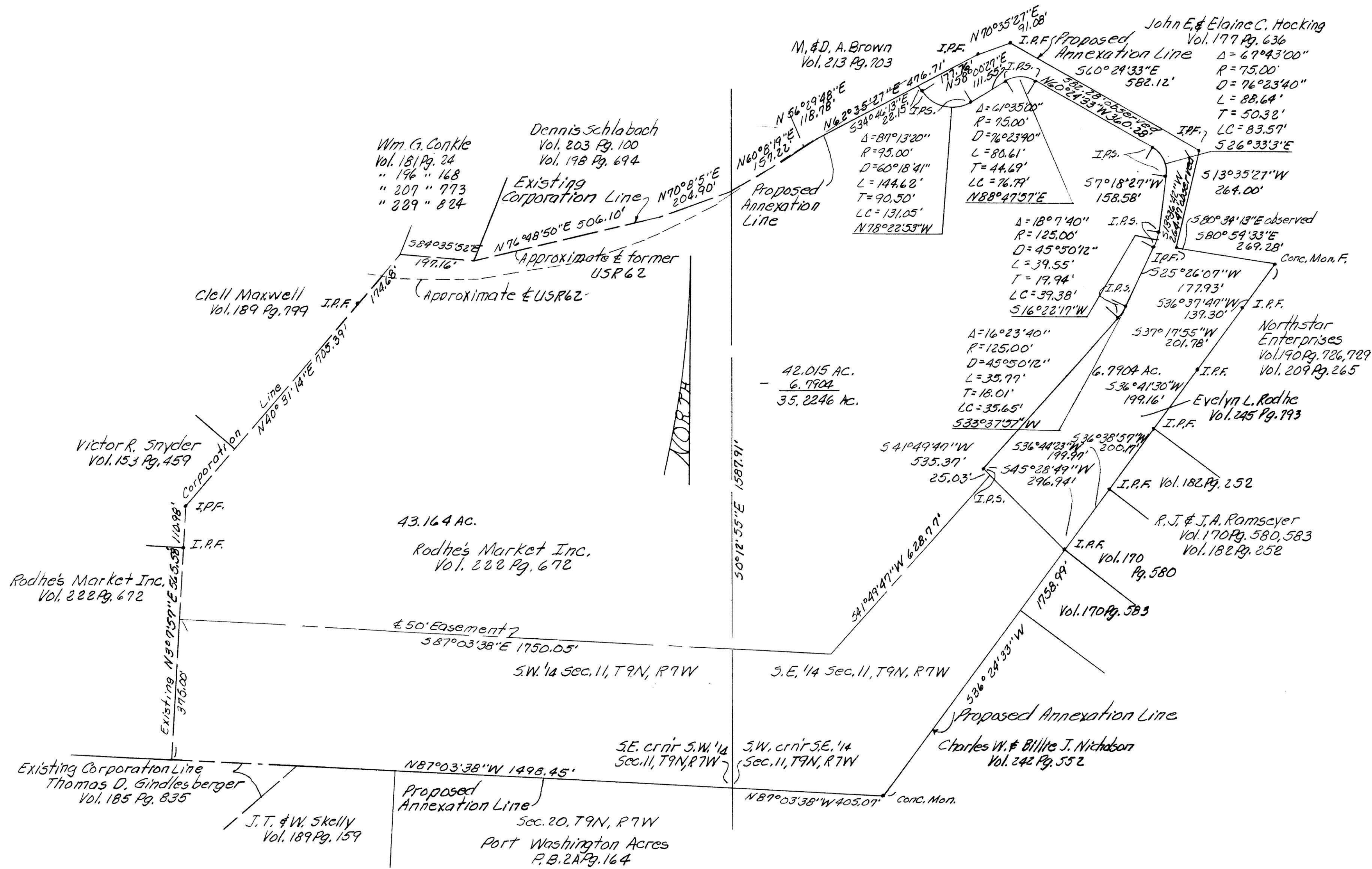


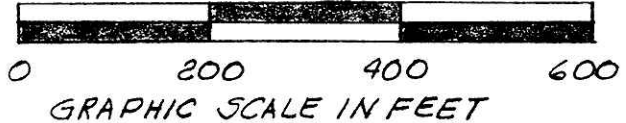
Sue E. Smith  
Vol. 141 Pg. 457



42.015 AC.  
- 6.7904  
35.2246 AC.

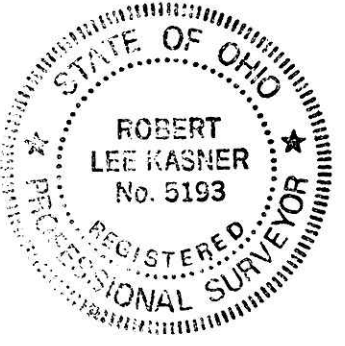
43.164 AC.  
Rodhe's Market Inc.  
Vol. 222 Pg. 672

