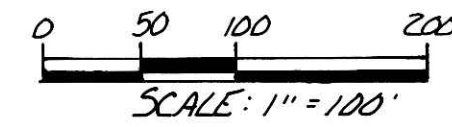


pd. #31.60

PROPOSED ANNEXATION TO THE VILLAGE OF KILLBUCK

PART OF THE N.W. QTR. SECTION 15 T.8N, R.7W, KILLBUCK TWP., HOLMES CO., OHIO



BEARINGS FROM PLAT VOL. 9 PAGE 36.

I HEREBY CERTIFY THAT THE HOLMES COUNTY COMMISSIONERS HAVE APPROVED THIS ANNEXATION AT A MEETING HELD ON THE 29th DAY OF OCTOBER, 1990.

BY James J. Purser
CHAIRMAN, HOLMES COUNTY COMMISSIONERS

I HEREBY CERTIFY THAT THIS PLAT FOR ANNEXATION WAS APPROVED BY THE VILLAGE COUNCIL OF KILLBUCK, OHIO AT A MEETING HELD ON THE 6th DAY OF AUGUST, 1990.

BY Donny B. Seltzer Jr.
VILLAGE CLERK

RECEIVED FOR RECORDING THIS DAY OF OCT 31 1990, 1990, AT 1:12 PM AND WAS RECORDED IN PLAT BOOK 13 PAGE 123 NOV 1 1990

BY Richard Gravenor
RECORDER, HOLMES COUNTY, OHIO
Fee: \$21.60

TRANSFER NOT NECESSARY

LATE 10-31-90

AUDITOR Kevin E. Tyle

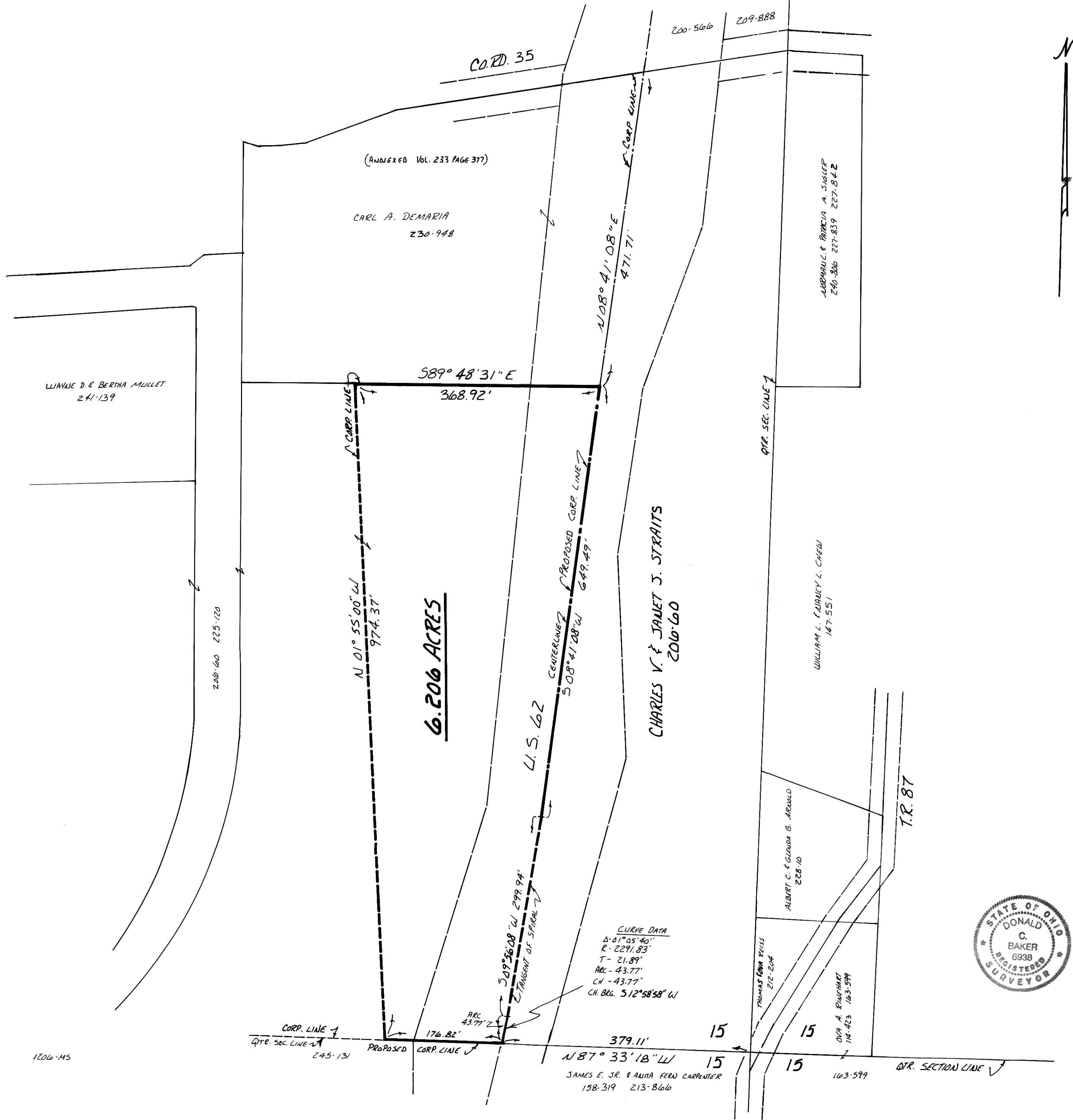
6.206 TOTAL ACRES TO BE ANNEXED

THIS ANNEXATION PLAT PREPARED FROM VARIOUS DEEDS, MAPS & SURVEYS OF RECORD.

BY Donald C. Baker
REGISTERED SURVEYOR

DONALD C. BAKER P.S. 6938
4321 T.R. 252
GLENMONT, OHIO

JUNE 21, 1990
REV. JULY 23, 1990



1206-MS

AN ORDINANCE AUTHORIZING THE ANNEXATION OF 6.206 ACRES
TO THE VILLAGE OF KILLBUCK, OHIO

WHEREAS certain improvements are being made or are
anticipated to be made by the landowner in territory adjacent to
the Village of Killbuck, and

WHEREAS the Village Council for the Village of Killbuck,
Ohio desires to annex such territory to the Village of Killbuck,
Ohio, and

WHEREAS, the Village Council finds that the area to be
annexed is not unreasonably large, an accurate map has been
prepared, and the general good of the territory sought to be
annexed will be served; now therefore

BE IT ORDAINED by the Council for the Village of Killbuck,
County of Holmes, State of Ohio:

SECTION 1. That the annexation of the territory described
in Exhibit A attached hereto and incorporated herein by
reference, to the Village of Killbuck, Ohio be, and the same
hereby is, authorized.

SECTION 2. That the Solicitor for the Village of Killbuck,
Ohio be and he hereby is, authorized to prosecute the
proceedings necessary to effect such annexation.

