

REFERENCE DOCUMENTS:
TAX MAPS
DEEDS AS SHOWN
SURVEY PLATS:

BEARINGS ARE TO AN ASSUMED
MERIDIAN AND ARE USED TO
DENOTE ANGULAR MEAS. ONLY.

- LEGEND:
- = STONE FD.
 - = 5/8" RE-BAR FD. UNLESS NOTED
 - = POINT-OF-DEPARTURE
 - = 5/8" X 30" RE-BAR W/PLASTIC I.D. CAP SET
 - = R/R SPIKE SET
 - △ = R/R SPIKE FD.
 - ⊞ = CONC. MONUMENT FD.

CORP. LINE N 00° 12' 06" E
605.02' CALC.
594' REC.

VILLAGE OF MILLERSBURG
188/935
4.731 ACRES
(OAK HILL CEMETERY)

CONC. MON' T. FD.
S 88° 58' 19" E 1.83'
OF PROP. COR.

N 88° 58' 19" W
268.44' MON' T. TO MON' T.
330.00' REC., USED & TOTAL

EDNA N. TROYER
274/410

S 19° 19' 23" W
347.66' CALC. & TOTAL
346.5' REC.

C/L T.R. 312
PORT WASHINGTON RD.
60' R/W
& CORP. LINE

S 39° 34' 58" E
181.89'

S 76° 00' 13" E
137.56'

S 66° 37' 04" E
132.24'

S 51° 42' 22" E
91.87'



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

DECEMBER 1, 1995
DATE

JIM SHAMP, REG. SUR. NO. S-6088

**PROPOSED ANNEXATION
TO THE
VILLAGE OF MILLERSBURG**
HOLMES COUNTY, STATE OF OHIO

PLAT APPROVED

4/21/98 Rg

9800002314
Filed for Record in
HOLMES COUNTY, OH
SALLY MILLER
On 05-20-1998 At 12:31 pm.
SMALL PLAT 20.00
Book OR Vol. 16 Pg. 733 - 733
OR pg 337

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: May 5, 1998

James W. Baker
CHAIRMAN, COUNTY COMMISSIONERS

RESOLUTION: 05-11-98-3

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
May 11, 1998.

BY: *Karen S. Shaffer*
VILLAGE CLERK

ORDINANCE: 98-108

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 APRIL 7, 1998.

BY: *Andrew...*
MILLERSBURG PLANNING COMMISSION

9800002314
ROBERT HINES ATTY
MILLERSBURG,

HEARTLAND Surveying, Inc.			
Jim Shamp			
5210 T.R. 257		MILLERSBURG, OH 44654	
PH: 330-674-4698			
SURVEY ANNEXATION TO THE VILLAGE OF MILLERSBURG		STATE OHIO	
COUNTY HOLMES	TWP. HARDY	RNG. 7 W	TWP. 9 N
NORTHWEST QUARTER OF SECTION 20		950651.CRD 980234.PL	



HOLMES COUNTY COMMISSIONERS

2 COURT STREET, SUITE 14
MILLERSBURG, OHIO 44654-2001
PHONE (330) 674-0286 FAX (330) 674-0566



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

Resolution # 05-11-98-3

A RESOLUTION AUTHORIZING AND APPROVING ANNEXATION VILLAGE OWNED PROPERTY IN HARDY TOWNSHIP TO THE VILLAGE OF MILLERSBURG, OHIO

WHEREAS the Board of County Commissioners of Holmes County, Ohio, proceeding this eleventh day of May, nineteen hundred and ninety-eight, having heard the petition signed by Les Roach, Mayor of Millersburg, for the annexation to the Village of Millersburg, Ohio, of certain territories described in the petition, and having at open meeting on May eleventh, nineteen hundred and ninety-eight, heard all of the persons desiring to be heard for or against the granting of said petition and having considered the documents and all matters relative thereto which were presented to this Board, and being fully advised in all matters, does hereby find as follows:

- I. The petition contains all matters required by law, Section 709.02 of the Ohio Revised Code, namely:
 - A. A full description and accurate map of the territory sought to be annexed. (Exhibits A, B, & C)
 - B. A statement of the total number of owners of real estate in the territory sought to be annexed.
- II. The matters alleged in the petition are true.
- III. Notice of the filing of said petition has been published as required by law, and notice was given to the Clerk of Hardy Township and the Clerk of the Village of Millersburg, Ohio.
- IV. The persons whose names are subscribed to the petition are owners of real estate located in the territories in the petition, and as of the time the petition was filed with the Board of County Commissioners the number of valid signatures on the petition constituted a majority of the owners of real estate in the territory proposed to be annexed. No signatures were removed from said petition.
- V. The Village of Millersburg shall comply with division (B) of Section 709.031 of the Revised code of Ohio, by passing a Resolution outlining the **ADOPTION OF A STATEMENT OF SERVICES TO BE PROVIDED TO THE TERRITORY PROPOSED FOR ANNEXATION TO THE VILLAGE OF MILLERSBURG IN THE PETITION OF THE VILLAGE OF MILLERSBURG** (copy attached), to be filed with the Board of Commissioners of Holmes County, Ohio.
- VI. The territory to be annexed is not unreasonably large.
- VII. The territory is adjacent to the Village of Millersburg.
- VIII. The map and the description of the territories contained in the petition are accurate.
- IX. The general good of the territories sought to be annexed will be served if the annexation is granted.

9800002315
Filed for Record in
HOLMES COUNTY, OH
SALLY MILLER
On 05-20-1998 At 12:31 pm.
RESOLUTION 74.00
Book OR Vol. 9 Pg. 337 - 353

THEREFORE, BE IT RESOLVED that it is hereby ordered that the prayer of the petition herein be granted and that the territory described in said petition may be annexed to the Village of Millersburg, Ohio, in accordance with law, and that a certified transcript signed by a majority of this Board of all the orders and proceedings of this board, relative to said petition and hearing thereon together with said petition and map attached thereto, and all the papers on file relating to said matter be deposited at once with the Clerk of the Village of Millersburg, Ohio.

LET IT BE FURTHER RESOLVED the adoption of this instant Resolution by the Commissioners is specifically conditioned upon the Village of Millersburg adopting the Resolution referred to in Section V above. Failure of the Village of Millersburg to adopt said Resolution shall void the action of the County Commissioners in adopting the instant Resolution.

Mrs. Miller moved for the adoption of the above Resolution. Mr. Baker seconded the motion (Mr. Baker - yes; Mr. Clark - absent; Mrs. Miller - yes)

Mr. Baker James W. Baker yes

Mr. Clark _____ absent

Mrs. Miller Leah W. Miller yes

The below signed Clerk to the Board hereby certifies that the preceding Resolution is a true and exact copy of a Resolution adopted during the regular business meeting of May 11, 1998 and recorded in Commissioners Journal 33 under that date.

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

TRANSFER NOT NECESSARY

DATE 5-19-98
AUDITOR Richard A. Graves

original: Village of Millersburg
xc: Robert B. Hines
Hardy Township Clerk
Hardy Township Trustees (3)
Tax Map
Board of Elections
EMA

Engineer
Auditor
Treasurer
File (Millersburg Annexation -
Village Property 1998)

Word/Resolutions/Annex2

CERTIFIED COPY OF ORIGINAL ON FILE
Karen Shaff CLERK
May 11 1998

EXHIBIT A

VOL 0009 PAGE 329

HEARTLAND SURVEYING, INC.
5210 TR 257
MILLERSBURG, OHIO 44654
330/674-4698

Instrument
9800002315

Metes and Bounds Description of the Annexation of a parcel to the Village of Millersburg

Being situated in the State of Ohio, County of Holmes, Township of Hardy, Range 7 West, Township 9 North, Northwest Quarter of Section 20, presently in the name of the Village of Millersburg as recorded in the Holmes County Records of Deeds Volume 254, page 330 and more fully described as follows:

Commencing for reference at an iron pin found marking the southwest corner of the northwest quarter of Section 20;

Thence along the west line of said quarter Section N 04°44'35" E 644.49 feet to a point on the south line of land presently in the name of the Village of Millersburg (V. 254, P. 330), the northwest corner of land presently in the name of Rodhe's Market, Inc. (V. 254, P. 330) and the true place of beginning;

Thence the following nine courses:

1. Continuing along said west line N 04°44'35" E 678.48 feet to a point marking the northwest corner of said Village property and a southwest corner of land presently in the name of Sharon Houston (V. 173, P. 23);

Thence courses 2 through 5 along the north line of said Village property and the south line of said Houston property:

2. S 74°57'15" E 227.24 feet to a concrete monument found and passing through a concrete monument with iron pin found at 2.64 feet;
3. S 53°33'02" E 86.28 feet to a concrete monument found;
4. S 43°52'07" E 204.95 feet to a concrete monument found;
5. S 86°17'20" E 602.99 feet to an iron pin found in the center line of T.R. 312 - Port Washington Road and passing through a concrete monument found at 571.19 feet;
6. Along said center line S 23°29'16" E 67.46 feet to a railroad spike set marking the southeast corner of said Village property and the northeast corner of land presently in the name of Rodhe's Market, Inc. (V. 270, P. 953, Tract 2) and passing through a railroad spike set at 33.73 feet;

Thence courses 7 through 9 along the south line of said Village property and the north line of said Rodhe's Market property:

7. N 86°17'20" W 505.42 feet to an iron pin set;
8. Along a curve to the left with a Radius of 469.77 feet, Tangent of 192.47 feet, Length of 365.34 feet, Delta of 44°33'31", Degree of Curve of 12°11'48", and Chord of S 71°25'55" W 356.20 feet to an iron pin set;
9. S 49°09'09" W 361.66 feet to the true place of beginning.

This parcel contains 4.890 acres, is subject to all easements of record, its bearings are established from Survey Plat 2, page 245 and are to denote angular measurement only, and is a description of a field survey completed by Jim Shamp, Reg. Sur. No. S-6088, dated October 16, 1995. 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.

Plat vol. 16 pg 732

EXHIBIT B

HEARTLAND SURVEYING, INC.
5210 TR 257
MILLERSBURG, OHIO 44654
330/674-4698

VOL 0009 PAGE 341
Instrument
9800002315

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Being situated in the State of Ohio, County of Holmes, Township of Hardy, Range 7 West, Township 9 North, Northwest Quarter of Section 20, presently in the name of the Village of Millersburg as recorded in the Holmes County Records of Deeds Volume 188, page 935, commonly known as part of Oak Hill Cemetery and more fully described as follows:

Commencing for reference and the true place of beginning at a railroad spike set marking the northwest corner of the northwest quarter of Section 20 and in the center line of T.R. 312 - Port Washington Road;

Thence the following four courses along said center line:

1. S 66°37'04" E 132.24 feet to a point;
2. S 76°00'13" E 137.56 feet to a point;
3. S 51°42'22" E 91.87 feet to a point;
4. S 39°34'58" E 181.89 feet to a railroad spike set;

Thence courses 5 and 6 along westerly and northerly lines of land presently in the name of Edna N. Troyer (V. 274, P. 410) and easterly and southerly lines of land presently in the name of the Village of Millersburg (Oak Hill Cemetery) (V. 188, P. 935):

5. S 19°19'23" W 347.66 feet to an iron pin set and passing through an iron pin set at 40.00 feet;
6. N 88°58'19" W 330.00 feet to a point on the west line of Section 20 and passing through concrete monuments found at 59.73 feet and 328.17 feet;
7. Along said Section line N 00°12'06" E 605.02 feet to the true place of beginning.

This parcel contains 4.731 acres, is subject to all easements of record, its bearings are to an assumed meridian and are to denote angular measurement only, and is a description of a field survey completed by Jim Shamp, Reg. Sur. No. S-6088, dated December 1, 1995. 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 4/21/98 *RJ* Plat vol 6 pg 733
HOLMES CO TAX MAP
Plat Required

RESOLUTION 98-20

Instrument
9800002315

RESOLUTION INDICATING THE SERVICES THE VILLAGE OF MILLERSBURG WILL PROVIDE TO CERTAIN TERRITORIES PROPOSED FOR ANNEXATION UPON ANNEXATION AND DECLARING AN EMERGENCY

WHEREAS, an Annexation Petition was filed with the Board of Commissioners of Holmes County, Ohio on April 20, 1998, requesting the annexation of two parcels of real estate consisting of 4.89 acres and 4.731 acres, more or less, to the Village of Millersburg; and,

WHEREAS, said petition was signed by the agent of the sole property owner of the real estate in said territory proposed for annexation; and,

WHEREAS, the Agent for the Petitioners subsequently caused written notice of the filing of said Petition with the Board of County Commissioners to be delivered to the Clerk of Council of the Village of Millersburg, Holmes County, Ohio, in compliance with the Ohio Revised Code Section 709.03; and,

