

# PLAT OF PROPOSED ANNEXATION

To The Village Of Millersburg  
NE & NW QUARTERS of SECTION 22  
T-9-N, R-7-W  
Hardy Township  
HOLMES COUNTY, OHIO



TOTAL ACREAGE FOR ANNEXATION  
19.076 AC.

CURVE DATA  
 R = 1412.55'  
 Δ = 14° 38' 55"  
 L = 361.13'  
 C = 360.15'  
 S-17°43'32"-W



TRANSFER NOT NECESSARY

DATE February 27, 1992  
 AUDITOR Richard Brown

Approved This 3<sup>rd</sup> Day Of February 1992 By The Holmes  
 County Commissioners.  
 By Robert Lee  
 Chairman

Approved This 25<sup>th</sup> Day Of February 1992 By The  
 Millersburg Planning Commission.  
 By Will Opulenta  
 President

Accepted This 11 Day Of May 1992 By The  
 Millersburg Village Council.  
 Ordinance No. 92-15 By Kevin Shaffer, Clerk

Received For Recording This 27<sup>th</sup> Day Of May 1992  
 By The Holmes County Recorder's Office.  
 By Mary Ellen Sigist-Recorder

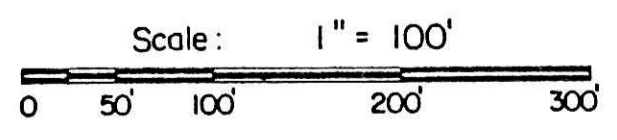
Recorded In Plat Book 13, Pg. 159  
 No. 177090, At 12:00 O'clock P.M. Fee \$ 21.60

I Certify This Plat, Made From A Field Survey On  
 Nov. 1, 1991, To Be Correct To The Best Of My  
 Knowledge.



10-0891 Ronald G. Rudolph  
 Date  
 Ronald G. Rudolph P.S. No. 6449  
 R.G. RUDOLPH SURVEYING, INC.  
 405 W. Liberty St.  
 Wooster, Ohio 44691  
 Job No. 5429

- Stone Corner
- Iron Pipe or Pin Fd.
- △ RR Spike Set In Roadway
- ▽ PK Spike Set In Roadway
- 5/8" x 30" Rebar With Yellow Plastic Cap Marked RUDOLPH Set 6449



177090  
 Rec'd. MAY 27 1992 At 12:00 O'clock pm  
 Recorded MAY 28 1992 Holmes Co. Ohio Fees 21.60  
 Plat Vol. 13 Pg. 159 Recorder Mary Ellen Sigist  
 DEED VOL 255 pg. 671

177083

VOL 255 PAGE 671

RESOLUTION NO. 92-14

pa. 18<sup>2</sup>

RESOLUTION LISTING VILLAGE SERVICES TO BE PROVIDED TO PROPOSED ANNEXED TERRITORY ( MERLE W. AND MARILYN R. HOOD)

WHEREAS, the Clerk of the Village of Millersburg has received from the Board of Commissioners of Holmes County, Ohio, the notice of annexation required by Ohio Revised Code Section 709.031(A); and

WHEREAS, Section 709.031(B) of the Ohio Revised Code requires that upon receipt of said notice, the municipal legislative shall adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation; therefore, be it

RESOLVED, by the Council of the Village of Millersburg, that the Village of Millersburg shall provide water and sewer services to the territory sought to be annexed by Merle W. and Marilyn R. Hood, being approximately 19.076 acres and part of the Northeast and Northwest Quarters of Section 22, Township 9-N, Range 7-W, Hardy Township, Holmes County, Ohio, upon final approval of the proposed annexation.

BE IT FURTHER RESOLVED, that the proposed annexation shall fully comply with all provisions contained in Chapter 1179 of the Codified Ordinances of Millersburg, Ohio.

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 on the 11 day of May, 1992.