Area to be Annexed  
85.179 Acres



PROPOSED ANNEXATION TO THE VILLAGE OF MILLERSBURG

Known as part of Frac'l Sec. 11, T9N, R7W of Hardy Twp., Hol. Co., Ohio  
Robert L. Kasner P.S. 5193  
P.E. 28820  
11/31/1990



HOLMES COUNTY COMMISSIONERS

I hereby certify that the Holmes County Commissioners have approved the Detachment of these tracts of land as shown hereon from Holmes County. 4/9/90  
Dated

[Signature]  
Chairman of the Board.

MILLERSBURG PLANNING COMMISSION

I, the undersigned, being president of the Millersburg Planning Commission, do hereby certify approval of the attached plat for Annexation to the Village of Millersburg.

07/17/90  
Dated

[Signature]  
President of the Board.

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 date listed hereon.

8/13/90  
Dated

[Signature]  
Village Clerk.

RECORDER

I hereby certify that this plat was received for record on the date of \_\_\_\_\_, and was recorded in Plat Book \_\_\_\_\_ Page \_\_\_\_\_.

Rec'd. AUG 30 1990 AT 2:53 PM  
Recorded AUG 31 1990 Holmes Co. Ohio Fee: \$26.00  
Plat Vol. 2 Pg. 222A Recorder: Richard [Signature]

VOL 248 PAGE 487

pd \$36.00

169071

RESOLUTION NO. 90-20

RESOLUTION ACCEPTING APPLICATION OF RODHE'S MARKET, INC. FOR ANNEXATION

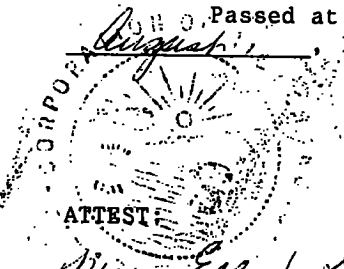
WHEREAS, the Council of the Village of Millersburg, pursuant to Ohio Revised Code Section 709.04, finds that at least sixty (60) days have expired since the date on which the Board of Commissioners of Holmes County, Ohio, pursuant to Ohio revised Code Section 709.033, caused to be delivered to the Clerk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

WHEREAS, the Clerk of the Village of Millersburg has laid the various documents related to the application for annexation filed by Rodhe's Market, Inc., 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 Rodhe's Market, Inc., for the annexation of certain territory in the County of Holmes, Township of Hardy and adjacent to the Village of Millersburg, being approximately 85.179 acres and part of Frac'l Sec. 11, 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 13 day of August, 1990.



Alex Fenney  
Council President

ATTEST  
Mary Ellen Sigrist  
Village Clerk

APPROVED:  
Douglas R. Oliver  
Mayor

I, Mary Ellen Sigrist, Clerk of the Village of Millersburg. Ohio hereby certify that the foregoing is a true and correct copy of Res. 90-20 passed by Council on Aug. 13, 1990 approved by the Mayor on Aug. 13, 1990 and which was duly published According to law in the Farmer Hub on the following dates Aug. 16, and Aug. 23.

Mary Ellen Sigrist  
Clerk

TRANSFER NOT NECESSARY

DATE 9/5/90

AUDITOR Kevin E. Blevins

NOTICE TO MUNICIPALITY AND TOWNSHIP

Ohio Revised Code 709.03

To The Clerk  
Village of Millersburg, Holmes County, Ohio

You are hereby advised that on the 31st day of January, 1990, there was filed with the Board of County Commissioners of the County of Holmes a Petition for Annexation of certain territory to the Village of Millersburg. Description of the territory sought to be annexed is attached hereto and marked EXHIBIT A.

CERTIFICATE OF SERVICE

The foregoing Notice was hand delivered to the offices of the Clerk of the Village of Millersburg on the 31st day of January, 1990.

*Archie R. Rodhe*  
Archie R. Rodhe

THE LAW OFFICE  
MILLER BUILDING  
105 NORTH CLAY STREET  
MILLERSBURG, OHIO 44654  
TELEPHONE: 216-674-1080

EXHIBIT A

VOL 248 PAGE 489

Known as part of the S.W. '14 and the S.E. '14 of Frac'l Sec. 11, T9N, R7W of Hardy Twp., Hol. Co., Ohio, and as part of Vol. 222 Pg. 672.

