized manner of service) on the 8th day of January, 19 73.

Further affiant sayeth not.

David J. VanDoss
Agent for Petitioners for Annexation

Sworn to before me, and subscribed in my presence this 8th day of January, 19 73.

Mary M. Raymond
Notary Public
MARY M. RAYMOND, Notary Public
My Commission Expires December 8, 1973

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Commissioners' Journal
Volume 184 Page 192
Public Affairs
Deputy Clerk

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*Commissioner's Journal
Volume 24 Page 207
Miller, Tottman*

VCL 184 PAGE 201
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Commissioners' Journal, *February 5, 1973* Session, 1973

the minutes continued:

Auditor's Office, Holmes County,
Millersburg, O., February 5, 1973

REGIONAL PLANNING COMMISSION - KENNETH VINCENT RESIGNS - MARTIN LEMMON APPOINTED

Motion was made by Mr. Massie, seconded by Mr. Giaque to accept the resignation of Mr. Kenneth Vincent as submitted to the Commissioners from the Holmes County Regional Planning Commission, due to a conflict in meeting nights. Vote on roll call: Mr. Kasner, yes; Mr. Giaque, yes; Mr. Massie, yes.

Motion was made by Mr. Giaque, seconded by Mr. Massie, to appoint Mr. Martin Lemmon of Holmesville, Ohio to serve the unexpired term of Mr. Vincent, term expiring on December 31, 1973. Vote on roll call: Mr. Kasner, yes; Mr. Giaque, yes; Mr. Massie, yes.

DISHWASHER BIDS RECEIVED

The hour of 2:00 P.M. having arrived the set time for receiving bids for one (1) dishwasher for the County Home, motion was made by Mr. Massie, seconded by Mr. Giaque to receive the bids. Vote on roll call: Mr. Kasner, yes; Mr. Giaque, yes; Mr. Massie, yes. Those submitting bids are:

| | |
|-----------------------|------------|
| Ohio China Co., Inc. | \$2,568.00 |
| Helbling Supply, Inc. | 2,410.00 |
| Skeltons, Inc. | 2,515.00 |

Further consideration is being taken on the bids.

AFFIDAVIT OF SERVICE OF NOTICE - KILLBUCK HEIGHTS, INC.

David VanOss, agent for Killbuck Heights, Inc. submitted to the Commissioners the Affidavit of Service of Notice, Notice of Petition for Annexation by Owners of Real Estate, and Transmittal of Notice of Petition for Annexation as delivered to Mrs. Kay Evans, Clerk of the legislative authority of the Village of Killbuck, and to Mrs. Anita Carpenter, Clerk of the legislative authority of the Township of Killbuck. These are on file in the Commissioner's Office.

JOHN HIPPI PRESENT - C.R.#349 - REQUESTS CLEANING OF SAPP'S RUN

Mr. John Hipp was present to request the cleaning of Sapp's Run, located along County Road #349. Mr. Hipp noted that the water goes over the road quite frequently, running into his fields. Further discussion is to be held, and Mr. Hipp notified.

WALLY SEWER CONTRACT SUBMITTED - Francis C. Smith Present

Francis Smith was present to submit to the Commissioner's a Sewer Plant Contract for the operation of the Sanitary Sewer System and Treatment facilities and Water Treatment Plant in the Wally Sewer District #1. This contract was submitted to Pros. Atty., George Ellis for opinion.

PAY BILLS MOTION

Motion was made by Mr. Giaque, seconded by Mr. Massie that the following bills which have been properly filed and signed, be and hereby are authorized paid. Vote on roll call: Mr. Kasner, yes; Mr. Giaque, yes; Mr. Massie, yes. Bills follow:

GENERAL FUND

| | | | |
|----------------------------------|--------|---|--------|
| Barnhart Brothers | 4-B-11 | Towels, amonia - Janitor | 28.88 |
| Sanco Products Co., Inc. | 4-B-11 | Mop wringer, dust mop treat, mop handles - Janitor | 30.20 |
| Berlin Plumbing & Heating | 4-B-13 | Air valves for radiators | 15.00 |
| Millersburg R.R. Ry. Div. | 4-B-13 | Repairs to Aud. light in Vault. Inv. 1998 | 36.56 |
| United Telephone Co. | 4-B-14 | Rent & tolls Ct. Ho. & Jail 286.15; 1-E-10 Pros. Atty. 37.97 | 324.12 |
| Ohio Power Co. | 4-B-14 | Current; Ct. Ho. 163.58; Mass. Rd. 11.59; Jail 176.52; D.P. 42.19 | 293.88 |
| Columbia Gas of Ohio Inc. | 4-B-14 | Gas Ct. Ho. 446.71; Jail 185.63 | 632.34 |
| Treasurer of State | 1-H-1 | Ex'm. Hosp. 56.88; Type. Xerox Ag. Soc. 13.40; State. 1135 | 70.28 |
| Jacob & McDowell Insurance Serv. | 1-A-5 | Bond for Clk. Co. Ct. | 17.50 |
| Cloze Irving Insurancy Agency | 1-A-5 | Bond Clk. Cts. 119.00; Bal. on 1st payt. Sheriff bond 3.00 | 122.00 |
| Co. Comm Assn. of Ohio | 1-A-8 | Fees & Func. tickets 92nd Ann. winter Conv. 11/27/72-29/72 Giaque & Massie | 60.00 |
| Holmes County Farmer Hub | 1-A-9 | Adv. for dishwasher bids & bids for aggregate | 23.40 |
| Holmes County Farmer Hub | 1-A-9 | Adv. for Sheriff's car 2 Times 7.65 | 7.65 |
| Macin E. Estill, Probate Judge | 1-A-11 | Cost bill 1003 for Nikki McInturf - Lunacy | 34.70 |
| Office Appliance Co. | 1-A-11 | Stationery for Commissioners | 13.25 |
| Holmes County Library | 1-A-16 | Amt. due on Elec. serv. in Co. Bd. Ed. offices Sept. 72-Dec. 72 | 140.56 |
| Ohio Power Co. | 1-A-16 | Current for bd. of Ed. office | 53.75 |
| Arthur Hoxworth | 1-A-11 | Fire extinguishers for Court House | 5.70 |
| Emanuel E. Mullet | 1-A-11 | Landfill for January 1973 | |
| DAK Supply Corp. | 1-B-3 | Cupon book for adders | 14.50 |
| C. Paul Anderson, P.M. | 1-B-3 | Postage & Envelopes - Aud. | 132.05 |
| Holmes County Farmer Hub | 1-B-8 | Adv. Notice to House Trailer Owners | 9.60 |
| Adams Bank | 1-C-3 | 500 Checks for Treas. office | 9.01 |
| National Graphics Inc. | 1-C-3 | 775 trailer decal 1973 - Treas. | 110.00 |
| Office Appliance Co. | 2-E-3 | Repair on Adler Type. changed 1 keys - Clk. of Cts. | 8.90 |
| George C. Ellis, pros. atty. | 1-E-10 | Rent for Feb. - Pros. Atty. | 50.00 |
| Marilyn Turner, R.N. | | Mile TB Nurse - Jan. 65 miles @ 4.12 per mile | 7.80 |
| Dewitt's Drug Store | | TB care for Geo. Vincent | 4.60 |
| Office Appliance Co. | 8-D-3 | Kn-rec-type, paper, ink, stamp, 1 rubber plate insert - Prob. | 28.66 |
| Macin E. Estill | 2-D-9 | 106.13; 2-C-27 106.13; expenses to Prob. Judge Conv. 1/21-29/73 | 212.26 |
| C. Paul Anderson, P.M. | 2-D-3 | Postage - Prob. Court | 16.00 |
| Keystone Envelope Co. | 2-C-36 | Ct. Case Binders Printed Probate (Juv.) | 221.25 |
| Don Dollase | 2-C-35 | Jan Mile. for Prob. Officer | 44.16 |
| C. Paul Anderson | 2-G-3 | Stamps - Co. Ct. | 109.00 |
| Jean Stoner | 2-B-2 | Ct. Ballot 1/22/73 24-25/73 St.-vs- Mark Taylor | 15.00 |
| The Penrade Co. Inc. | 2-B-2 | 1 rfm from hq. - 133 std. ltx. fm. hq. - 133 carbon sets - C.P. Ct. | 10.25 |
| Office Appliance Co. | 4-B-3 | ink, stamp, rep. Adler, 10, rep. of self ink, etc. recorder | 34.00 |
| Wm. Blumenthal & Sons | 6-B-3 | Reams 7 1/2 x 11 - 1/2 - Recorder | 25.40 |
| DAK Supply Corp. | 6-B-2 | 6 Type. cupons 32.50; 2 phg. ball point pens - 9.36 - Recorder | 41.86 |

