

16-916

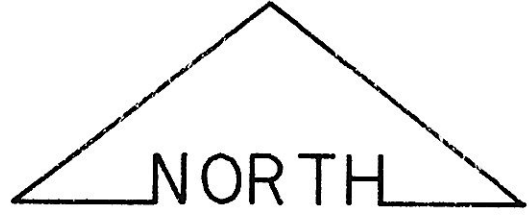
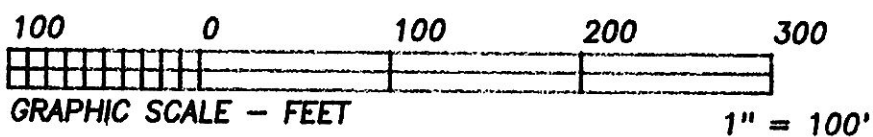
CURVE	RADIUS	TANGENT	LENGTH	DELTA	DEGREE	CHORD	CH.BEARING
A	133.01'	88.12'	155.66'	67°03'05"	43°04'34"	146.93'	N 24°27'02"E
B	193.01'	101.60'	187.04'	55°31'22"	29°41'07"	179.80'	S 18°41'11"W
C	193.01'	19.48'	38.84'	11°31'42"	29°41'07"	38.77'	S 52°12'42"W



- LEGEND:
- = STONE FOUND
 - = IRON PIN/PIPE FOUND
 - = POINT-OF-DEPARTURE
 - = 5/8" X 30" RE-BAR W/I.D. CAP SET
 - ⊠ = RAILROAD SPIKE SET
 - △ = R/R SPIKE FOUND

REFERENCE DOCUMENTS:
TAX MAP
DEEDS AS SHOWN
SURVEY PLATS:

3/17B, 7/797, 9/207, 10/676,
12/63, 13/116 & 14/500.



* BEARINGS EST. FROM SUR. PLAT 3/17B.

PROPOSED ANNEXATION
TO THE
VILLAGE OF MILLERSBURG

HOLMES COUNTY, STATE OF OHIO

TOTAL ACRES TO BE ANNEXED: 8.527 ACRES

APPROVED BY HOLMES COUNTY COMMISSIONERS

I HEREBY CERTIFY THAT THE HOLMES COUNTY COMMISSIONERS HAVE APPROVED THE DETACHMENT OF THIS TRACT OF LAND AS SHOWN HEREON FROM HOLMES COUNTY.

DATE Aug. 31, 1998

John W. Baker
CHAIRMAN, COUNTY COMMISSIONERS

RESOLUTION 08-31-98-2

APPROVED BY MILLERSBURG PLANNING COMMISSION

I HEREBY CERTIFY THAT THIS PLAT FOR ANNEXATION WAS APPROVED BY THE MILLERSBURG PLANNING COMMISSION AT A MEETING HELD ON 0-5-98, 1998.

BY: [Signature]
PRESIDENT, MILLERSBURG PLANNING COMMISSION

APPROVED BY MILLERSBURG VILLAGE COUNCIL

I HEREBY CERTIFY THAT THIS PLAT FOR ANNEXATION WAS APPROVED BY THE VILLAGE COUNCIL OF MILLERSBURG, OHIO AT A MEETING HELD ON NOV 9, 1998.

BY: Karen S. Shaffer
VILLAGE CLERK

ORDINANCE 98-116

9800005486
VILLAGE OF
MILLERSBURG
MILLERSBURG, OH

RECEIVED
NOV 13 1998
RICHARD A. GRAVEN
CLERK



I CERTIFY THIS PLAT & SURVEY TO BE CORRECT TO THE BEST OF MY KNOWLEDGE:

[Signature]

JIM SHAMP, REG. SUR. NO. S-6088 DATE APRIL 27, 1998

HEARTLAND Surveying, Inc.			
5210 T.R. 257		MILLERSBURG, OH 44654	
PH: 330-674-4698			
SURVEY PROPOSED ANNEXATION		STATE OHIO	
COUNTY HOLMES	TWP. HARDY	RNG. 7 WEST	TWP. 9 NORTH
1ST. QUARTER LOTS 32 & 37		2/98 960102 LAYERS 22 & 23	

6 North Washington Street
Millersburg, Ohio 44654
FAX (330) 674-9044



VILLAGE OF MILLERSBURG

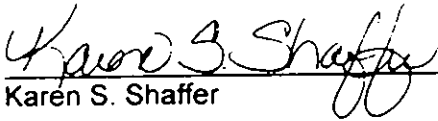
Les Roach, Mayor

Andrew Jones, Village Administrator
Karen Shaffer, Village Clerk
(330) 674-1886

S. Thomas Vaughn
Police Chief
(330) 674-7137

CERTIFICATION

The undersigned, Clerk of Council, Village of Millersburg, Ohio, hereby certifies that the foregoing is a true and correct copy of the transcript of annexation proceedings adopted by said Council on November 9, 1998.