Beginning at the S.E. crnr of the S.W. '14 of Frac'l Sec. 11; thence with the South Line thereof North 87°03'38" West 1498.45' to a point;

thence leaving said line North 3°07'57" East 676.56' to an iron pin, and passing an iron pin on line at 565.58' ;

thence North 40°31'14" East 880.07' to a point and passing an iron pin on line at 705.39' ;

thence South 84°35'52" East 197.16' to a point;

thence North 76°48'50" East 506.10' to a point;

thence North 70°08'05" East 204.90' to a point;

thence North 60°08'19" East 157.22' to a point;

thence North 56°29'48" East 118.78' to a point;

thence North 62°35'27" East 476.71' to an iron pin;

thence North 70°35'27" East 91.08' to an iron pin;

thence South 60°24'33" East 582.12' to an iron pin;

thence South 13°35'27" West 264.00' to an iron pin;

thence South 80°54'33" East 269.28' to a concrete monument;

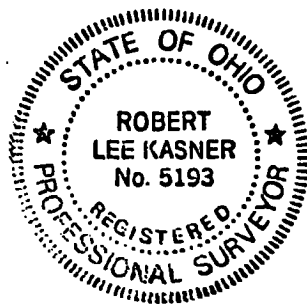
thence South 36°24'33" West 1,758.99' to a concrete monument on the South Line of the S.E. '14 of Frac'l Sec. 11;

thence with said line North 87°03'38" West 405.07' to the place of beginning and containing 42.015 acres in the S.E. '14 and 43.164 acres in the S.W. '14, but subject to all legal highways.

This tract is subject to a 50' wide easement for ingress and egress of the 6.7904 acre tract to Briar Lane the centerline of which is as follows;

beginning at a point on the West Line North 3°07'57" East 375.00' from the S.W. crnr; thence South 87°03'38" East 1,750.05' to a point; thence North 41°49'47" East 688.77' to a point on the Westerly Line of above captioned 6.7904 acre tract and there to terminate.

Description by Robert L. Kasner P.S. 5193  
P.E. 28820  
114190.



248-490

Holmes County Commissioners

COURT HOUSE  
MILLERSBURG, OHIO 44654  
(216) 674-0286

*Approved as R-4  
7-17-90*

April 23, 1990

Village of Millersburg, Ohio  
Attention: Mary Ellen Sigrist, Clerk  
West Jackson Street  
Millersburg, Ohio 44654

Ref: Rodhe's Market, Inc. - Annexation Petition

Dear Mary Ellen,

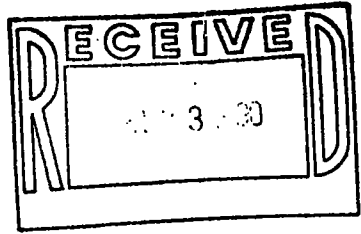
As instructed by the Holmes County Commissioners, I am hereby delivering to you all papers on file in regards to the above referenced annexation petition with the exception of the original plat of the proposed annexation which is in the County Tax Map Office.

If you have any questions, please do not hesitate to contact me.

Sincerely,

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

cc  
Hardy Township  
Attorney, Laurel Hines  
Petitioner, Arlie A. Rodhe  
Tax Map  
Engineer  
File



**LEGAL NOTICE  
NOTICE OF TIME  
AND PLACE OF  
HEARING**

Ohio Revised Code 709.031

Notice is hereby given that on the 31st day of January, 1990, there was presented to the Board of Commissioners of the County of Holmes, State of Ohio, a petition signed by all the owners of real estate in the following described territory situated in the Township of Hardy, County of Holmes and adjacent to the Village of Millersburg, to-wit:

Known as part of the S.W. 1/4 and the S.E. 1/4 of Frac'l Sec. 11, T9N, R7W of Hardy Twp., Hol. Co., Ohio, and as part of Vol. 222 Pg. 672.

Beginning of the S.E. crn'r of the S.W. 1/4 of Frac'l Sec. 11; thence with the South line thereof North 87° 03'38" West 1,498.45; to a point; thence leaving said line North 3° 07'57" East 876.56' to an iron pin, and passing an iron pin on line at 565.58';

thence North 40° 30'14" East 880.07' to a point and passing an iron pin on line at 705.39';

thence South 84° 35'52" East 197.18' to a point; thence North 76° 48'50" East 506.10' to a point; thence North 70° 08'05" East 204.90' to a point; thence North 60° 08'19" East 157.22' to a point; thence North 56° 29'48" East 118.78' to a point; thence North 62° 35'27" East 476.71' to an iron pin; thence North 70° 35'27" East 91.08' to an iron pin; thence South 60° 24'33" East 582.12' to an iron pin; thence South 13° 35'27" West 284.00' to an iron pin; thence South 80° 54'33" East 269.28' to a concrete monument; thence South 80° 54'33" East 269.28' to a concrete monument; thence South 36° 24'33 West 1,758.90' to a concrete monument on the South Line of the S.E. 1/4 of Frac'l Sec. 11;

thence with said line North 87° 03'38" West 405.07' to the place of beginning and containing 42.015 acres in the S.E. '14 and 43.164 acres in the S.W. '14, but subject to all legal highways.