SECTION 3. That Ordinance No. 5-1990, providing for the
annexation of 15.883 acres, is hereby repealed.

SECTION 4. This Ordinance shall take effect and be in
force from and after the earliest period allowed by law.

Passed at a Regular Meeting of the Village Council on
August 6, 1990.

Arnold C. Johnson

President of Council

ATTEST:
Lenny B. Felton Jr.

Village Clerk

APPROVED:
Henry God

Mayor

MILLER & MAST
ATTORNEYS AT LAW
12 LINCOLN BUILDING
BERSBURG, OHIO 44654
216-674-7070

...NECESSARY
DATE 11-7-90
AUDITOR *Kevin E. Pyle KC*

APPROVED 11/7/90
Holmes County Tax Map Ofc.
Out of 16.174 Twp
Split 6.206 Village
Bal. 9.968
 Plat Required
 Plat Recorded Vol. 13, Pg 123

EXHIBIT A

PROPOSED ANNEXATION TERRITORY
VILLAGE OF KILLBUCK, OHIO
August 6, 1990

Being a part of the northwest quarter of Section 15, Killbuck Township, T-8 N, R-7 W, Holmes County, Ohio, and described as follows:

Commencing at the southeast corner of the northwest quarter of Section 15, thence N 87 degrees 33' 18" W 379.11 feet along the quarter section line to a point in the center of U.S. Rt. 62 the TRUE POINT OF BEGINNING.

thence with the following SIX (6) COURSES:

1. N 87 degrees 33' 18" W 176.82 feet along the quarter section line to a point;
2. N 01 degrees 55' 00" W 974.37 feet along the Village of Killbuck corporation line to a point on Carl A. DeMaria's (Deed Vol. 230, page 948) south line;
3. S 89 degrees 48' 31" E 368.92 feet along said DeMaria's south line and along the Village of Killbuck corporation line to a point on the center of U.S. Rt. 62;
4. S 08 degrees 41' 08" W 649.49 feet along the centerline of U.S. Rt. 62 to a point of tangent to spiral;
5. S 09 degrees 56' 08" W 299.94 feet along a tangent to the point of spiral to curve on the centerline of U.S. Rt. 62;
6. along a curve to the right having a delta angle of 01 degrees 05' 40", R-2291.83 feet, T-21.89 feet, Ch. Brg. S 12 degrees 58' 58" W and a Ch. of 43.77 feet, along the centerline of U. S. Rt. 62 an arc distance of 43.77 feet to the TRUE POINT OF BEGINNING.

The above described tract contains 6.206 acres.

The above described tract of land encloses and comprises a part of a tract of land conveyed to Charles V. & Janet J. Straits by a deed recorded in Vol. 206, Page 60 of the Holmes County Deed Records.

This map and description prepared from various deeds, maps and surveys of record by Donald C. Baker, P.S. 6938, July 23, 1990.

For Plat Map, see Volume _____, Page _____, Plat Records, Holmes County, Ohio.

JAMES E. SR & AUNA R.
158.319 213.861
N 87° 33' 18" L
379.11'

CURVE DATA
D. 01° 05' 40"
R. 2291.83'
T. 21.89'
REC. 43.77'
CN. 43.77'
CH. BEG. 512.5858'

509° 56' 08" L
299.94'
LINKAGE OF SPIRAL

6.206 ACRES

N 01° 55' 00" L
974.37'

U.S. 62
CENTERLINE
508° 41' 08" L
649.49'
PROPOSED CORP. LINE

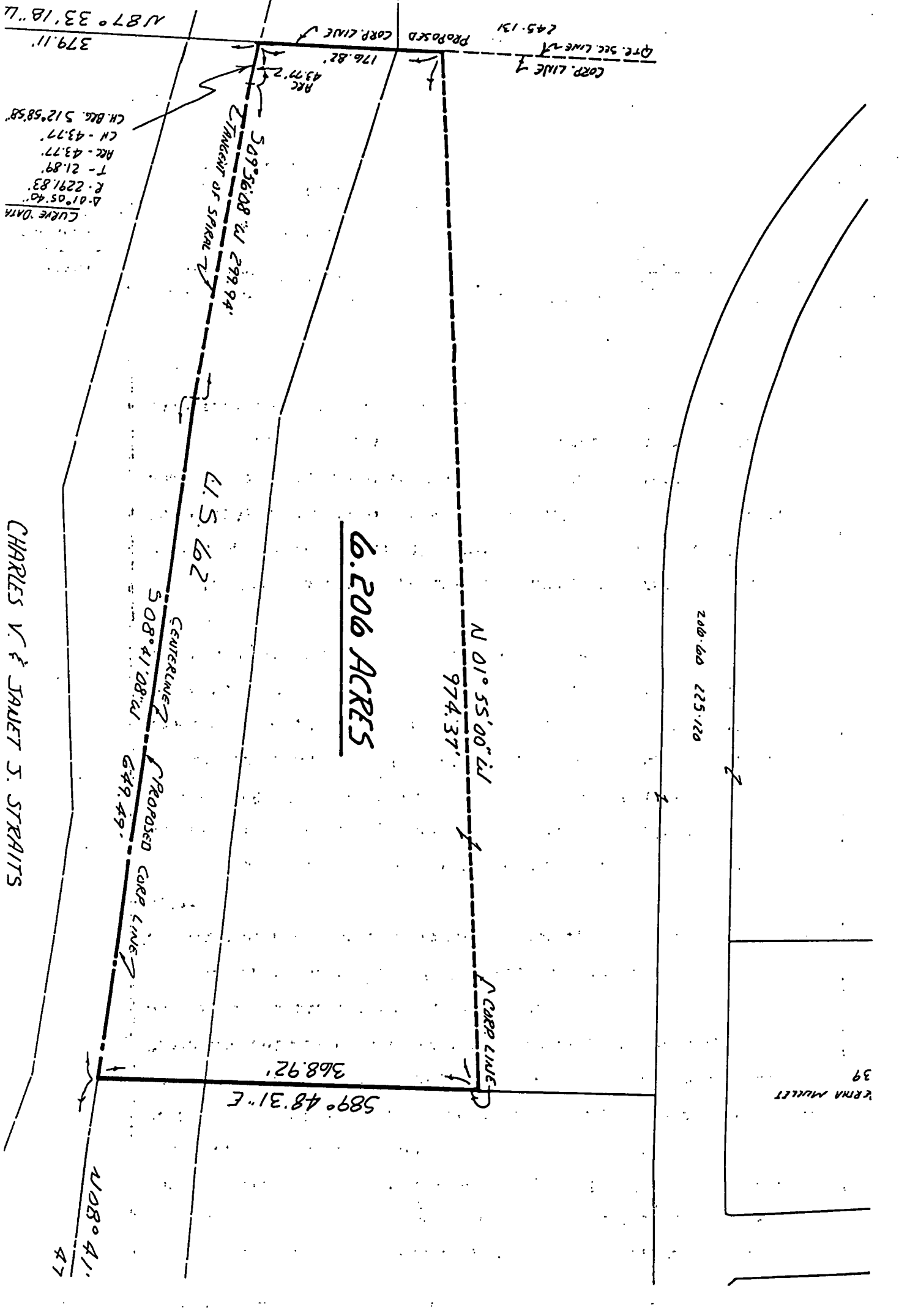
368.92'
589° 48' 31" E

N 08° 41'
47'

CHARLES V. & JAULET S. STRAITS

240.60 225.120

39
ERMA MULLET



ANNEXATION PETITION

To the Commissioners of Holmes County, State of Ohio:

1. The Village of Killbuck respectfully represents that by Ordinance No. 6-1990 duly passed by its Council on the 6th day of August, 1990, certain territory of 6.206 acres, more or less, was authorized to be annexed to the Village of Killbuck, such territory being described in the Ordinance, a copy of which is attached hereto and incorporated herein by reference. Said Ordinance authorizes the annexation to be prosecuted by the Solicitor for the Village of Killbuck.

