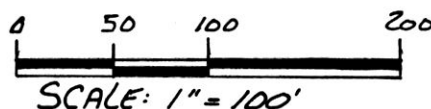


LOCATION MAP NOT TO SCALE

PROPOSED ANNEXATION TO THE VILLAGE OF MILLERSBURG

HARDY TOWNSHIP
S.E. QTR. SECTION 19
T-9N R-7W
HOLMES COUNTY, OHIO



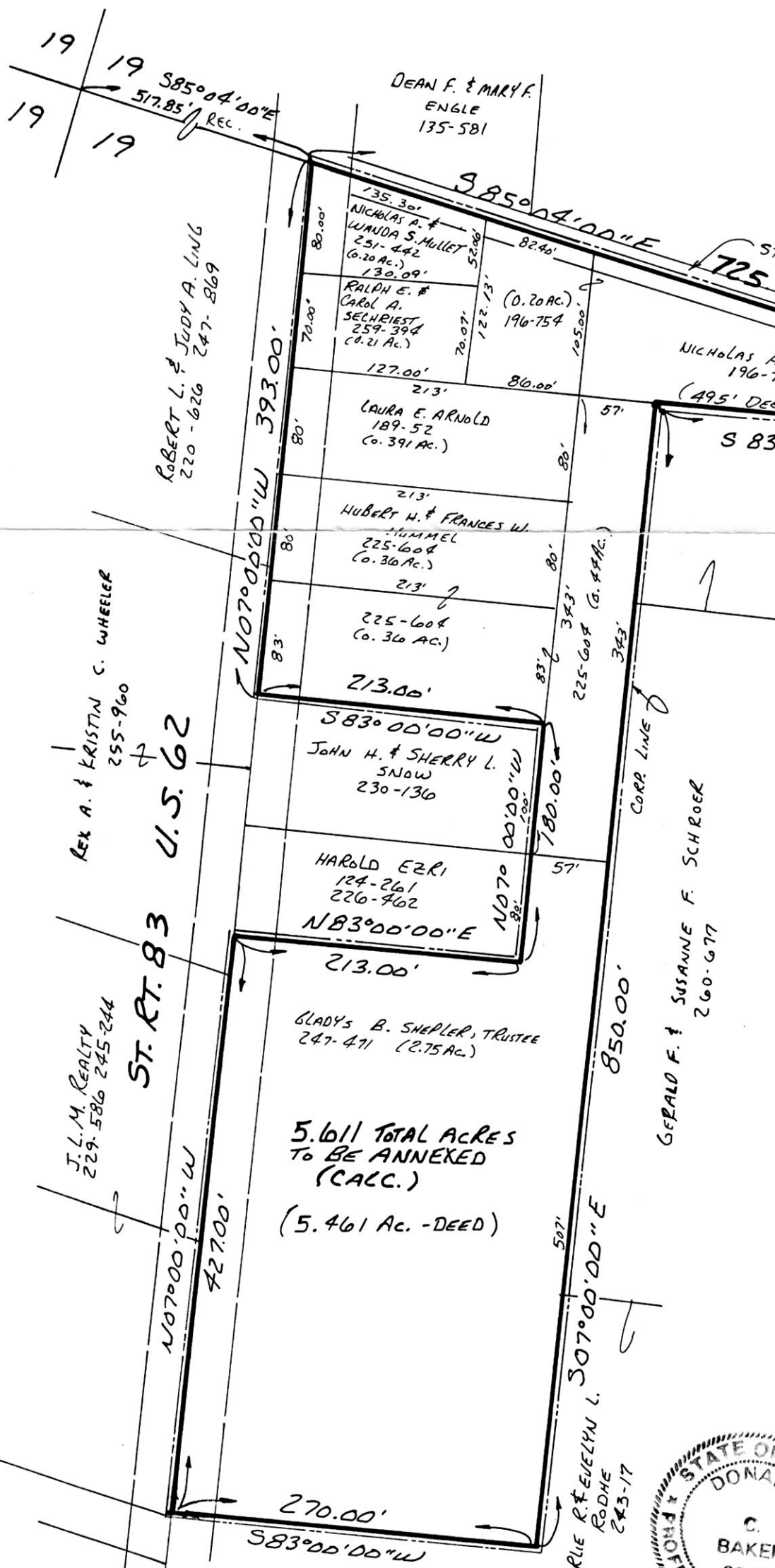
TOTAL ACRES TO BE ANNEXED - 5.611 CALC.
(5.461 AC. DEED)