*Ken Timney*  
Council President

Attest: *Karen Shaffer*  
Village Clerk

Approved: *Randy Abrie*  
Mayor

TRANSFER NOT NECESSARY  
DATE May 27, 1992  
AUDITOR *Robert A. Brown*  
(91)

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RESOLUTION NO. 92-15

RESOLUTION ACCEPTING APPLICATION OF MERLE W. AND MARILYN R. HOOD FOR ANNEXATION

WHEREAS, the Council of the Village of Millersburg, pursuant to Ohio Revised Code Section 709.04, finds that at least sixty (60) days have expired since the date on which the Board of Commissioners of Holmes County, Ohio, pursuant to Ohio Revised Code Section 709.033, caused to be delivered to the Clerk of the Village of Millersburg the various documents related to the application for annexation filed by Merle W. and Marilyn R. Hood; and

WHEREAS, the Clerk of the Village of Millersburg has laid the various documents related to the application for annexation filed by Marle W. and Marliyn R. Hood, before the Council of the Village of Millersburg, and the Council now desires to act upon said application; therefore, be it

RESOLVED, by the Council of the Village of Millersburg that the application of Merle W. and Marilyn R. Hood, for the annexation of certain territory in the County of Holmes, Township of Hardy and adjacent to the Village of Millersburg, being approximately 19.076 acres and part of the Northeast and Northwest Quarters of Section 22, T9N, R7W, an accurate map of which territory, together with the petition for its annexation and other documents related thereto, including a certified transcript of the proceedings of the Holmes County Commissioners in relation thereto, are on file with the Clerk of the Village of Millersburg, be and the same is hereby accepted.

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 on the 11 day of May, 1992.

*[Handwritten Signature]*  
Council President

Attest: *[Handwritten Signature]*  
Village Clerk

Approved: *[Handwritten Signature]*  
Mayor

Resolution # 01-27-92-4

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RESOLUTION FOR THE ANNEXATION OF PROPERTY OWNED BY MERLE W. HOOD AND MARILYN R. HOOD TO THE VILLAGE OF MILLERSBURG, OHIO

WHEREAS, on the 15th day of November, 1991, there was filed with the Holmes County Commissioners, a Petition signed by Merle W. Hood and Marilyn R. Hood, Petitioners, seeking annexation of property owned by the Petitioners, adjacent to the Village of Millersburg, Ohio (see attached Exhibit "A"); and

WHEREAS, said Petition was set for hearing on Monday, January 27, 1992 at 2:00 p.m.; and

WHEREAS, a notice of the substance of said Petition and the time and place where the hearing would be held was published once a week for a period of four (4) consecutive weeks in the HOLMES COUNTY HUB beginning on November 21, 1991; and

WHEREAS, a copy of said notice of the hearing was sent to the Clerk of the Village of Millersburg and the Hardy Township Clerk; and

WHEREAS, the hearing was held at the time and place advertised, a transcript of which is attached as Exhibit "C"; and

WHEREAS, the Holmes County Commissioners have found according to law that:

1. the Petition contains a full legal description and accurate map or plat of the territory sought to be annexed. (See attached Exhibits "A" and "B")
2. the Petition contains a statement of the number of owners of the real estate which comprises the territory to be annexed.
3. the Petition contains the name of the person, or persons to act as agent for the Petitioners.
4. notice was published according to law.
5. 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 land owners of real estate in the territory proposed to be annexed.
6. the territory included in the Petition was not unreasonably large.
7. the general good of the territory sought to be annexed would be served if the Petition was granted.

THEREFORE, BE IT RESOLVED, that the Holmes County Commissioners hereby grant the Annexation Petition at issue and release said property to be annexed to the Village of Millersburg, Ohio. The Clerk of the Holmes County Commissioners shall deliver the Petition, the map, and all other papers on file, to the Clerk of the Village of Millersburg, Ohio.

Mr. Bell moved that the above Resolution be adopted, Mrs. Miller seconded the motion. Upon call of roll, all voted yes:

Mr. Lee Robert Lee yes

Mrs. Miller Leann Miller yes

Mr. Bell Bell yes

The undersigned 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 during the regular business meeting of January 27, 1992 and is recorded in Commissioners Journal 29, under that date.