Karen S. Shaffer

11-13-98
Date

9800005487
Filed for Record in
HOLMES COUNTY, OH
SALLY MILLER
On 11-13-1998 At 02:51 pm.
ANNEXATION 50.00
Book OR Vol. 20 Pg. 265 - 275

AN ORDINANCE ACCEPTING ANNEXATION ON APPLICATION OF FAMILY PROPERTIES, LTD. AND DECLARING AN EMERGENCY

Whereas, Family Properties, Ltd. has petitioned the Board for the annexation of a parcel of property.

Section 1. The proposed annexation as applied for in the petition of Family Properties, Ltd., approved for annexation to the Village of Millersburg by the Board of Commissioners on August 31, 1998 is hereby accepted. The territory to be annexed is described as follows:

See Exhibit A attached hereto and incorporated herein by reference.

The certified transcript of the proceedings for annexation, with an accurate map of the territory, together with the petition for annexation and other papers relating to the proceedings of the County Commissioners, are on file with the Clerk of the Village.

Section 2. The Village Clerk is directed to make three (3) 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 Clerk 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 the Clerk shall do other things required by law.

Section 3. Be It Further Resolved that an emergency exists to annex this parcel immediately so that Police, Fire, Rescue Squads and Village services may be provided to the territory subject to annexation.

For the reason stated immediately above this Ordinance is hereby declared to be an emergency measure necessary to the immediate preservation of the public health, peace, safety and welfare of the Village; wherefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Notice of this Ordinance shall be published in the Wooster Daily Record and/or The Holmes County Hub once per week for two consecutive weeks as required by the Ohio Revised Code.

1st Reading 11/9/98 2nd Reading 11/9/98 3rd Reading 11/9/98

Passed: November 9, 1998 Vote: All yea

Attest: Karen Shaffer, Clerk of Council

James Riley, President of Council

Approved: November 9, 1998

Les Roach, Mayor

RECEIVED
NOV 13 1998
RICHARD A. GRAVEN
AUDITOR



HOLMES COUNTY COMMISSIONERS

2 COURT STREET, SUITE 14
MILLERSBURG, OHIO 44654-2001
PHONE (330) 674-0266 FAX (330) 674-0566



JOHN W. BAKER, CHAIRMAN LEAH W. MILLER ROGER L. CLARK

~~INSTRUMENT~~
980005487

Resolution # ~~06-29-98~~ 7

RESOLUTION OF COUNTY COMMISSIONERS SETTING DATE FOR HEARING

(Ohio Revised Code Section 709.031)

A petition (the "Petition") for the annexation of certain real property located in Hardy Township, Holmes County, Ohio, containing 8.527 acres, more or less, as more particularly described in Exhibit A attached to this Resolution (the "Territory"), with Garrett M. Roach named as agent, has been filed in the office of the Board of County Commissioners for Holmes County, Ohio (the "Board"). The Petition requests that the Territory be annexed to the Village of Millersburg, Holmes County, Ohio.

The Board finds that the Clerk of the Board has caused the Petition to be entered upon the record of the proceedings of the Board, and has filed a copy of the Petition with the Auditor of Holmes County, Ohio. The Board further finds that a hearing should be held on the Petition in accordance with law.

IT IS THEREFORE ORDERED that a hearing on the annexation of the Territory be held at 9:30 o'clock a m. on August 31, 1998 at the office of the Holmes County, Ohio Commissioners located at 2 Court Street, Millersburg, Ohio.

IT IS FURTHER ORDERED that the agent of the Petitioners be notified and that he give notice of the hearing in accordance with law.

DATE: June 29, 1998

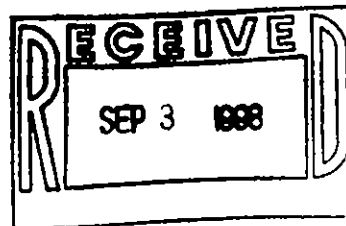
James W. Baker

Roger L. Clark

Leah W. Miller

BOARD OF COMMISSIONERS,
HOLMES COUNTY, OHIO

original: Village of Millersburg
cc: Garrett M. Roach
Hardy Township Clerk
Hardy Township Trustees (3)
Tax Map
Board of Elections
EMA
Engineer
Auditor
Treasurer
File (Millersburg Annexation: Family Properties Ltd.)