CERTIFIED COPY OF ORIGINAL

Commissioners' Journal, Session, 1973

the minutes continued:

Auditor's Office, Holmes County, Millersburg, O., February 26, 1973

ANNEXATION HEARING KILLBUCK HEIGHTS, INCORPORATED, RESOLUTION ADOPTED

Motion was made by Mr. Massie, seconded by Mr. Giaoune that the Commissioners adopt the following Resolution for the annexation of the territory in Killbuck Township to the Village of Killbuck, as submitted by David VanDoss, agent for the petitioners. Vote on roll call: Mr. Kasner, yes; Mr. Giaoune, yes; Mr. Massie, yes. Resolution follows:

RESOLUTION:

Persuant to a resolution adopted by the Board of County Commissioners on the 26th day of December, 1972, fixing the 26th day of February, 1973, for hearing the petition of KILLBUCK HEIGHTS INC. praying for the annexation of certain territory in Killbuck Township, to the Village of Killbuck, the same came on for hearing and all persons appearing for or against said annexation were heard and certain affidavits were heard and certain affidavits were received, and the Board of County Commissioners finds as follows:

- (1) The petition contains all matter required by law including, without limitation, RC 709.02 (a) through (c)
(2) The matters alleged in the petition are true.
(3) Notice of said petition has been published as required by law, and all notice of filing the petition and the hearings hereon have been given and delivered as required by law.
(4) The persons whose names are subscribed to the petition are owners of real estate in the territory described in the petition, and as of the time the petition was filed, the number of valid signatures on the petition constituted a majority of the owners of real estate in the territory proposed to be annexed. None of said signatures has been withdrawn persuant to RC 709.03 or 709.032.
(5) The territory included in the annexation petition is not unreasonably large.
(6) The territory proposed for annexation is adjacent to the Village of Killbuck.
(7) The map (or Plat) and the description of the territory contained in the petition are accurate.
(8) The general good of the territory sought to be annexed will be served if the annexation petition is granted and the annexation is allowed.

It is therefore ordered that the prayer of said petition be and is hereby granted and that the territory described in said petition be annexed to the Village of Killbuck. It is further ordered that the final transcript of this Board relating hereto together with the accompanying map and petition and all other papers pertaining thereto be delivered forthwith to the Clerk of the Village of Killbuck.

BOARD OF HOLMES COUNTY COMMISSIONERS S/John Giaoune S/Warren Massie

RESOLUTION CERTIFYING ANNEXATION PAPERS TO THE VILLAGE OF KILLBUCK

Resolution

We, the members of the Board of County Commissioners of Holmes County, Ohio, do hereby certify that the papers attached hereto constitute all the original papers and a true transcript of all proceedings had by the Board of County Commissioners of Holmes County, Ohio, in connection with the petition filed by KILLBUCK HEIGHTS, INC., owner of real estate in the territory sought to be annexed, praying for the annexation of certain adjacent and contiguous territory in the Township of Killbuck, to the Village of Killbuck, Ohio, as described in said petition filed.

Voting aye thereon:

BOARD OF COUNTY COMMISSIONERS OF HOLMES COUNTY, OHIO S/John Giaoune S/Warren Massie

S/JoEllen Patterson, Deputy Clerk Holmes County Commissioners

PERMIT TO MOVE MACHINERY ON 2 HOLMES COUNTY ROADS, 3 LOCATIONS - JERRY MOORE, INC.