WHEREAS, the Board of Commissioners of Holmes County, Ohio, will hold a hearing on said Petition May 11, 1998 at 9:45 a.m. and has notified the Agent for the Petitioners of the time and place of said hearing, and the Agent for the Petitioners has delivered a copy of the notice to the Clerk of the Council of the Village of Millersburg, Holmes County, Ohio, in compliance with Ohio Revised Code Section 709.031 (A); and,

WHEREAS, pursuant to Ohio Revised Code Section 709.031 (B), having received said Notice, the Council for the Village of Millersburg is required by ordinance or resolution to adopt a statement indicating what services, if any, the Village will provide to the territory proposed for annexation upon annexation; and,

WHEREAS, in compliance with Ohio Revised Code 709.031 (B), the Council for the Village of Millersburg now desires to pass a resolution indicating what services, if any, the Village will provide to the territory proposed for annexation upon annexation.

NOW, THEREFORE, BE IT RESOLVED by the Council for the Village of Millersburg, Holmes County, Ohio, pursuant to Ohio Revised Code Section 709.031 (B), that the Village shall offer police protection, water and wastewater utilities and storm water collection to the territory proposed for annexation upon annexation.

BE IT FURTHER RESOLVED that an Emergency exists so that Police, Fire, and Rescue Squads may provide immediate assistance.

For the reason stated immediately above this Resolution is hereby declared an emergency measure necessary to the immediate preservation of the public health, peace, safety, and welfare of the Village, wherefore, this Resolution shall be in force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of a 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 Resolution 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 5/11/98 2nd reading 5/11/98 3rd reading 5/11/98

Passed: May 11, 1998 Vote: All yea

Attest: *Karen Shaffer*
Karen Shaffer, Clerk of Council

James Riley
James Riley, President of Council

Approved: May 11, 1998 *Les Roach*
Les Roach, Mayor

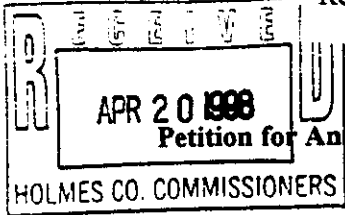
CERTIFIED COPY OF ORIGINAL ON FILE

Karen Shaffer CLERK
May 11 19 98

Recorder

COPY

VOL 0009 PAGE 344



RECEIVED

APR 21 1998

RICHARD A. GRAVEN
ALERTON

To the Board of County Commissioners of Holmes County, State of Ohio:

The Village of Millersburg, Holmes County, Ohio, respectfully represents that by an Ordinance duly passed by its Council on the 13th day of April, 1998 the following described territory was authorized to be annexed to the Village of Millersburg, Ohio:

See Exhibit A and Exhibit B attached hereto and incorporated herein by reference.

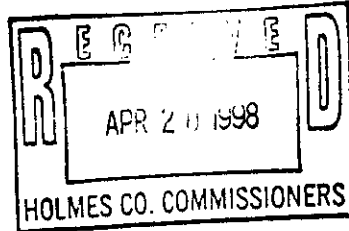
Two (2) accurate plats of the territory, marked "Plat of territory to be annexed to the Village of Millersburg, Ohio," are attached as Exhibits C and D. Exhibit C is the map of the area described in Exhibit A and Exhibit D is the map of the area described in Exhibit B.

And the Village of Millersburg petitions that the territory may be annexed to the Village of Millersburg.

Village of Millersburg

By:

Les Roach
Les Roach, Mayor



Instrument
9800002315

CERTIFIED COPY OF ORIGINAL ON FILE

Haynes Slattery CLERK
May 11 19 *98*

EXHIBIT A

VOL 0009 PAGE 245

HEARTLAND SURVEYING, INC.
5210 TR 257
MILLERSBURG, OHIO 44654
330/674-4698

Instrument
9800002315

Metes and Bounds Description of the Annexation of a parcel to the Village of Millersburg

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Commencing for reference at an iron pin found marking the southwest corner of the northwest quarter of Section 20;

Thence along the west line of said quarter Section N 04°44'35" E 644.49 feet to a point on the south line of land presently in the name of the Village of Millersburg (V. 254, P. 330), the northwest corner of land presently in the name of Rodhe's Market, Inc. (V. 254, P. 330) and the true place of beginning;

Thence the following nine courses:

1. Continuing along said west line N 04°44'35" E 678.48 feet to a point marking the northwest corner of said Village property and a southwest corner of land presently in the name of Sharon Houston (V. 173, P. 23);