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

cc  
 Village of Millersburg  
 Hardy Township  
 Attorney Dianne Stromme Mast  
 Tax Map  
 File

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"Legal Description Only"  
 APPROVED 11-15-91  
 ✓ PLAT REQUIRED  
 NO PLAT REQUIRED  
 HOLMES CO TAX MAP OFFICE

## EXHIBIT A

PROPOSED ANNEXATION TERRITORY  
 VILLAGE OF MILLERSBURG, OHIO  
 November 15<sup>th</sup>, 1991

Situated in the Northeast and Northwest Quarters of Section 22, Township 9-N, Range 7-W, Hardy Township, Holmes County, Ohio and being a part of the lands of Merle W. and Marilyn R. Hood as recorded in Deed Volume 201, Page 66 and bounded and described as follows:

COMMENCING at an iron corner known as the Southeast Corner of the West Half of the Northeast Quarter of Section 22, Hardy Township,

Thence N 84° 50' 17" W along the Quarter Section Line a distance of 1149.68 feet to a P.K. spike set on the Grantor's south line and in State Route 83 and U.S. Route 62 and the TRUE PLACE OF BEGINNING,

Thence, continuing N 84° 50' 17" W along the Grantor's south line and the north line of the State of Ohio lands (V-120, P-507 & V-146, P-24) and passing a right of way marker found at 35.70 feet a total distance of 884.58 feet to a 5/8 inch rebar with ident cap set on the east right of way line of the Rail Road Company (V-30, P-241),

Thence, N 18° 07' 25" E along the Grantor's west line and the east line of the Rail Road lands a distance of 1000.48 feet to a point at the southwest corner of the lands of Wal-Mart Stores, Inc. (V-250, P-586),

Thence, S 78° 09' 15" E along the Grantor's north line and the south line of the Wal-Mart Stores, Inc. lands and along the Village of Millersburg Corporation Line a distance of 931.18 feet to an iron corner found in State Route 83 and U.S. Route 62,

Thence, S 25° 03' 00" W across the Grantor's lands and with State Route 83 and U.S. Route 62 and in part along the west line of the lands of The Inn at Walnut Creek, Inc. (V-251, P-366) a distance of 547.75 feet to a P.K. spike set,

Thence, on a curve to the left across the Grantor's lands and with State Route 83 and U.S. Route 62 with a radius of 1412.55 feet and a length of 361.13 feet and a chord of S 17° 43' 32" W a distance of 360.15 feet to a P.K. spike on the Quarter Section Line and the TRUE PLACE OF BEGINNING containing 19.076 acres, more or less, but subject to legal highways, easements, or restrictions, if any, of record.

This description prepared from a field survey by Ronald G. Rudolph, P.S. 6449, of R. G. Rudolph Surveying, Inc.

See Volume 13, Page 159, Plat Records, Holmes County, Ohio.

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

216-674-7070

ANNEXATION PETITION

To the Commissioners of Holmes, State of Ohio:

1. Pursuant to Ohio Revised Code Section 709.02, the undersigned desire to annex certain real estate which they own in Hardy Township to the Village of Millersburg.
2. A full description of the property to be annexed is attached hereto as Exhibit A and an accurate plat of the property to be annexed is attached hereto as Exhibit B.
3. There are two owners of the real estate in the territory sought to be annexed by this Petition.
4. The undersigned Petitioners nominate Diane Stromme Mast, Attorney at Law, to act as agent for the Petitioners.
5. The Petitioners respectfully request that the territory described in Exhibits A and B be annexed to the Village of Millersburg in accordance with law.
6. The Petitioners also request that the territory annexed be zoned highway-commercial, C-3.