2. An accurate map of the territory to be annexed is attached hereto. Said territory is contiguous to the Village of Killbuck.

3. Said Village represents that no voters reside within the area to be annexed, that no election is required under Section 709.17 of the Ohio Revised Code, and that the Board of Commissioners may lawfully set the time and place for hearing under Section 709.031 of the Ohio Revised Code. The Village Solicitor has requested the Board of Elections to verify the absence of voters from the proposed territory in writing upon the record.

4. Upon receiving notice of hearing, the Village Council will adopt by resolution the statement required by Section 709.031(B) of the Ohio Revised Code, and provide a copy of the same for consideration by the Board of Commissioners.

5. The Village of Killbuck respectfully petitions that said territory be annexed to said Village in accordance with law.

VILLAGE OF KILLBUCK

By: 

Max A. Miller
Village Solicitor

RECEIVED

AUG 14 1990

**HOLMES COUNTY
COMMISSIONERS**

AN ORDINANCE AUTHORIZING THE ANNEXATION OF 6.206 ACRES TO THE VILLAGE OF KILLBUCK, OHIO

WHEREAS certain improvements are being made or are anticipated to be made by the landowner in territory adjacent to the Village of Killbuck, and

WHEREAS the Village Council for the Village of Killbuck, Ohio desires to annex such territory to the Village of Killbuck, Ohio, and

WHEREAS, the Village Council finds that the area to be annexed is not unreasonably large, an accurate map has been prepared, and the general good of the territory sought to be annexed will be served; now therefore

BE IT ORDAINED by the Council for the Village of Killbuck, County of Holmes, State of Ohio:

SECTION 1. That the annexation of the territory described in Exhibit A attached hereto and incorporated herein by reference, to the Village of Killbuck, Ohio be, and the same hereby is, authorized.

SECTION 2. That the Solicitor for the Village of Killbuck, Ohio be and he hereby is, authorized to prosecute the proceedings necessary to effect such annexation.

SECTION 3. That Ordinance No. 5-1990, providing for the annexation of 15.883 acres, is hereby repealed.

SECTION 4. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed at a Regular Meeting of the Village Council on August 6, 1990.

[Signature]
President of Council

ATTEST:
[Signature]
Village Clerk

APPROVED:
[Signature]
Mayor

EXHIBIT A

PROPOSED ANNEXATION TERRITORY
VILLAGE OF KILLBUCK, OHIO
August 6, 1990

Being a part of the northwest quarter of Section 15, Killbuck Township, T-8 N, R-7 W, Holmes County, Ohio, and described as follows:

Commencing at the southeast corner of the northwest quarter of Section 15, thence N 87 degrees 33' 18" W 379.11 feet along the quarter section line to a point in the center of U.S. Rt. 62 the TRUE POINT OF BEGINNING.

thence with the following SIX (6) COURSES:

1. N 87 degrees 33' 18" W 176.82 feet along the quarter section line to a point;
2. N 01 degrees 55' 00" W 974.37 feet along the Village of Killbuck corporation line to a point on Carl A. DeMaria's (Deed Vol. 230, page 948) south line;
3. S 89 degrees 48' 31" E 368.92 feet along said DeMaria's south line and along the Village of Killbuck corporation line to a point on the center of U.S. Rt. 62;
4. S 08 degrees 41' 08" W 649.49 feet along the centerline of U.S. Rt. 62 to a point of tangent to spiral;
5. S 09 degrees 56' 08" W 299.94 feet along a tangent to the point of spiral to curve on the centerline of U.S. Rt. 62;
6. along a curve to the right having a delta angle of 01 degrees 05' 40", R-2291.83 feet, T-21.89 feet, Ch. Brg. S 12 degrees 58' 58" W and a Ch. of 43.77 feet, along the centerline of U. S. Rt. 62 an arc distance of 43.77 feet to the TRUE POINT OF BEGINNING.

The above described tract contains 6.206 acres.

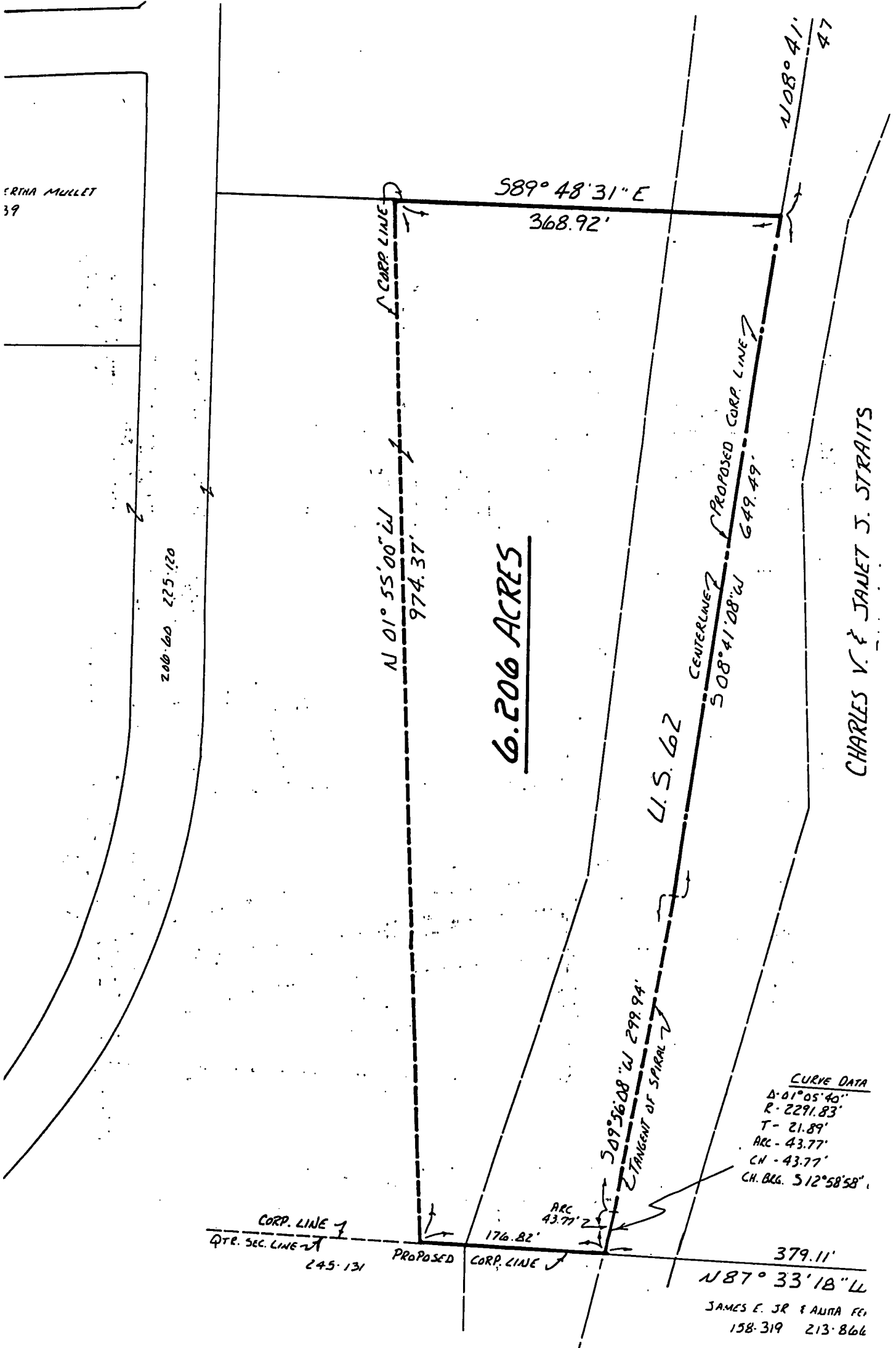
The above described tract of land encloses and comprises a part of a tract of land conveyed to Charles V. & Janet J. Straits by a deed recorded in Vol. 206, Page 60 of the Holmes County Deed Records.