BEARINGS FROM DEED No. 18976.52

190689

INDEXED

REC'D AT 3:06 o'clock P.M.
RECORDED DEC 29 '94
FEE \$20.00
DEC 30 '94
Plat
VOL 14 PAGE 689
BY 267pg124 *Sally Miller* RECORDER



APPROVAL OF THE 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.
9-19-94
DATE *Leah W. Miller* CHAIRMAN C. COMMISSIONERS

APPROVAL OF THE MILLERSBURG PLANNING COMMISSION
I HEREBY CERTIFY THAT THIS PLAT FOR ANNEXATION WAS APPROVED BY THE MILLERSBURG PLANNING COMMISSION AT A MEETING HELD ON THE 5th DAY OF July, 1994.
Willie Reynolds
PRESIDENT, MILLERSBURG PLANNING COMMISSION

APPROVAL OF THE 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 THE 27 DAY OF Dec., 1994.
Karen Thapp
VILLAGE CLERK

RECORDER
I HEREBY CERTIFY THAT THIS PLAT WAS RECEIVED FOR RECORD ON _____, 1994 AT _____, AND WAS RECORDED IN PLAT BOOK _____ ON PAGE _____ ON _____, 1994. FEE _____
RECORDER, HOLMES Co., OHIO

SURVEYORS CERTIFICATION
I HEREBY CERTIFY THAT THIS PLAT WAS PREPARED ON BEHALF OF THE PROPERTY OWNERS FROM EXISTING SURVEYS AND DEEDS OF RECORD THIS 2ND DAY OF SEPT., 1994.
Donald C. Baker
DONALD C. BAKER P.S. 6938
5958 T.R. 322
MILLERSBURG OHIO 44654
PH (216) 674-4788



DATE December 29, 1994
AUDITOR *Richard Arthur*

PLAT APPROVED
9-16-94

Holmes County Commissioners

VOL 267 PAGE 124

34D SOUTH CLAY STREET
MILLERSBURG, OHIO 44654-1363(216) 674-0286
FAX (216) 674-0566**RESOLUTION #09-19-94-1****ORDER OF THE HOLMES COUNTY COMMISSIONERS
AUTHORIZING AND APPROVING THE PETITION OF ALAN R. ZINCK
FOR ANNEXATION TO THE VILLAGE OF MILLERSBURG, OHIO**

WHEREAS, the Board of County Commissioners of Holmes County, Ohio, held a public hearing this 6th day of September, 1994 at 2:00 p.m., to hear the petition of Alan R. Zinck, Agent for the Petitioners, for the annexation of 44.6326 acres, more or less, located adjacent to and contiguous with the Village of Millersburg, Ohio and more fully described in Exhibits A and A-1, B and B-1, C and C-1 & C-2, D and D-1, E and E-1, incorporated herein by reference; and having heard at open meeting 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:

1. The petition contains all matters required bylaw, Section 709.02 of the Ohio Revised Code, namely:
 - A. A full description and accurate map 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.
2. The matters alleged in the petition are true.
3. 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.
4. The persons whose names are subscribed to the petition are owners of real estate located in the territory 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.
5. The Village of Millersburg, Ohio has complied with division (B) of Section 709.031 of the Revised Code of Ohio, by passing Resolution No. 94-26 setting forth what services will be provided to the

Resolution #09-19-94-1 Page 1 of 2

territory proposed to be annexed to the Village of Millersburg and filing the Resolution with the Board of County Commissioners, Holmes County, Ohio.