PETITIONERS

*Merle W. Hood*  
 \_\_\_\_\_  
 Merle W. Hood

*Marilyn R. Hood*  
 \_\_\_\_\_  
 Marilyn R. Hood

RECEIVED

NOV 18 1991

RICHARD A. GRAVEN  
AUDITOR

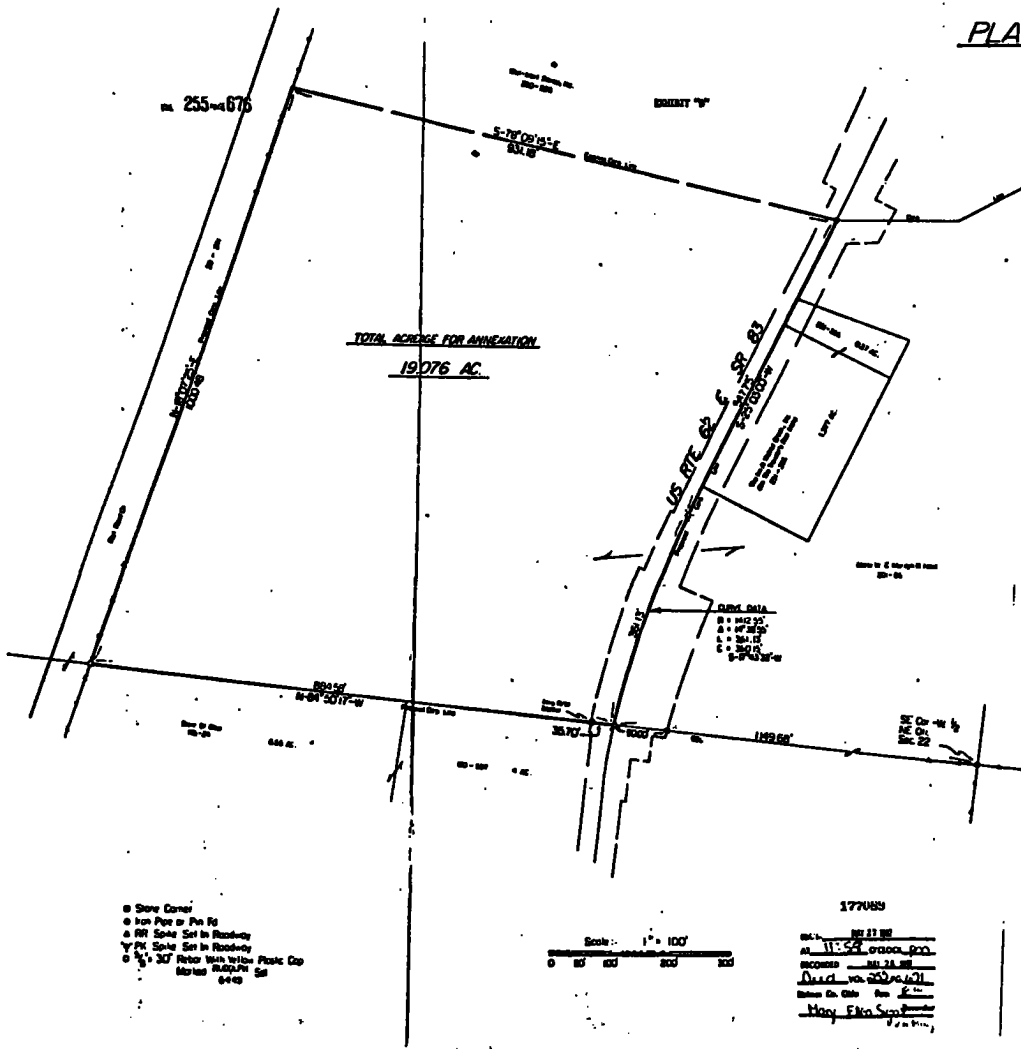
Vol. 22 Pg. 229  
Commissioners  
Journal

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

216-674-7070

**PLAT OF PROPOSED ANNEXATION**

To The Village Of Millersburg  
 NE 6 SW QUARTERS of SECTION 22  
 T-9-S, R-7-W  
 Twp. Township  
 HOLMES COUNTY, OHIO



Approved This 3rd Day of February, 1993, by The Holmes  
 County Commissioners. By [Signature]

Approved This 25th Day of February, 1993, by The  
 Millersburg Planning Commission. By [Signature]

Accepted This 11 Day of May, 1993, by The  
 Millersburg Village Council. Ordinance No. 93-15. By [Signature]

Received For Recording This \_\_\_\_\_ Day of \_\_\_\_\_ 199\_\_\_\_  
 By The Holmes County Recorder's Office. By \_\_\_\_\_

Recorded in Plat Book \_\_\_\_\_, Pg \_\_\_\_\_, Vol \_\_\_\_\_  
 No \_\_\_\_\_, at \_\_\_\_\_ O'clock \_\_\_\_\_ M., For \$ \_\_\_\_\_



I Certify This Plat, Made From A Field Survey On  
 Feb. 1, 1991, To Be Correct To The Best Of My  
 Knowledge.  
Robert G. Rudolph  
 Date: \_\_\_\_\_  
 Robert G. Rudolph, P.S., No. 5449  
 R.G. RUDOLPH SURVEYING, INC.  
 452 W. Liberty St.  
 Millersburg, Ohio 44661  
 Job No. 5429