Thence courses 2 through 5 along the north line of said Village property and the south line of said Houston property:

2. S 74°57'15" E 227.24 feet to a concrete monument found and passing through a concrete monument with iron pin found at 2.64 feet;
3. S 53°33'02" E 86.28 feet to a concrete monument found;
4. S 43°52'07" E 204.95 feet to a concrete monument found;
5. S 86°17'20" E 602.99 feet to an iron pin found in the center line of T.R. 312 - Port Washington Road and passing through a concrete monument found at 571.19 feet;
6. Along said center line S 23°29'16" E 67.46 feet to a railroad spike set marking the southeast corner of said Village property and the northeast corner of land presently in the name of Rodhe's Market, Inc. (V. 270, P. 953, Tract 2) and passing through a railroad spike set at 33.73 feet;

Thence courses 7 through 9 along the south line of said Village property and the north line of said Rodhe's Market property:

7. N 86°17'20" W 505.42 feet to an iron pin set;
8. Along a curve to the left with a Radius of 469.77 feet, Tangent of 192.47 feet, Length of 365.34 feet, Delta of 44°33'31", Degree of Curve of 12°11'48", and Chord of S 71°25'55" W 356.20 feet to an iron pin set;
9. S 49°09'09" W 361.66 feet to the true place of beginning.

This parcel contains 4.890 acres, is subject to all easements of record, its bearings are established from Survey Plat 2, page 245 and are to denote angular measurement only, and is a description of a field survey completed by Jim Shamp, Reg. Sur. No. S-6088, dated October 16, 1995. 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 4/21/98 Rg
HOLMES CO TAX MAP
Plat Required

EXHIBIT B

WCL 0009-0002-17

HEARTLAND SURVEYING, INC.
5210 TR 257
MILLERSBURG, OHIO 44654
330/674-4698

Instrument
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Thence the following four courses along said center line:

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REVIEWED 4/21/98 RZ
HOLMES CO TAX MAP
Plat Required

Recorder

Village of Millersburg

VOL 0009 PAGE 343

Ordinance No. 98 - 108

**Instrument
9800002315**

**An Ordinance Accepting Annexation on Application of The Village of Millersburg
And
Declaring An Emergency**

Whereas the Village of Millersburg has petitioned the Board for the annexation of two (2) parcels of property.

Section 1. The proposed annexation as applied for in the petition of the Village of Millersburg, approved for annexation to the Village of Millersburg by the Board of Commissioners on May 11, 1998 is hereby accepted. The territory to be annexed is described as follows:

See Exhibit A and Exhibit B 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 this 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 all other things required by law.

Section 3. Be It Further Resolved that an Emergency exists to annex these parcels 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.

1st reading 5/11/98 2nd reading 5/11/98 3rd reading 5/11/98

Passed: May 11, 1998 Vote: All yea

Attest: *Karen Shaffer*
Karen Shaffer, Clerk of Council

James Riley
James Riley, President of Council

Approved: May 11, 1998 *Les Roach*
Les Roach, Mayor

CERTIFIED COPY OF ORIGINAL ON FILE
Karen Shaffer CLERK
May 11 19 98

EXHIBIT A

HEARTLAND SURVEYING, INC.
5210 TR 257
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VOL 0009 PAGE 351

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EXHIBIT B

VOL 0009 PAGE 352

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5210 TR 257
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1. S 66°37'04" E 132.24 feet to a point;
2. S 76°00'13" E 137.56 feet to a point;
3. S 51°42'22" E 91.87 feet to a point;
4. S 39°34'58" E 181.89 feet to a railroad spike set;

Thence courses 5 and 6 along westerly and northerly lines of land presently in the name of Edna N. Troyer (V. 274, P. 410) and easterly and southerly lines of land presently in the name of the Village of Millersburg (Oak Hill Cemetery) (V. 188, P. 935):

5. S 19°19'23" W 347.66 feet to an iron pin set and passing through an iron pin set at 40.00 feet;
6. N 88°58'19" W 330.00 feet to a point on the west line of Section 20 and passing through concrete monuments found at 59.73 feet and 328.17 feet;
7. Along said Section line N 00°12'06" E 605.02 feet to the true place of beginning.

This parcel contains 4.731 acres, is subject to all easements of record, its bearings are to an assumed meridian and are to denote angular measurement only, and is a description of a field survey completed by Jim Shamp, Reg. Sur. No. S-6088, dated December 1, 1995. 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.