This map and description prepared from various deeds, maps and surveys of record by Donald C. Baker, P.S. 6938, July 23, 1990.

For Plat Map, see Volume _____, Page _____, Plat Records, Holmes County, Ohio.

VUL 249 PAGE 332

ERTHA MULLET
39



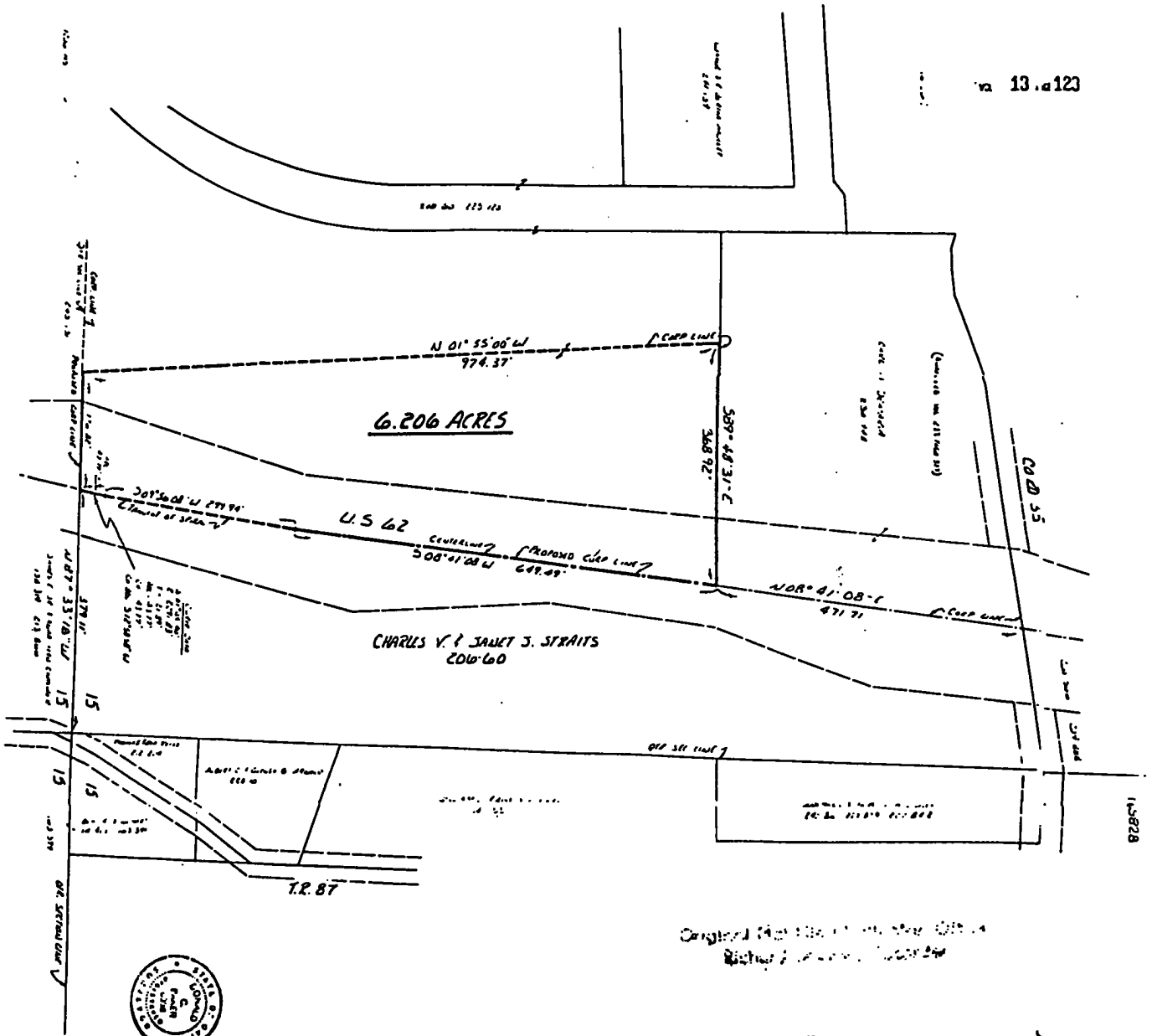
6.206 ACRES

CHARLES V. & JANET J. STRAITS

CURVE DATA
 Δ - 01° 05' 40"
 R - 2291.83'
 T - 21.89'
 ARC - 43.77'
 CH - 43.77'
 CH. BEG. S 12° 58' 58"

379.11'
 N 87° 33' 18" W
 JAMES E. JR & AUNA FE.
 158-319 213-866

13.4123



Original filed in the office of the Recorder of Deeds, Holmes County, Ohio, on the 13th day of August, 1990.