Permission was granted (signed) for the Jerry Moore, Inc. to move rigs and equipment on the following County Roads, and said locations. County Road #135 Emanuel F. Hullet; County Road #172 Lyle D. Hostetler; County Road #172 David D. Wannerd, properties.

This right and permission is granted on the condition that said Jerry Moore Inc. shall restore said roads to its original condition and that the Jerry Moore, Inc. shall save said township, Walnut Creek, of County of Holmes, harmless from all claims damages and liability growing out of the said road, all costs incurred covering application of road use.

DISCUSSION HELD ON COUNTY GARAGE NEEDED REPAIRS

Mr. Dean Croft and Mr. Bob Kasner, County Engineer were present to inform the Commissioners of needed repair for the County Highway Department. The Commissioners went to the County Garage and discussion was held on the necessary repairs.

POMERENE HOSPITAL YEARLY REPORT RECEIVED

The Commissioners were presented the yearly report of the Pomerene Hospital by Mr. Wells, Administrator, and reviewed the report with Mr. Wells.

RESOLUTION

WHEREAS, KILLBUCK HEIGHTS, INCORPORATED, has acquired a tract of land from Lillian Mark Cantleberry containing 11.51 acres and holds said lands in fee simple as the owner of record as recorded in Holmes County Deed Book Volume 182, at Page 407; and

WHEREAS, said land is adjacent to the Village of Killbuck, Holmes County, Ohio; and

WHEREAS, the Board of Directors believes it is in the best interests of the Corporation that said land be annexed to the Village of Killbuck, Holmes County, Ohio;

IT IS HEREBY RESOLVED by the undersigned shareholders of the Corporation that all necessary and proper measures be taken in compliance within Ohio Revised Code to affect such annexation and further that David J. Van Osa is hereby appointed agent for KILLBUCK HEIGHTS, INCORPORATED, as required by the Ohio Revised Code Section 709.02 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 the granting of this petition shall be made in the petition, description, and/or plat by said agent without further expressed consent of the petitioners.

Dated this 19th day of December, 19 72.

Neal Wilds

Margaret Bucklin

Ralph Kasper

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RESOLUTION
Page Two

Thomas A. Amos

Harry D. Hunt

Francis E. Hall

Beverly Hall

Raymond B. Buehler

Larry Tronetto

Frank Kinay

Harold J. Tibbels, Jr.

ANNEXATION PETITION

To: Board of County Commissioners of Holmes County, Ohio.

KILLBUCK HEIGHTS, INCORPORATED, being the owner of real estate hereinafter described, hereby petitions for the annexation of the following described territory to the Village of Killbuck, Holmes County, Ohio.

Situated in the Township of Killbuck, County of Holmes and State of Ohio, and bounded and described as follows:

Known as the part of the Southwest Quarter of Section 6, Township 8 North and Range 7 West and more fully described as follows:

Beginning at an Iron Pipe at the Northeast corner of said Southwest Quarter; thence with the North line thereof, N. 89 deg. 17' W. 205.00' to an Iron Pipe at the point of beginning of the herein conveyed parcel; thence leaving said line S. 0 deg. 15' 9" W. 1705.57' to an Iron Pipe; thence N. 89 deg. 14' 22" W. 290.00' to an Iron Pipe; thence N. 0 deg. 17' 49" W. 855.50' to an Iron Pipe; thence N. 0 deg. 48' 18" E. 488.23' to a Railroad Rail; thence N. 0 deg. 48' 18" E. 361.69' to an Iron Pipe on the North line of Southwest Quarter; thence S. 89 deg. 17' E. 290.00' to the point of beginning and containing 11.51 acres.

The above-described territory is adjacent and contiguous with the said Village of Killbuck.

Petitioners have attached hereto and made a part of this Petition, an accurate map or plat showing the boundaries of the territory sought to be annexed, marked "Map of Territory to be Annexed to the Village of Killbuck".

There is one owner of real estate in the above-described territory which is sought to be annexed to the Village of Killbuck.