- 6. The territory to be annexed is not unreasonably large.
- 7. The territory is adjacent to the Village of Millersburg.
- 8. The map and the description of the territory contained in the petition are accurate.
- 9. The general good of the territory sought to be annexed will be served if the annexation is granted.

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 having thereon, together with said petition and maps 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.

Mrs. Miller moved for the adoption of the preceding Resolution, Mr. Bell seconded the motion. Upon call of roll, all voted yes.

Mrs. Miller Leah W. Miller ----- yes

Mr. Baker John W. Baker ----- yes

Mr. Bell [Signature] ----- yes

The below signed Clerk/Administrator 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 September 19, 1994 and recorded in Commissioners Journal 30 under that date.

cc
Agent for Petitioners
Auditor
Engineer
EMA
File

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

VOL 267 PAGE 126

Exhibit "A-1"

Description 21.201 acre parcel to be annexed

Being a part of the northeast quarter of section 22, Hardy Township, T-9N, R-7W, Holmes County, Ohio.

Described as follows:

Beginning at the southeast corner of the west half of the northeast quarter of section 22 the TRUE POINT OF BEGINNING.

thence with the following EIGHT (8) COURSES:

- 1) N 84 degrees 50' 17" W 1149.68 feet along the quarter section line to a point in the center of St. Rt. 83 & U.S. Rt. 62;
- 2) along a curve to the right having a delta angle of 14 degrees 38' 54", R-1412.55 feet, T-181.56 feet, Ch. Brg.-N 17 degrees 43' 32" E, Ch. of 360.15 feet along the centerline of St. Rt. 83 and U.S. Rt. 62 an arc distance of 361.13 feet and along the Corp. line to a point;
- 3) N 25 degrees 03' 00" E 547.75 feet along the centerline of St. Rt. 83 and U.S. Rt. 62 and along the Corp. line to a point;
- 4) N 89 degrees 28' 24" E 200.25 feet along Randy G. Jones & Rick Hawkins's (Deed vol. 233 page 460) south line and along the Corp. line to a point;
- 5) N 61 degrees 34' 52" E 233.18 feet along said Hawkins's south line and along the Corp. line to a point;
- 6) S 50 degrees 14' 40" E 116.48 feet along said Hawkins's south line and along the Corp. line to a point;
- 7) S 62 degrees 00' 45" E 421.72 feet along said Hawkin's south line and along the Corp. line to a point on the half quarter section line;
- 8) S 04 degrees 39' 33" W 785.73 feet along the half quarter section line to the TRUE POINT OF BEGINNING.

Containing 21.201 acres.

See Holmes County Plat Book 14, page 688 for survey. This description prepared from deeds and surveys of record by Donald C. Baker, PS 6938 September 2, 1994.

9/10/94 XJ
 LEGAL DESCRIPTION APPROVED HCTM
 PLAT REQUIRED Exhibit "A"
 THIS TRANSFER ONLY
 LAST TRANSFER WITHOUT SURVEY

Exhibit "B-1"

VOL 267 PAGE 127

Description 5.611 acre parcel to be Annexed

Being a part of the southeast quarter of section 19, Hardy Township, T-9N, R-7W, Holmes County, Ohio.

Described as follows:

Commencing at a point at the northwest corner of the southeast quarter of section 19, thence S 85 degrees 04' 00" E 517.85 feet along the quarter section line to a point in the centerline of St. Rt. 83 and U.S. Rt. 62 the TRUE POINT OF BEGINNING.

thence with the following NINE (9) COURSES along the corporation line:

- 1) S 85 degrees 04' 00" E 725.70 feet along the quarter section line to a point;
- 2) S 83 degrees 00' 26" W 440.02 feet along Arlie R. & Evelyn L. Rodhe's (Deed vol. 243 page 17) north line to a point;
- 3) S 07 degrees 00' 00" E 850.00 feet along said Rodhe and Gerald F. & Susanne F. Schroer's (Deed vol. 260 page 677) westerly line to a point;
- 4) S 83 degrees 00' 00" W 270.00 feet along said Rodhe's westerly line to a point in the center of St. Rt. 83 and U.S. Rt. 62;
- 5) N 07 degrees 00' 00" W 427.00 feet along the centerline of St. Rt. 83 and U.S. Rt. 62 to a point;
- 6) N 83 degrees 00' 00" E 213.00 feet along Harold Ezri's (Deed vol. 226 page 462) south line to a point;
- 7) N 07 degrees 00' 00" W 180.00 feet along said Ezri and John H. & Sherry L. Snow's (Deed vol. 230 page 136) east line to a point;
- 8) S 83 degrees 00' 00" W 213.00 feet along said Snow's north line to a point in the center of St. Rt. 83 and U.S. Rt. 62;
- 9) N 07 degrees 00' 00" W 393.00 feet along the centerline of St. Rt. 83 and U.S. Rt. 62 to the TRUE POINT OF BEGINNING.

Containing 5.611 acres calc. (5.461 acres Deed).

See Holmes County Plat Book 14, page 689 for survey. This description prepared from deeds and surveys of record by Donald C. Baker, PS 6938 September 2, 1994.

9/16/94
 LEGAL DESCRIPTION APPROVED HCTM
 FLAT REQUIRED Exhibit "B"
 THIS TRANSFER ONLY
 LAST TRANSFER WITHOUT SURVEY

VOL 267 PAGE 128

Exhibit "C-1"

Description 0.461 acre parcel to be annexed

Being a part of the southeast quarter of section 19, Hardy Township, T-9N, R-7W, Holmes County, Ohio.

Described as follows:

Commencing at a point at the southeast corner of the southeast quarter of section 19, thence N 84 degrees 04' 43" W 1683.17 feet along the section line to a point, thence N 16 degrees 19' 02" W 562.00 feet along Arlie R. & Evelyn L. Rodhe's (Deed vol. 243 page 17) west line to a point, thence N 25 degrees 48' 00" E 374.30 feet along said Rodhe's west line to a point, thence N 85 degrees 00' 00" W 167.75 feet along D. & J. Enterprises's Deed vol. 213 page 340) south line to a point the TRUE POINT OF BEGINNING.

thence with the following FOUR (4) COURSES along the corporation line:

- 1) N 85 degrees 00' 00" W 173.80 feet along P. & D. Enterprises's (Deed vol. 237 page 955) north line to a point in the center of St. Rt. 83 and U.S. Rt. 62;
- 2) N 07 degrees 00' 00" W 100.00 feet along the centerline of St. Rt. 83 and U.S. Rt. 62 to a point;
- 3) N 83 degrees 00' 00" E 170.00 feet along said D. & J. Enterprises's (Deed vol. 239 page 240) south line to a point;
- 4) S 07 degrees 00' 00" E 136.13 feet along said D. & J. Enterprises's (Deed vol. 213 page 340) west line to the TRUE POINT OF BEGINNING.

Containing 0.461 acres calc.. (0.450 acres deed).

See Holmes County Plat Book 14, page 690 for survey. This description prepared from deeds and surveys of record by Donald C. Baker, PS 6938 September 2, 1994.

9/16/94
 LEGAL DESCRIPTION APPROVED HCM
 PLAT REQUIRED Exhibit 2
 THIS TRANSFER ONLY
 LAST TRANSFER WITHOUT SURVEY

Exhibit "C-2"

VOL 267 PAGE 129

Description 2.472 acre parcel to be annexed

Being a part of the southeast quarter of section 19, Hardy Township, T-9N, R-7W, Holmes County, Ohio.