**PROPOSED ANNEXATION
TO THE
VILLAGE OF HILLBUCK**

PART OF THE N 1/4 OF SECTION 15
T 24 N R 7 W, HILLSBURG TWP, HOLMES CO, OHIO
SCALE 1"=100'

I HEREBY CERTIFY THAT THE HOLMES COUNTY COMMISSIONERS
HAVE APPROVED THIS ANNEXATION BY A MAJORITY VOTE ON
THE 29th DAY OF AUGUST, 1990
BY Prophet
COUNTY CLERK, HOLMES COUNTY, OHIO

I HEREBY CERTIFY THAT THIS MAP FOR QUANTIFICATION WAS
APPROVED BY THE RECORDS COMMISSIONER OF HOLMES COUNTY
ON A MAJORITY VOTE ON THE 29th DAY OF AUGUST,
1990
BY Charles V. Straits
DEPUTY RECORDS COMMISSIONER

10828
RETURN FOR RECORDING THIS MAP ON _____ 1990
AT _____ AND WAS RECORDED IN MAP BOOK 13
BY Charles V. Straits
DEPUTY RECORDS COMMISSIONER
DATE: 8/31/90

6.206 Total Acres to be Annexed

THE ANNEXATION AND THE LAND FROM VERNON'S BEESH, PARTS 1
AND 2 OF TRACT
BY Charles V. Straits Charles V. Straits
RECORDS COMMISSIONER Charles V. Straits
4151 F. D. 555
HILLSBURG, OHIO
August 29, 1990
Ex. 10828

NOTICE OF HEARING ON ANNEXATION

Ohio Revised Code 709.031

Notice is hereby given that on the 14th day of August, 1990, there was presented to the Board of Commissioners of the County of Holmes, State of Ohio, a Petition signed by Killbuck Village Solicitor, Max A. Miller, for the annexation of the following described territory to the Village of Killbuck, situated in the Township of Killbuck, County of Holmes and adjacent to the Village of Killbuck, to-wit:

PROPOSED ANNEXATION TERRITORY
VILLAGE OF KILLBUCK, OHIO

Being a part of the northwest quarter of Section 15, Killbuck Township, T-8 N, R-7 W, Holmes County, Ohio, and described as follows:

Commencing at the southeast corner of the northwest quarter of Section 15, thence N 87 degrees 33' 18" W 379.11 feet along the quarter section line to a point in the center of U.S. Rt. 62 the TRUE POINT OF BEGINNING.

thence with the following SIX (6) COURSES:

1. N 87 degrees 33' 18" W 176.82 feet along the quarter section line to a point;
2. N 01 degrees 55' 00" W 974.37 feet along the Village of Killbuck corporation line to a point on Carl A. DeMaria's (Deed Vol. 230, page 948) south line;
3. S 89 degrees 48' 31" E 368.92 feet along said DeMaria's south line and along the Village of Killbuck corporation line to a point on the center of U.S. Rt. 62;
4. S 08 degrees 41' 08" W 649.49 feet along the centerline of U.S. Rt. 62 to a point of tangent to spiral;
5. S 09 degrees 56' 08" W 299.94 feet along a tangent to the point of spiral to curve on the centerline of U.S. Rt. 62;
6. along a curve to the right having a delta angle of 01 degrees 05' 40", R-2291.83 feet, T-21.89 feet, Ch. Brg. S 12 degrees 58' 58" W and a Ch. of 43.77 feet, along the centerline of U. S. Rt. 62 an arc distance of 43.77 feet to the TRUE POINT OF BEGINNING.

The above described tract contains 6.206 acres.

The above described tract of land encloses and comprises a part of a tract of land conveyed to Charles V. & Janet J. Straits by a deed recorded in Vol. 206, Page 60 of the Holmes County Deed Records.

This map and description prepared from various deeds, maps and surveys of record by Donald C. Baker, P.S. 6938, July 23, 1990.

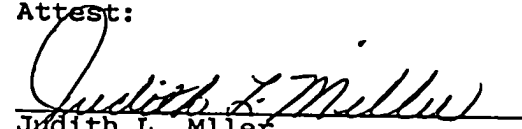
For Plat Map, see Volume _____, Page _____, Plat Records, Holmes County, Ohio.

Total proposed acreage is 6.206 acres.

VOL 249 PAGE 335

The Holmes County Board of Commissioners has fixed the 29th day of October, 1990, at 1:30 P.M. as the time for the hearing of said Petition at the office of the Commissioners in the Holmes County Courthouse, Millersburg, Ohio.

Attest:


Judith L. Miller
Clerk to the Board
Holmes County Commissioners

Dated: August 20, 1990

[Note to Publisher: Please publish August 30, September 6, 13 and 20]

RECEIVED

AUG 20 1990

HOLMES COUNTY
COMMISSIONERS

VOL 249 PAGE 336

Notice is hereby given that on the 14th day of August, 1990, there was presented to the Board of Commissioners of the County of Holmes, State of Ohio, a Petition signed by Killbuck Village Solicitor, Max A. Miller, for the annexation of the following described territory to the Village of Killbuck, situated in the Township of Killbuck, County of Holmes and adjacent to the Village of Killbuck, to-wit:

PROPOSED ANNEXATION TERRITORY

VILLAGE OF KILLBUCK, OHIO

Being a part of the northwest quarter of Section 15, Killbuck Township, T-8 N, R-7 W, Holmes County, Ohio, and described as follows:

Commencing at the southeast corner of the northwest quarter of Section 15, thence N 87 degrees 33' 18" W 379.11 feet along the quarter section line to a point in the center of U.S. Rt. 62 the TRUE POINT OF BEGINNING.

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- 6. along a curve to the right having a delta angle of 01 degrees 05' 40", R-2291.83 feet, T-21.890 feet, Ch. Brg. S 12 degrees 58' 58" W and a Ch. of 43.77 feet, along the centerline of U.S. Rt. 62 an arc distance of 43.77 feet to the TRUE POINT OF BEGINNING.

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This map and description prepared from various deeds, maps and surveys of record by Donald C. Baker, P.S. 6938, July 23, 1990.

For Plat Map, See Volume _____ Page _____ Plat Records, Holmes County, Ohio.

Total proposed acreage is 6.206 acres.

The Holmes County Board of Commissioners has fixed the 29th day of October, 1990, at 1:30 P.M. as the time for the hearing of said Petition at the office of the Commissioners in the Holmes County Courthouse, Millersburg, Ohio.

Attest:
Judith L. Miller
Clerk to the Board
Holmes County Commissioners
Aug. 30, 1990

**THE STATE OF OHIO
Holmes County, ss.**

Geraldine F. Didinger of

The Holmes County Hub

a newspaper of general circulation within said Holmes County, being duly sworn, depose and say that the notice of which the

annexed is a true copy was published in said newspaper ... 4 ...

consecutive weeks, commencing on the 30th

day of *August*, A.D., 19 *90*.....

Geraldine F. Didinger

SWORN TO AND SUBSCRIBED before me this

... *20th* day of ... *September* ... 19 *90*.....

By ... *Marilyn Ann Shearer* ...

Printer's Fee \$ *267.75*.....

MARILYN ANN SHEARER
Notary Public: State of Ohio
My Commission Expires February 6, 1994

Affidavit

TOTAL \$ *267.75*.....