David J. Van Oss is hereby appointed agent for the undersigned petitioners as required by R.C. 709.02, 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 the granting of this petition shall be made in the petition, description, and/or plat by said agent without further expressed consent of the

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petitioners.

KILLBUCK HEIGHTS, INC.

By Neal Wilder
president

~~XXXXXXXXXXXXXXXXXXXX~~

~~XXXXXX~~

By Margaret Bucklew
secretary

~~XXXXXXXXXXXX~~

Dated this 19th day of December, 19 72.

Said Annexation Petition approved by the following shareholders.

- Neal Wilder
- Margaret Bucklew
- Henry A. Goulet
- Frank Kinn
- Larry Frawette
- Ralph Kasner
- Francis E. Hall
- Beverly Hall
- Raymond Bucklew
- Thomas A. Powell
- Harold J. Tidball, Jr.

RESOLUTION

A Petition for the annexation of certain territory in Killbuck Township, containing 11.51 acres, with David J. Van Oss as agent, having been of Holmes County Commissioners filed in the office of the Board, praying that the following described territory be annexed to the Village of Killbuck:

Known as part of the Southwest Quarter of Section 6, Township 8 North and Range 7 West and more fully described as follows:

Beginning at an Iron Pipe at the Northeast corner of said Southwest Quarter; thence with the North line thereof N. 89 deg. 17' W. 205.00' to an Iron Pipe at the point of beginning of the herein conveyed parcel; thence leaving said line S. 0 deg. 15' 9" W. 1705.57' to an Iron Pipe; thence N. 89 deg. 14' 22" W. 290.00' to an Iron Pipe; thence N. 0 deg. 17' 49" W. 855.50' to an Iron Pipe; thence N. 0 deg. 48' 18" E. 488.23' to a Railroad Rail; thence N. 0 deg. 48' 18" E. 361.69' to an Iron Pipe on the North line of Southwest Quarter; thence S. 89 deg. 17' E. 290.00' to the point of beginning and containing 11.51 acres.

And in consideration thereof, the Board finds that the Clerk has caused said Petition to be entered upon the record of proceedings of the Board and has filed a copy of such petition with the County Auditor of Holmes County; and the Board further finds that a hearing should be had thereon in accordance with law.

It is therefore ordered that a hearing on the annexation of the above described territory be held at 2:00 P. M., on the 26th day of February, 19 73, at Commissioners Office, Court House, Mbg.

It is further ordered that the agent of petitioners be notified hereof and that he give notice of said hearing in accordance with law. Motion was made by John Glauque, seconded by Warren Massie, to accept the Resolution. Vote on roll: Warren Massie, yes; John Glauque, yes.

BOARD OF COUNTY COMMISSIONERS OF
HOLMES COUNTY, OHIO

Warren Massie

John Glauque

John

VGL 184 PAGE 208

AFFIDAVIT OF SERVICE OF NOTICE

COUNTY OF HOLMES,
SS:
STATE OF OHIO.

The undersigned, being first duly sworn, deposes and says that he is agent for the petitioners seeking annexation of certain territory located in the Township of Killbuck, County of Holmes, State of Ohio, to the Village of Killbuck, County of Holmes, State of Ohio, and further says that he did personally deliver the attached "Notice of Filing of Annexation Petition" to ANITA D. LARSEN, Clerk of the legislative authority of the Township of Killbuck, by handing her a copy thereof (or other authorized manner of service) on the _____ day of _____, 19____.

Further affiant sayeth not.

[Signature]
Agent for Petitioners for Annexation

Sworn to before me and subscribed in my presence this _____ day of _____, 19____.

[Signature]
Notary Public
MARY M. RAYMOND, Notary Public
My Commission Expires December 8, 1973

NOTICE OF FILING ANNEXATION PETITION

To: Clerk of the Township of Killbuck:

You will hereby take notice that certain petitioners seeking the annexation of certain territory located in the Township of Killbuck, County of Holmes, State of Ohio, to the Village of Killbuck, County of Holmes, State of Ohio, filed a Petition for the annexation of such territory in the office of the Board of County Commissioners of Holmes County, Ohio, on the 26th day of ~~December~~ 19 72.