Described as follows:

Commencing at a point at the southeast corner of the southeast quarter of section 19, thence N 84 degrees 04' 43" W 1683.17 feet along the section line to a point the TRUE POINT OF BEGINNING.

thence with the following FIVE (5) COURSES:

- 1) N 84 degrees 04' 43" W 188.70 feet along the section line to a point in the center of St. Rt. 83 and U.S. Rt. 62;
- 2) N 14 degrees 56' 57" E 361.50 feet along the centerline of St. Rt. 83 and U.S. Rt. 62 and along the Corp. line to a point;
- 3) N 16 degrees 19' 02" E 200.00 feet along the centerline of St. Rt. 83 and U.S. Rt. 62 and along the Corp. line to a point;
- 4) S 83 degrees 47' 58" E 197.30 feet along Dale A. & Chris G. Weber's (Deed vol. 232 page 889) and John B. III & Julie A. Lytle's (Deed vol. 252 page 487) south line and along the Corp. line to a point on Arlie R. & Evelyn L. Rodhe's (Deed vol. 243 page 17) west line;
- 5) S 16 degrees 19' 02" W 562.00 feet along said Rodhe's west to the TRUE POINT OF BEGINNING.

Containing 2.472 acres calc. (2.490 acres deed).

See Holmes County Plat Book 14, page 690 for survey. This description prepared from deeds and surveys of record by Donald C. Baker, PS 6938 September 2, 1994.

9/16/94 *xyz*
 LEGAL DESCRIPTION APPROVED HCTM
 PLAT REQUIRED Exhibit "C"
 THIS TRANSFER ONLY
 LAST TRANSFER WITHOUT SURVEY

VOL 267 PAGE 130

Exhibit "D-1"

Description 14.978 acre parcel to be annexed

Being a part of the northeast quarter of section 22, Hardy Township, T-9N, R-7W, Holmes County, Ohio.

Described as follows:

Commencing at the northeast corner of the northeast quarter of section 22, thence N 84 degrees 22' 47" W 1342.10 feet along the section line to a point the TRUE POINT OF BEGINNING.

thence with the following TWELVE (12) COURSES:

- 1) S 04 degrees 38' 16" W 1006.63 feet along the half quarter section line to a point in the center of Co. Rd. 58;
- 2) N 72 degrees 31' 17" W 104.99 feet along the centerline of Co. Rd. 58 to a point;
- 3) N 78 degrees 46' 15" W 332.00 feet along the centerline of Co. Rd. 58 to a point;
- 4) along a curve to the right having a delta angle of 13 degrees 40' 00", R-440.74 feet, T-52.81 feet, Ch. Brg.-N 71 degrees 57' 43" W, Ch. of 104.88 feet along the centerline of Co. Rd. 58 an arc distance of 105.13 feet to a point;
- 5) N 65 degrees 08' 32" W 96.31 feet to a point in the center of US Rt. 62 & S.R. 83;
- 6) along a curve to the right having a delta angle of 00 degrees 18' 57", R-3906.53 feet, T-10.77 feet, Ch. Brg.- S 13 degrees 10' 53" W, Ch.-21.53 feet, an arc distance of 21.53 feet along the centerline of US Rt. 62 & S.R. 83 to a point;
- 7) N 82 degrees 33' 16" W 211.42 feet along Michael E. & Sandra J. Schmid's (Deed vol. 233 page 467) easterly line to a point;
- 8) N 01 degrees 07' 35" E 375.00 feet along said Schmid's easterly line to a point;
- 9) S 88 degrees 58' 39" E 280.30 feet along said Schmid's easterly line to a point in the center of US Rt. 62 & S.R. 83;
- 10) N 10 degrees 21' 00" E 457.05 feet along the centerline of US Rt. 62 & S.R. 83 to a point;
- 11) along a curve to the right having a delta angle of 01 degrees 13' 29", R-2864.79 feet, T-30.62 feet, Ch. Brg.- N 10 degrees 57' 42" E, Ch.-61.24 feet, an arc distance of 61.24 feet along the centerline of US Rt. 62 & S.R. 83 to a point on the section line;
- 12) S 84 degrees 22' 47" E 530.00 feet along the section line to the TRUE POINT OF BEGINNING.