RECEIVED

SEP 21 1990

**HOLMES COUNTY
COMMISSIONERS**

MILLER & MAST
ATTORNEYS AT LAW

MAX A. MILLER
DIANE STROMME MAST

August 7, 1990

THE LINCOLN BUILDING
12 SOUTH MONROE STREET
MILLERSBURG, OHIO 44654

THOMAS C. LEE

(216) 674-7070

Mrs. Betty L. Fowler
Holmes County Board of Elections
Court House - First Floor
Millersburg, Ohio 44654

In re: Village of Killbuck, Ohio
Annexation

Dear Betty:

Please find enclosed a copy of the Ordinance passed by the Village of Killbuck authorizing annexation of certain territory to the Village.

Since this annexation is initiated by the Village, an election would need to be held under Section 709.17 of the Ohio Revised Code if there were any elector residing in the territory to be annexed. It is my belief that there are no electors residing within this area, and would request that you direct a letter to the Holmes County Board of Commissioners verifying that no electors reside within this area.

For your information, the area to be annexed is owned by Charles V. Straits and Janet Straits and is adjacent to the industrial park in Killbuck. A reduced portion of the plat is enclosed for your reference.

Your certification that no electors reside within this area would allow us to proceed directly with a hearing on the petition for annexation without the need for election. See 1944 Atty. Gen. Op. No. 6759. For your convenience I have enclosed a copy of a similar letter prepared in 1986.

I do appreciate very much your assistance in this matter. If you have any questions regarding this request, please contact me at your earliest convenience.

Yours very truly,

MILLER & MAST

Max A. Miller

MAM:plm
Enclosures

**BOARD OF ELECTIONS
HOLMES COUNTY**

MILLERSBURG, OHIO 44654

Telephone (216) 674-5921

August 24, 1990

Holmes County Board of Commissioners
Court House-First Floor
Millersburg, Ohio 44654

In re: Village of Killbuck
Annexation

Dear Commissioners;

This is to certify that to our knowledge there are no electors residing in the territory to be annexed to the Village of Killbuck.

The location of the territory to be annexed is a part of the northwest quarter of section 15 in Killbuck Township.

This described tract of land encloses and comprises a part of a tract conveyed to Charles V. and Janet J. Straits according to a deed recorded in the Holmes County Deed Records.

Yours very truly,

Betty L. Fowler, Director
Betty L. Fowler,

Holmes County Board of Elections
Court House
Millersburg, Ohio

copy

MILLER & MAST
ATTORNEYS AT LAW

MAX A. MILLER
DIANE STROMME MAST

THOMAS C. LEE

August 20, 1990

THE LINCOLN BUILDING
12 SOUTH MONROE STREET
MILLERSBURG, OHIO 44654

(216) 674-7070

Roberta Wilson, Clerk
Township of Killbuck
10672 SR 520
Killbuck, Ohio 44637

In re: Annexation to
Village of Killbuck, Ohio

Dear Mrs. Wilson:

I serve as Solicitor for the Village of Killbuck, and as such have been authorized to prosecute an annexation of certain territory to the Village of Killbuck. The annexation petition was recently filed with the Holmes County Commissioner pursuant to an ordinance passed by Village Council.

Section 709.031 of the Ohio Revised Code requires that I deliver to you a copy of the Notice of Time and Place of Hearing issued by the County Commissioners. I am therefore enclosing a copy of that Notice for your file.

If you have any questions regarding this annexation, you may feel free to contact Mayor Henry Yoder or myself at your convenience.

Yours very truly,

MILLER & MAST

Max A. Miller, Solicitor
Village of Killbuck, Ohio

MAM:plm
Enclosure

cc: Henry Yoder, Mayor

VUL 219 PAGE 340

RESOLUTION NO. 6-1990RESOLUTION ADOPTING STATEMENT REGARDING
SERVICES TO BE PROVIDED TO
TERRITORY PROPOSED FOR ANNEXATION

WHEREAS on the 6th day of August, 1990, the Village Council for the Village of Killbuck did authorize the annexation of certain territory to the Village, and

WHEREAS the Village has received notice of the time and place of the hearing on its petition for annexation before the Board of County Commissioners, and

WHEREAS Section 709.031(B) of the Ohio Revised Code requires the municipal legislative authority to adopt by ordinance or resolution a statement indicating what services if any the municipal corporation will provide to the territory proposed for annexation; now therefore

BE IT RESOLVED by the Council for the Village of Killbuck, Ohio:

SECTION 1. The territory proposed for annexation consists of 6.206 acres, more or less, adjacent to the Carl DeMaria (Wilson Cabinet, Inc.) property, and being a part of the proposed industrial park area on the south end of the Village. The property is situated between property along Straits Drive and U.S. 62 right of way, and it is anticipated that the property will be used for industrial development. Therefore, the Village intends to provide adequate water and sewer services to this area, either as grant funds become available or pursuant to assessment in accordance with law. Also, police protection will be provided to the annexed area to the extent provided to the remainder of the Village.

SECTION 2. The solicitor for the Village of Killbuck, Ohio is hereby directed to provide a copy of this Resolution to the Board of County Commissioners pursuant to Section 709.031(B) of the Ohio Revised Code.

SECTION 3. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed at a Regular Meeting of the Village Council held on the 1st day of October, 1990.

Kenneth E. Callin

President of Council

ATTEST:

Quimby B. Felton, Jr.

Clerk

APPROVED:

Kenneth E. Callin

Mayor

CERTIFICATION

I certify the foregoing to be a true and exact copy of the original on file in my office.

Dated: October 1, 1990

Quimby B. Felton, Jr.

Quimby B. Felton, Jr., Clerk

RECEIVED

OCT 03 1990

HOLMES COUNTY
COMMISSIONERS

BEFORE THE BOARD OF COUNTY COMMISSIONERS, HOLMES COUNTY, OHIO

In re: Annexation of certain territory
to the Village of Killbuck

JOURNAL ENTRY

WHEREAS on August 14, 1990, Max A. Miller, Solicitor for the Village of Killbuck, County of Holmes and State of Ohio did file an Annexation Petition with the Board pursuant to an Ordinance adopted by the Council for said Village on August 6, 1990; and

WHEREAS the Clerk did enter said Petition and attachments thereto upon the Commissioner's Journal and filed the same with the Holmes County Auditor, and

WHEREAS said Village Solicitor did cause written notice of the filing of these proceedings and the date of this hearing to be delivered to the Clerk of Killbuck Township, Holmes County, Ohio, and did cause notice of the time and place of hearing to be published in the Holmes County Hub pursuant to law, and

WHEREAS the Board of County Commissioners finds that (a) the Petition contains all matters required by Section 709.02 of the Ohio Revised Code; (b) notice of the filing of said Petition and of this hearing has been published as required by Section 709.031 of the Ohio Revised Code; (c) no electors reside within the territory to be annexed to the Village of Killbuck, pursuant to a letter of August 24, 1990 from the Holmes County Board of Elections; (d) the Village of Killbuck has complied

MILLER & MAST
ATTORNEYS AT LAW
THE LINCOLN BUILDING
MILLERSBURG, OHIO 44654

216-674-7070

with Division (B) of Section 709.031 of the Ohio Revised Code, and has filed with the Board a copy of Resolution No. 6-1990 regarding services to be provided to said territory; (e) the territory included in the Annexation Petition is not unreasonably large; the plat map is accurate; and the general good of the territory sought to be annexed will be served if the Annexation Petition is granted. It is therefore

ORDERED that said annexation be approved, and that a certified transcript of these proceedings and all orders of the Board be delivered to the Clerk of the Village of Killbuck, Ohio for further filings in accordance with law.