This notice is given by the undersigned agent of such petitioners pursuant to RC 709.03.

Said Petition contains a full description of the territory sought to be annexed and other matters required by law and is signed by a majority of the owners of real estate in such territory.


Agent for Petitioners for Annexation

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AFFIDAVIT OF SERVICE OF NOTICE

COUNTY OF HOLMES,
SS:
STATE OF OHIO.

The undersigned, being first duly sworn, deposes and says that he is agent for the petitioners seeking annexation of certain territory located in the Township of Killbuck, County of Holmes, State of Ohio, to the Village of Killbuck, County of Holmes, State of Ohio, and further says that he did personally deliver the attached "Notice of Filing of Annexation Petition" to /s/ Mrs. Kay Evans, Clerk of the legislative of the Village of Killbuck by handing her a copy thereof (or other authorized manner of service) on the 8th day of January, 19 73.

Further affiant sayeth not.

David J. [Signature]
Agent for Petitioners for Annexation

Sworn to before me, and subscribed in my presence this 8th day of January, 19 73.

Mary M. Raymond
Notary Public

MARY M. RAYMOND, Notary Public
My Commission Expires December 8, 1973


NOTICE OF FILING ANNEXATION PETITION

To: Clerk of the Village of Killbuck:

You will hereby take notice that certain petitioners seeking the annexation of certain territory located in the Township of Killbuck, County of Holmes, State of Ohio, to the Village of Killbuck, County of Holmes, State of Ohio, filed a Petition for the annexation of such territory in the Office of the Board of County Commissioners of Holmes County, Ohio, on the 20th day of December, 1972.

This notice is given by the undersigned agent of such petitioners pursuant to RC 709.03.

Said Petition contains a full description of the territory sought to be annexed and other matters required by law and is signed by a majority of the owners of real estate in such territory.


Agent for Petitioners for Annexation

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AFFIDAVIT OF SERVICE OF NOTICE

COUNTY OF HOLMES, STATE OF OHIO, SS:

The undersigned, being first duly sworn, deposes and says that he is agent for the petitioners seeking annexation of certain territory located in the Township of Killbuck, County of Holmes, State of Ohio, to the Village of Killbuck, County of Holmes, State of Ohio, and further says that he did personally deliver the attached "Notice of Petition for Annexation" and "Transmittal of Notice of Petition for Annexation" to s/ Mrs. Kay Evans Clerk of the legislative authority of the Village of Killbuck, by handing her a copy thereof on the 2nd day of February, 1973.

Affiant further says that he caused said notice to be published once a week for a period of four consecutive weeks in the Holmes County Farmer Hub, a newspaper of general circulation in this county, to-wit on February 1, 1972; February 8, 1972; February 16, 1972; and February 22, 1972.

Further affiant saith not.

David J. Vanduse
Agent for Petitioners

Sworn to before me and subscribed in my presence this 5th day of February, 1973.

Mary M. Raymond
Notary Public

MARY M. RAYMOND, Notary Public
My Commission Expires December 8, 1973

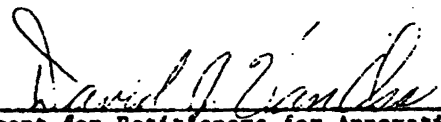
VOL 184 PAGE 213

TRANSMITTAL OF NOTICE OF PETITION FOR ANNEXATION

To: Clerk of Killbuck Township.

You will hereby take notice that the undersigned as agent for certain petitioners seeking the annexation of certain territory located in the Township of Killbuck, County of Holmes, State of Ohio, to the Village of Killbuck, County of Holmes, State of Ohio, is causing a notice containing the substance of the petition and the time and place where said petition will be heard by the Board of County Commissioners of Holmes County, Ohio, to be published as required by law, and that a copy of such notice is hereby attached and delivered to you as required by RC 709.031.

The matters contained in the annexation petition will come on for hearing before the Board of County Commissioners of Holmes County, Ohio, on the 26th day of February, 1973, at 2:00 P.M. Said hearing will be held at the Holmes County Court House, Millersburg, Ohio.