Containing 14.978 acres calc. (15.121 acres deed).

See Holmes County Plat Book 15, page 41 for survey. This description prepared from deeds and surveys of record by Donald C. Baker, PS 6938 September 1, 1994.

9/16/94, xy

LEGAL DESCRIPTION APPROVED HCTM
 PLAT REQUIRED Exhibit "D"
 THIS TRANSFER ONLY
 LAST TRANSFER WITHOUT SURVEY

Exhibit "E-1"

VOL 267 PAGE 131

Description 0.049 acre parcel to be annexed

Being a part of Lot 41 of the First Quarter, Hardy Township, T-9N, R-7W, Holmes County, Ohio.

Described as follows:

Commencing at the southwest corner of Lot 41, thence S 86 degrees 12' 38" E 44.26 feet along the lot line to a point the TRUE POINT OF BEGINNING.

thence with the following THREE (3) COURSES along the corporation line:

- 1) N 56 degrees 11' 52" E 94.16 feet along Delon & Annabelle Vansickle's (Deed vol. 219 page 140) east line to a point in Jones Street (Twp. Rd. 332);
- 2) S 04 degrees 00' 00" W 57.44 feet to a point on the lot line;
- 3) N 86 degrees 12' 38" W 74.40 feet along the lot line to the TRUE POINT OF BEGINNING.

Containing 0.049 acres.

See Holmes County Plat Book 14, page 691 for survey. This description prepared from deeds and surveys of record by Donald C. Baker, PS 6938 September 2, 1994.

190694

9/16/94
 LEGAL DESCRIPTION APPROVED HCTM
 PLAT REQUIRED - Exhibit "E"
 THIS TRANSFER ONLY
 LAST TRANSFER WITHOUT SURVEY

REC'D AT 3:11 o'clock P.M.

RECORDED FEE # 38.00

DEC 29 '94

DEC 30 '94

Deed VOL 267 PAGE 131

Sally Miller RECORDER
Vlg of mby

#2200pd

190693

VOL 267 PAGE 120

RESOLUTION NO. 94-54

RESOLUTION ACCEPTING THE ANNEXATION OF 23 PARCELS OF REAL ESTATE, TOTALLING APPROXIMATELY 44.632 ACRES, TO THE VILLAGE OF MILLERSBURG PURSUANT TO OHIO REVISED CODE SECTION 709.04, AND ALSO CHANGING THE ZONING CLASSIFICATION OF THE 23 PARCELS.

WHEREAS, a petition was filed with the Holmes County Commissioners on June 30, 1994, by agent Alan R. Zinck requesting the annexation of 23 parcels of real estate, totalling approximately 44.632 acres, to the Village of Millersburg; and,

WHEREAS, the Commissioners accepted said petition on July 5, 1994, and ordered the agent to give notice as required by law, and set a hearing for September 6, 1994; and,

WHEREAS, the Millersburg Planning Commission met on July 5, 1994, and voted to re-zone parcels A through V as C-3 and parcel W as R-1 upon annexation, and subsequently transmitted its vote and recommendation in writing to Millersburg Village Council; and,

WHEREAS, agent Alan R. Zinck on July 18, 1994, notified the Clerk of Hardy Township Trustees and the Clerk of Millersburg Village Council in writing of the filing of the petition and the date and time of the hearing; and,

WHEREAS, the Millersburg Village Council on August 22, 1994, passed a resolution indicating the services to be offered to the annexed property upon annexation; and,

WHEREAS, the Holmes County Commissioners voted on September 19, 1994, to approve the petition requesting annexation to the Village of Millersburg; and,

WHEREAS, on September 26, 1994, the Clerk of the Millersburg Village Council received, pursuant to ORC Section 709.033, a transcript of all orders from the Commissioners regarding the annexation; and,

WHEREAS, pursuant to ORC Section 709.04, the Clerk of the Millersburg Village Council is required to present the documents received from the Commissioners to Council, at the next regular session of Council, between sixty and one hundred twenty days from when those documents are received from the Commissioners; and,

WHEREAS, pursuant to Ohio Revised Code Section 709.04, the Clerk has now presented to Council the annexation documents received from the Holmes County Commissioners; and,

WHEREAS, Council now desires to accept the annexation of the 23 parcels consisting of approximately 44.632 acres, and to change the zoning classification of the 23 parcels.