The foregoing action was taken upon the motion of Mr. Hershberger with a second by Mr. Lee, and all Commissioners voting (aye).

BOARD OF COUNTY COMMISSIONERS
HOLMES COUNTY, OHIO

DATED: October 29, 1990

Clayton Hershberger
Clayton Hershberger

Robert Lee
Robert Lee

Ben A. Bell
Ben A. Bell

The below signed Clerk/Administrator to the Board hereby certifies that the preceding Resolution is a true and exact copy of a Resolution adopted by the Holmes County Commissioners on October 29, 1990 and is recorded in Commissioners Journal 28, under that date.

MILLER & MAST
ATTORNEYS AT LAW
THE LINCOLN BUILDING
MILLERSBURG, OHIO 44654

216-674-7070

Judith L. Miller
Judith L. Miller
Clerk/Administrator
Holmes County Commissioners

KILLBUCK VILLAGE ANNEXATION HEARING (STRAITS PROPERTY) RESOLUTION # 10-29-90-1

The hour of 1:30 p.m. arrived being the time set aside and advertised for a hearing to determine the advisability of annexation to the Village of Killbuck certain real estate adjacent to the Village as described in this Journal, Page 639. Chairman Bell declared the hearing open and recognized the presence of Max A. Miller, Solicitor for the Village of Killbuck, Ohio. As there were no other persons present for the hearing, at 1:40 p.m. Commissioners signed the annexation plat and adopted the following Resolution:

Whereas, on August 14, 1990, Max A. Miller, Solicitor for the Village of Killbuck, County of Holmes and State of Ohio did file an Annexation Petition with the Board (of Holmes County Commissioners) pursuant to an Ordinance adopted by the Council for said Village on August 6, 1990; and

WHEREAS, the Clerk (to the Board, Holmes County Commissioners) did enter said Petition and attachments thereto upon the Commissioner's Journal and filed the same with the Holmes County Auditor, and

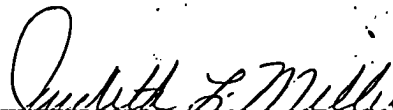
WHEREAS, said Village Solicitor did cause written notice of the filing of these proceedings and the date of this hearing to be delivered to the Clerk of Killbuck Township, Holmes County, Ohio and did cause notice of the time and place of hearing to be published in the Holmes County Hub pursuant to law; and

WHEREAS, the Board of County Commissioners finds that (a) the Petition contains all matters required by Section 709.02 of the Ohio Revised Code; (b) notice of the filing of said Petition and of this hearing has been published as required by Section 709.031 of the Ohio Revised Code; (c) no electors reside within the territory to be annexed to the Village of Killbuck, pursuant to a letter of August 24, 1990 from the Holmes County Board of Elections; (d) the Village of Killbuck has complied with Division (b) of Section 709.031 of the Ohio Revised Code, and has filed with the Board a copy of Resolution No. 6-1990 regarding services to be provided to said territory; (e) the territory included in the Annexation Petition is not unreasonably large; the plat map is accurate; and the general good of the territory sought to be annexed will be served if the Annexation Petition is granted. It is therefore

ORDERED that said annexation be approved, and that a certified transcript of these proceedings and all orders of the Board be delivered to the Clerk of the Village of Killbuck, Ohio for further filings in accordance with law.

The foregoing action was taken upon the motion of Mr. Hershberger with a second by Mr. Lee, and all commissioners voting (aye).

The below signed Clerk/Administrator to the Board hereby certifies that the above transcript/resolution is a true and exact copy of the transcript and the resolution adopted by the Holmes County Commissioners on October 29, 1990 and is recorded in Commissioners Journal 28, under that date.



Judith L. Miller
Clerk/Administrator
Holmes County Commissioners

cc
Killbuck Township
Village Solicitor, Max A. Miller
Tax Map
Engineer
File

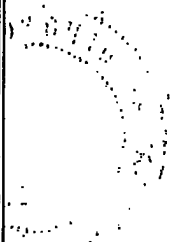
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CERTIFICATE OF VILLAGE CLERK

R.C. 709.06

Pursuant to Section 709.06 of the Ohio Revised Code, I
Quimby Felton, Jr., Clerk for the Village of Killbuck, Ohio, do
hereby certify that the foregoing documents are true and correct
copies of the Petition, Plat, Proceeding of the Board of County
Commissioners, Resolutions, and Ordinances relating to the
annexation of certain territory described therein to the Village
of Killbuck, Ohio.

Signed this 5th day of November, 1990.



(SEAL)

Quimby B Felton Jr.
Quimby Felton, Jr. Clerk
Village of Killbuck, Ohio

19901105

REC'D. NOV 7 1990
AT 2:10 O'CLOCK P.M.
RECORDED NOV 8 1990
DEED VOL. 249 PG. 326
Holmes Co. Ohio Fee: \$15.00
Richard J. ... Recorder

7/10/91

MILLER & MAST
ATTORNEYS AT LAW
THE LINCOLN BUILDING
MILLERSBURG, OHIO 44654

216-674-7070

Commissioner Journal

Wm. L. Latham & Sons, Cambridge, C. - 23314

October 29, 1990

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* APPROPRIATIONS AND TRANSFERS CON'T

APPROPRIATION:

Unappropriated General Fund	AO02-B26 (ADx)	250.00
Operation of Drug Testing equipment		

TRANSFERS within a fund:

B000-B01 (Auditor's Clerk Hire & Supply)	B000-B11 (Other Expenses)	304.84
B000-B03 (Supplies)	B000-B11 (Other Expenses)	280.32
B000-B06 (Claims & Witness Fees)	B000-B11 (Other Expenses)	1,095.00
B000-B07 (PERS)	B000-B08 (Worker's Comp)	2,448.83
PERS paid out of Worker's Comp. line in error		
B000-K13	K000-K21	17,000.00

Duplicate Entry See Resolution # 9-10-90-1

H. INDUSTRIAL PARK FUND ESTABLISHMENT RESOLUTION #10-29-90-1

~~WHEREAS, it has become increasingly necessary to establish new funds for the purpose of accountability when new departments are formed, or new projects are developed; and~~

~~WHEREAS, there have been requests for the establishment of the following fund for the specific purpose listed below:~~

~~THEREFORE BE IT RESOLVED that the Holmes County Commissioners hereby authorize the establishment of the following:~~

- ~~1. The East Holmes Industrial Park Fund (N-20)
For the purpose of accountability of funds for said project.~~

~~Mr. Lee moved for the adoption of the above Resolution, Mr. Hershberger seconded the motion. Upon call of roll, all voted yes.~~

EXECUTIVE SESSION - PROPER VS HOLMES COUNTY SHERIFF/COMMISSIONERS

Commissioners received by certified, registered mail, a Complaint (Case # 5-90CV1872) filed in the United States District Court, Northern District of Ohio, Eastern Division. The Complaint lists the Plaintiffs as: Jamie and Art Proper, 12327 Township Road 217, Big Prairie, OH 44611. The Defendants listed are: Arlie R. Croskey, as an individual and as Holmes County Sheriff and the Holmes County Sheriff Department, and the Holmes County Commissioners. The Complaint states the following claims: Civil Rights, Title VII and Pendent State Claims. At 1:45 p.m. an executive session was requested for the purpose of discussing this matter. Those in attendance were: Sheriff, Arlie R. Croskey, Prosecutor, Robert Rinfret and Richard Gortz, President of Gortz & Associates. The session ended at 2:30 p.m.