Agent for Petitioners for Annexation

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NOTICE OF PETITION FOR ANNEXATION BY OWNERS OF REAL ESTATE

Notice is hereby given, that there was filed with the Board of County Commissioners of Holmes County, Ohio, on the 26th day of December, 19 72, a Petition signed by a majority of the owners of real estate in the hereinafter described territory praying that said territory be annexed to the Village of Killbuck in the manner provided by law. The territory so sought to be annexed is described as follows:

Known as part of the Southwest Quarter of Section, Township 8 North and Range 7 West, Killbuck Township, Holmes County, Ohio, and more fully described as follows:

Beginning at an Iron Pipe at the Northeast corner of said Southwest Quarter; thence with the North line thereof N. 89 deg. 17' W. 205.00' to an Iron Pipe at the point of beginning of the herein conveyed parcel; thence leaving said line S. 0 deg. 15' 9" W. 1705.57' to an Iron Pipe; thence N. 89 deg. 14' 22" W. 290.00' to an Iron Pipe; thence N. 0 deg. 17' 49" W. 855.50' to an Iron Pipe; thence N. 0 deg. 48' 18" E. 488.23' to a Railroad Rail; thence N. 0 deg. 48' 18" E. 361.69' to an Iron Pipe on the North line of the Southwest Quarter; thence S. 89 deg. 17' E. 290.00' to the point of beginning and containing 11.51 acres.

The undersigned is named in said petition as the agent of the petitioners in accordance with law; and such petition contains a full description and an accurate map of the territory sought to be annexed, and such petition states that eleven owners of real estate in said territory.

The said Board of County Commissioners has fixed the 26th day of February, 19 73, at 2:00 P M., as the time for the hearing on the aforesaid petition, said hearing to be held at Commissioners Office, Court House, Millersburg, Ohio.

David J. Van Cise
Agent for petitioners

AFFIDAVIT OF SERVICE OF NOTICE

COUNTY OF HOLMES, STATE OF OHIO, SS:

The undersigned, being first duly sworn, deposes and says that he is agent for the petitioners seeking annexation of certain territory located in the Township of Killbuck, County of Holmes, State of Ohio, to the Village of Killbuck, County of Holmes, State of Ohio, and further says that he did personally deliver the attached "Notice of Petition for Annexation" and "Transmittal of Notice of Petition for Annexation" to /s/ Anita Carpenter, Clerk of the legislative authority of the Township of Killbuck, by handing her a copy thereof on the 3rd day of February, 1973.

Affiant further says that he caused said notice to be published once a week for a period of four consecutive weeks in the Holmes County Farmer Hub, a newspaper of general circulation in this county, to-wit on February 2, 1972; February 9, 1972; February 16, 1972; and February 23, 1972.

Further affiant saith not.

David J. VanDer
Agent for Petitioners

Sworn to before me and subscribed in my presence this 5th day of February, 1973.

Mary M. Raymond
Notary Public

MARY M. RAYMOND, Notary Public
My Commission Expires December 8, 1973

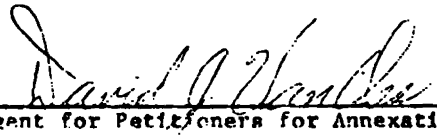
VCL 184 PAGE 216

TRANSMITTAL OF NOTICE OF PETITION FOR ANNEXATION

To: Clerk of Killbuck Township.

You will hereby take notice that the undersigned as agent for certain petitioners seeking the annexation of certain territory located in the Township of Killbuck, County of Holmes, State of Ohio, to the Village of Killbuck, County of Holmes, State of Ohio, is causing a notice containing the substance of the petition and the time and place where said petition will be heard by the Board of County Commissioners of Holmes County, Ohio, to be published as required by law, and that a copy of such notice is hereby attached and delivered to you as required by RC 709.031.

The matters contained in the annexation petition will come on for hearing before the Board of County Commissioners of Holmes County, Ohio, on the 26th day of February, 1973, at 2:00 P.M. Said hearing will be held at the Holmes County Court House, Millersburg, Ohio.