PETITION FOR ANNEXATION OF TOWNSHIP
PROPERTY TO VILLAGE
(Ohio Revised Code Section 709.02)

JUN 2 1998
HOLMES COUNTY
COMMISSIONERS

TO: The Board of County Commissioners of Holmes County, Ohio

The undersigned ("Petitioners") petition for the annexation of the real property described in Exhibit A attached to this Petition (the "Territory") to the Village of Millersburg, Holmes County, Ohio (the "Village"). The Territory consists of containing a total of 8.527 acres, more or less, located in Hardy Township and is adjacent to and contiguous with the Village. Petitioners have attached as Exhibit B and made a part of this Petition an accurate map or plat showing the boundaries of the Territory. The number of owners of real estate in the Territory is two (2).

Garrett M. Roach is appointed agent for Petitioners as required by Section 709.02 of the Ohio Revised Code and is granted full power and authority to amend, alter, change, correct, withdraw or refile this Petition, increase or decrease the size of the Territory and do any and all things essential to this Petition and take any other action necessary pertaining to the granting of this Petition.

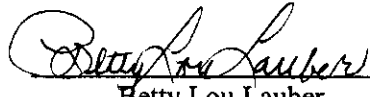
PETITIONERS

Family Properties, Ltd.,
an Ohio limited liability company

By: 
Ted W. DeHass, Member

and

By: 
Mary Kathryn DeHass, Member


Betty Lou Lauber

RECEIVED
JUN 2 2 1998
RICHARD A. GRAVEN
AUDITOR

EXHIBIT A

Being situated in the State of Ohio, County of Holmes, Township of Hardy, Range 7 West, Township 9 North, First Quarter, Lots 32 and 37 presently in the names of Family Properties, Ltd. as recorded in the Holmes County Official Records Volume 4, page 702 and Volume 8, Page 904, and Betty Lou Lauber as recorded in the Holmes County Deeds of Record Volume 151, Page 517 and more fully described as follows

Commencing for reference at a point marking the northeast corner of Lot 37,

Thence along the north line of said Lot N $79^{\circ} 57' 57''$ W 1468.66 feet to a point on the west line of land presently in the names of Mark S. and Janet M. Lytle (D.V. 259, P. 614) and an east line of land presently in the name of Family Properties, Ltd. (O.R. 4, P. 702) and the true place of beginning;

Thence along the west line of said Lytle property and an east line of said Family Properties, Ltd. property S $12^{\circ} 05' 00''$ E 337.59 feet to an iron pipe found marking the southwest corner of said Lytle property and passing through an iron pin set at 171.47 feet,

Thence along the south line of said Lytle property and a north line of said Family Properties, Ltd. property and a north line of land presently in the name of Betty Lou Lauber (D.V. 151, P. 517) N $78^{\circ} 02' 22''$ E 92.71 feet to an iron pin found and passing through an iron pin found at 32.68 feet,

Thence the following three courses through said Lauber property

1. S $10^{\circ} 17' 08''$ E 271.17 feet to an iron pin found,
2. S $09^{\circ} 04' 31''$ E 30.00 feet to an iron pin found,
3. Along a curve to the right with a Radius of 193.01 feet, Tangent of 101.60 feet, Length of 187.04 feet, Delta of $55^{\circ} 31' 22''$, Degree of Curve of $29^{\circ} 41' 07''$, and Chord of S $18^{\circ} 41' 11''$ W 179.80 feet to an iron pin found on the corporation line of the Village of Millersburg and marking a northwesterly corner of land presently in the name of Northside Baptist Church, Inc. (D.V. 260, P. 761);

Thence the following two courses along a south line of said Lauber property and along the corporation line and a northerly line of said Church property:

1. Continuing on said curve to the right with a Radius of 193.01 feet, Tangent of 19.48 feet, Length of 38.84 feet, Delta of $11^{\circ} 31' 42''$, Degree of Curve of $29^{\circ} 41' 07''$, and Chord of S $52^{\circ} 12' 42''$ W 38.77 feet to an iron pin found,
2. S $57^{\circ} 58' 34''$ W 162.79 feet to a point in the center line of S.R. 83 and passing through an iron pin found at 109.61 feet,

Thence the following four courses along said center line

1. N $20^{\circ} 06' 23''$ W 197.87 feet to a point,
2. N $30^{\circ} 52' 04''$ W 410.69 feet to a point;
3. N $19^{\circ} 41' 12''$ W 367.00 feet to a point;
4. N $10^{\circ} 11' 12''$ W 200.00 feet to a point and passing through a point on the south line of Lot 32 at 80.95 feet,

LAGMR\130537\EXHIBIT A WPD

Instrument
9800005487

Thence along a south line of land presently in the name of Dorothy H. Lydic (D.V. 203, P. 232, and D.V. 221, P. 215) and the north line of said Family Properties, Ltd. property S 81° 26' 13" E 426.53 feet to an iron pin found marking a northeast corner of said Family Properties, Ltd. property, a southwest corner of land presently in the names of Robert G. and Rhonda R. Roth (D.V. 244, P. 418), and the northwest corner of said Lytle property;

Thence along the east line of said Family Properties, Ltd. property and the west line of said Lytle property S 12° 05' 00" E 132.41 feet to the true place of beginning.