KILLBUCK VILLAGE ANNEXATION HEARING (STRAITS PROPERTY) RESOLUTION # 10-29-90-1

The hour of 1:30 p.m. arrived being the time set aside and advertised for a hearing to determine the advisability of annexation to the Village of Killbuck certain real estate adjacent to the Village as described in this Journal, Page 639. Chairman Bell declared the hearing open and recognized the presence of Max A. Miller, Solicitor for the Village of Killbuck, Ohio. As there were no other persons present for the hearing, at 1:40 p.m. Commissioners signed the annexation plat and adopted the following Resolution:

Whereas, on August 14, 1990, Max A. Miller, Solicitor for the Village of Killbuck, County of Holmes and State of Ohio did file an Annexation Petition with the Board (of Holmes County Commissioners) pursuant to an Ordinance adopted by the Council for said Village on August 6, 1990; and

WHEREAS, the Clerk (to the Board, Holmes County Commissioners) did enter said Petition and attachments thereto upon the Commissioner's Journal and filed the same with the Holmes County Auditor, and

WHEREAS, said Village Solicitor did cause written notice of the filing of these proceedings and the date of this hearing to be delivered to the Clerk of Killbuck Township, Holmes County, Ohio and did cause notice of the time and place of hearing to be published in the Holmes County Hub pursuant to law; and

WHEREAS, the Board of County Commissioners finds that (a) the Petition contains all matters required by Section 709.02 of the Ohio Revised Code; (b) notice of the filing of said Petition and of this hearing has been published as required by Section 709.031 of the Ohio Revised Code; (c) no electors reside within the territory to be annexed to the Village of Killbuck, pursuant to a letter of August 24, 1990 from the Holmes County Board of Elections; (d) the Village of Killbuck has complied with Division (b) of Section 709.031 of the Ohio Revised Code, and has filed with the Board a copy of Resolution No. 6-1990 regarding services to be provided to said territory; (e) the territory included in the Annexation Petition is not unreasonably large; the plat map is accurate; and the general good of the territory sought to be annexed will be served if the Annexation Petition is granted. It is therefore

Commissioner Journal

Wm. Lithofel & Sons, Cambridge, O. - 22714

October 29, 1990

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ORDERED that said annexation be approved, and that a certified transcript of these proceedings and all orders of the Board be delivered to the Clerk of the Village of Killbuck, Ohio for further filings in accordance with law.

The foregoing action was taken upon the motion of Mr. Hershberger with a second by Mr. Lee, and all commissioners voting (aye).

EAST HOLMES INDUSTRIAL PARK DOCUMENTS SIGNED

Chairman, Ben A. Bell signed a Right-Of-Way Easement granting the standard utility right-of-way to Holmes-Wayne Electric Cooperative, Inc. within the East Holmes Industrial Park. The easement is to be recorded in the Holmes County Recorder's Office. Also signed was a Right-Of-Way Certificate (FHA Form 442-21). In addition, Chairman Bell signed a plat of the East Holmes Industrial Park Allotment (Paint Township, U.S. 62, 4th quarter, lots 28, 29, and 30; T-10W, R -5W. The Allotment is one lot (5.001 acres). The proceeding was approved on a motion by Mr. Lee, seconded by Mr. Hershberger. Upon call of roll, all voted yes.

C.S.E.A. OFFICE SPACE BID NOTICE/OPENING

The following bid notice was published in the Wooster Daily News on October 8, and 15, 1990:

The Holmes County Board of Commissioners will accept bids for approximately 1850 square feet of office space for the Holmes County Child Support Enforcement Agency.

The specifications are available at the Child Support Enforcement Agency, Professional Building, East Jackson Street, Millersburg, Ohio 44654.

Bids will be accepted until 3:00 p.m. October 29, 1990, at the office of the Board of County Commissioners, Courthouse, Millersburg, Ohio 44654.

The hour of 3:00 p.m. arrived being the time set aside and advertised for the opening of bids for the above described office space and Chairman Bell ordered the bids to be opened. Present for the bid opening was Agency Director, Jenny White. One bid was received as follows:

Millersburg Professional Building
Schuler Law Firm
Critchfield, Critchfield & Johnston
East Jackson Street
Millersburg, OH 44654

By: Daniel L. Mathie

Approximately 1850 square feet of office space: \$16,800.00 per annum (\$1,400.00 per month) plus utilities, ie; electric, gas, sewer, water and telephone. Maintenance of exterior areas including snow removal provided at no additional cost.

The proposed space is known as the first floor of the Professional Building, East Jackson Street, Millersburg, Ohio and is a portion of the space currently occupied by the Holmes County Child Support Enforcement Agency.

The undersigned further certifies that he has examined the specifications at the Child Support Enforcement Agency a copy of which is attached and that the proposed space meets or exceeds all specifications.

Additional space of approximately 250 square feet (2 offices) may be available (at the) first of the year which may be obtained at (the) rate of \$9.00 per square foot.

Mr. Lee moved that the Board award the bid as presented for the 1850 square feet only. Mr. Hershberger seconded the motion, upon call of roll, all voted yes.

FLOOD INSURANCE REGULATORY HEARINGS SCHEDULED

The following notice is to be published in the Holmes County Hub, November 1 & 8, 1990:

The Holmes County Commissioners will hold two (2) hearings on November 13, 1990 and November 19, 1990, at the Commissioners Office in the Courthouse, Millersburg, Ohio. The purpose of the hearings will be to receive comments on the proposed regulations affecting building in Areas of Special Flood Hazard as designated by the Federal Emergency Management Agency (FEMA) and to enable residents of the unincorporated areas of Holmes County to continue to receive federal flood insurance. The proposed regulations affecting the unincorporated areas of the County are authorized under Section 307.37 of the Ohio Revised Code.

The hearings on both dates will begin at 10:00 a.m. Copies of the proposed regulations, maps showing the affected areas, and other information is available at the Commissioners office and the Holmes County Planning Commission, 2 South Clay Street, Millersburg during normal business hours.