Agent for Petitioners for Annexation

NOTICE OF PETITION FOR ANNEXATION BY
OWNERS OF REAL ESTATE

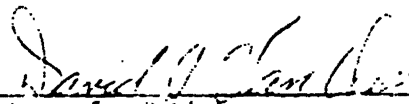
Notice is hereby given, that there was filed with the Board of County Commissioners of Holmes County, Ohio, on the 26th day of December, 192, a Petition signed by a majority of the owners of real estate in the hereinafter described territory praying that said territory be annexed to the Village of Killbuck in the manner provided by law. The territory so sought to be annexed is described as follows:

Known as part of the Southwest Quarter of Section, Township 8 North and Range 7 West, Killbuck Township, Holmes County, Ohio, and more fully described as follows:

Beginning at an Iron Pipe at the Northeast corner of said Southwest Quarter; thence with the North line thereof N. 89 deg. 17' W. 205.00' to an Iron Pipe at the point of beginning of the herein conveyed parcel; thence leaving said line S. 0 deg. 15' 9" W. 1705.57' to an Iron Pipe; thence N. 89 deg. 14' 22" W. 290.00' to an Iron Pipe; thence N. 0 deg. 17' 49" W. 855.50' to an Iron Pipe; thence N. 0 deg. 48' 18" E. 488.23' to a Railroad Rail; thence N. 0 deg. 48' 18" E. 361.69' to an Iron Pipe on the North line of the Southwest Quarter; thence S. 89 deg. 17' E. 290.00' to the point of beginning and containing 11.51 acres.

The undersigned is named in said petition as the agent of the petitioners in accordance with law; and such petition contains a full description and an accurate map of the territory sought to be annexed, and such petition states that eleven owners of real estate in said territory.

The said Board of County Commissioners has fixed the 26th day of February, 192, at 2:00 : M., as the time for the hearing on the aforesaid petition, said hearing to be held at Commissioners Office, Court House, Millersburg, Ohio.


Agent for Petitioners

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RESOLUTION

Pursuant to a resolution adopted by the Board of County Commissioners on the 26th day of December, 1972, fixing the 26th day of February, 1973, for hearing the petition of KILLBUCK HEIGHTS INC. praying for the annexation of certain territory in Killbuck Township, to the Village of Killbuck, the same came on for hearing and all persons appearing for or against said annexation were heard and certain affidavits were heard and certain affidavits were received, and the Board of County Commissioners finds as follows:

(1) The petition contains all matter required by law including, without limitation, RC 709.02, to wit:

- (a) A full description and accurate map (or plat) of the territory sought to be annexed;
- (b) A statement of the total number of owners of real estate in the territory sought to be annexed;
- (c) The name of the person to act as agent for the petitioners.

(2) The matters alleged in the petition are true.

(3) Notice of said petition has been published as required by law, and all notice of filing the petition and the hearings thereon have been given and delivered as required by law.

(4) The persons whose names are subscribed to the petition are owners of real estate in the territory described in the petition, and as of the time the petition was filed, the number of valid signatures on the petition constituted a majority of the owners of real estate in the territory proposed to be annexed. None of said signatures has been withdrawn pursuant to RC 709.03 or 709.032.

(5) The territory included in the annexation petition is not unreasonably large.

(6) The territory proposed for annexation is adjacent to the Village of Killbuck.

(7) The map (or plat) and the description of the territory contained in the petition are accurate.

(8) The general good of the territory sought to be annexed will be

served if the annexation petition is granted and the annexation is allowed.

It is therefore ordered that the prayer of said petition be and is hereby granted and that the territory described in said petition be annexed to the Village of Killbuck. It is further ordered that the final transcript of this Board relating thereto together with the accompanying map and petition and all other papers pertaining thereto be delivered forthwith to the Clerk of the Village of Killbuck.

BOARD OF HOLMES COUNTY COMMISSIONERS

John R. Gausque
Warren Massie

99067
REC'D: June 11, 1913
AT 9:22 O'CLOCK a.m.
RECORDED: June 11, 1913
HOLMES COUNTY Vol 187 pg 192
FEE: \$ 29.00
Richard Brown RECORDER