This survey contains 8.527 acres (1.165 acre in Lot 32 and 7.362 acres in Lot 37), is subject to all easements of record, its bearings are established from Survey Plat Volume 3, page 17B and are to denote angular measurements only, and is a description of a field survey completed by Jim Shamp, Reg. Sur. No. S-6088, dated May 22, 1996, and updated April 27, 1998. Iron pins set are 5/8" x 30" iron re-bars with plastic I.D. caps. Iron pins found are 5/8" re-bar unless otherwise noted.

REVIEWED 6/18/98 *g*
HOLMES CO TAX MAP
Plat Required
Plat vol 16 pg 916



HOLMES COUNTY COMMISSIONERS

2 COURT STREET, SUITE 14
MILLERSBURG, OHIO 44654-2001
PHONE (330) 674-0266 FAX (330) 674-0566



JOHN W. BAKER, CHAIRMAN ROGER L. CLARK LEAH W. MILLER

Resolution # 08-31-98-2

RESOLUTION OF COUNTY COMMISSIONERS APPROVING ANNEXATION (Ohio Revised Code Section 709.033)

Pursuant to a resolution adopted by the Board of County Commissioners of Holmes County, Ohio (the "Board"), on June 29, 1998, fixing August 31, 1998, for hearing the petition (the "Petition") praying for the annexation of certain real property (the "Territory") in Hardy Township, Holmes County, Ohio, to the Village of Millersburg, Holmes County, Ohio, the same came for hearing and all persons appearing for or against the annexation were heard and received.

The Board finds as follows:

1. The petition contains all matters required by law, including, but not limited to, the following matters required by section 709.02 of the Ohio Revised Code:
 - (a) A full description and accurate map or plat of the Territory; and
 - (b) A statement of the total number of owners of real estate in the Territory; and
 - (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 the Petition has been published as required by law, and all notices of filing the Petition and the hearing on the Petition 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, and, at 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. None of the signatures have been withdrawn pursuant to Sections 709.03 or 709.032 of the Ohio Revised Code.
5. The Territory is not unreasonably large. **Instrument 9800005487**
6. The Territory is adjacent and contiguous to the Village of Millersburg, Ohio.
7. The map or plat and the description of the Territory contained in the Petition are accurate.
8. The general good of the Territory will be served if the Petition is granted and the annexation is allowed.

IT IS THEREFORE ORDERED that the prayer of the Petition is hereby granted and that the Territory , the legal description of which is attached as Exhibit A, is annexed to the Village of Millersburg, Ohio.

IT IS FURTHER ORDERED that the final transcript of this Board relating to this annexation, together with the accompanying map and Petition and all other papers, be delivered to the Clerk of Council of the Village of Millersburg, Ohio.

Date: August 31, 1998

John W. Baker yes

Roger K. Clark yes

Leann W. Miller yes

BOARD OF COUNTY COMMISSIONERS,
HOLMES COUNTY, OHIO

The below signed Clerk to the Board hereby certifies that the preceding is a true and exact copy of a resolution adopted on a motion by Mr. Clark and seconded by Mrs. Miller during the regular Business Meeting of August 31, 1998 and recorded in Commissioners Journal 33 under that date.

Deborah W. Calhoun
Deborah W. Calhoun, Clerk to the Board

EXHIBIT A

Being situated in the State of Ohio, County of Holmes, Township of Hardy, Range 7 West, Township 9 North, First Quarter, Lots 32 and 37 presently in the names of Family Properties, Ltd. as recorded in the Holmes County Official Records Volume 4, page 702 and Volume 8, Page 904, and Betty Lou Lauber as recorded in the Holmes County Deeds of Record Volume 151, Page 517 and more fully described as follows:

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3. N $19^{\circ} 41' 12''$ W 367.00 feet to a point;
4. N $10^{\circ} 11' 12''$ W 200.00 feet to a point and passing through a point on the south line of Lot 32 at 80.95 feet;

**Instrument
9800003487**

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