THEREFORE, BE IT HEREBY RESOLVED by the Council for the Village of Millersburg, Holmes County, Ohio, that:

1. Pursuant to Ohio Revised Code section 709.04, the annexation to the Village of Millersburg of 23 parcels consisting of approximately 44.632 acres as approved by the Holmes County Commissioners on September 19, 1994, is hereby accepted.

2. Parcels A-V, inclusive, are hereby re-zoned from their current classification to C-3.

3. Parcel W is hereby re-zoned from its current classification to R-1.

PETITION FOR ANNEXATION
TO VILLAGE OF MILLERSBURG

TO: Board of County Commissioners
Holmes County, Ohio

Pursuant to Ohio Revised Code (ORC) Section 709.02, a majority of the owners of real estate listed below hereby petition the Board of County Commissioners of Holmes County, Ohio, for annexation to the Village of Millersburg. The territory sought to be annexed consists of 23 parcels and totals 44.632 acres, more or less, and is located adjacent to and contiguous with the Village of Millersburg.

Attached hereto as Exhibit 1 is a map showing the 23 parcels designated A through W. Attached hereto as Exhibit 2 is a listing of the 23 parcels with names and mailing addresses of owners, amounts of acreage in each parcel, and deed references. The number of owners of real estate sought to be annexed, as "owners" is defined in ORC Section 709.02, is 19. Attached following Exhibit 2 are copies of the recorded instruments of conveyance by which each of the owners took title to their respective parcels, with complete legal descriptions for each of the parcels.

Pursuant to ORC Section 702.02, Alan R. Zinck is appointed agent for the Petitioners. Said agent is granted full power and authority to amend, alter, change, correct, withdraw, or refile this Petition, or to increase or decrease the size of the territory sought to be annexed or the number of owners of real estate, and to take any and all steps necessary to the filing and/or granting of this Petition.

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- 2 -

OWNERS/PETITIONERS:

Nicholas A. Mullet

Wanda S. Mullet

Ralph E. Sechriest

Carol A. Sechriest

Laura E. Arnold

Hubert H. Hummel

Frances W. Hummel

Charles A. Barnhart

Helen Logsdon

INN AT WALNUT CREEK, INC.,
an Ohio Corporation

BY: Alan R. Zinck
Alan R. Zinck, President

MILLERSBURG SUNSHINE VILLA,
an Ohio partnership

BY: Mary Ellen Sigris
Mary Ellen Sigris, Partner

MILLERSBURG MASONIC TEMPLE CO.,
an Ohio corporation

BY: Marion D. Martin
Marion D. Martin, President

Michael E. Schmid

Sandra J. Schmid

Gladys B. Shepler, Trustee

BANDS COMPANY, INC.,
an Ohio corporation

BY: Mike Brown
Mike Brown, President

Merle W. Hood

Marilyn R. Hood

D & J ENTERPRISES,
an Ohio Partnership

BY: Richard L. Fowler
Richard L. Fowler, Partner

VOL 267 PAGE 123

- 2 -

This resolution passed at a regular meeting of Village Council on the 27th day of December, 1994.

Day Alan

Mayor
President of Council

ATTEST:

Karen Haffner
Clerk

190693

REC'D
AT 3:10 o'clock P.M.

RECORDED
FEE \$22.00

DEC 29 '94

DEC 30 '94

Deed.
VOL 267 PAGE 120 *Deed Miller* RECORDER

Village Clerk