This tract is subject to a 50' wide easement for ingress and egress of the 6.7904 acre tract to Briar Lane the centerline of which is as follows;

beginning at a point on the West Line North 3° 07'57" E 375.00' from the S.W. crn'r; thence South 87° 03'38" East 1,750.05' to a point; thence North 41° 49'47" East 688.77' to a point on the Westerly line of above captioned 6.7904 acre tract and there to terminate.

Description by Robert L. Kasner P.S. 5193, P.E. 28820, 114190.

Praying therein that said territory be annexed to the Village of Millersburg in a manner provided by law and designating the undersigned as their agent in securing such annexation.

The Holmes County Board of Commissioners has fixed the 9th day of April, 1990 at 2:00 P.M. as the time for hearing of said Petition at the office of the Commissioners in the Holmes County Courthouse, Millersburg, Ohio.

Agent for Petitioners  
Arlie R. Rodhe  
7604 SR 39, Route #6  
Millersburg, Ohio 44654

VOL 248 PAGE 491

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

*Miriam Kay Shelton* 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 ..... 8<sup>th</sup> ..... day of February, A.D., 1990.....

*Miriam Kay Shelton*

SWORN TO AND SUBSCRIBED before me this

..... 17<sup>th</sup> day of April, 1990.....

By *Marilyn Ann Shearer*

Printer's Fee \$ 2.35.00  
Marilyn Ann Shearer  
Notary Public, State of Ohio  
My Commission Expires February 6, 1994

Affidavit ..... 80 .....

TOTAL \$ 2.35.80 .....



# Commissioner Journal

Wm. Lillenthal & Sons, Cambridge, O.—23314

April 9, 1990

524

### ADULT PROBATION RADIO SCRAMBLER PURCHASE APPROVED

Adult Probation Officer, Roger Estill, requested that the Board approve the purchase of two police radio scramblers for his department's radios. Mr. Estill felt it is of the utmost importance that the radio signals be "scrambled" due to the nature of the transmissions. Monitoring by persons that are being investigated forewarns those persons and defeats the efforts of law enforcement. Commissioners approved the purchase of two scramblers at \$295.00 each; installation at \$40.00 each; and also the purchase of a crystal for a portable radio at \$25.00. The vendor is Electronic Devices, Millersburg, Ohio. The approval was on a motion by Mr. Lee, seconded by Mr. Hershberger, upon call of roll, all voted yes.

### SHERIFF DEPUTY RESERVE PAY INCREASE AUTHORIZED

Sheriff, Arlie R. Croskey, requested that the Board approve a pay increase for those Deputy Reserves with arrest powers from \$5.25 per hour to \$6.00. The Sheriff stated that the pay is more in line with his own, and other law enforcement agencies. The Commissioners approved the pay increase with the stipulation that the cost of the increase is already within the Sheriff's budget, on a motion by Mr. Hershberger, seconded by Mr. Lee, upon call of roll, all voted yes.

### SHERIFF DISHWASHER PURCHASE APPROVED

Sheriff Arlie R. Croskey requested approval to purchase a new dishwasher for his department's kitchen. Sheriff Croskey had received two price quotes, both of which were \$429.00. One from Millersburg Electric, Millersburg, Ohio for a Frigidaire portable dishwasher; the other from Kidron Electric, Berlin, Ohio, for a Hot Point dishwasher. Because the Frigidaire was available immediately and past service from Millersburg Electric has been satisfactory, the Board awarded the purchase to Millersburg Electric, Inc., to be paid from the Sheriff's budget, on a motion by Mr. Lee, seconded by Mr. Hershberger, upon call of roll, all voted yes.

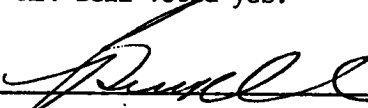

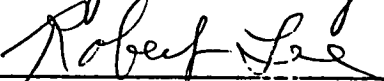
### MILLERSBURG ANNEXATION HEARING (RODHE'S MARKET, INC. - EAST)

The hour of 2:00 p.m. arrived as the time set aside and advertised for a public hearing to determine the advisability of annexation to the Village of Millersburg, Ohio, certain real estate owned by Rodhe's Market, Inc. (see this Journal, Page 470). Chairman Bell declared the hearing open and recognized the presence of Engineer, Robert Kasner and Attorney Paul Miller. There were no other persons present to comment on the annexation and at approximately 2:30 p.m. Mr. Lee moved that the County release the property to be annexed to the Village of Millersburg, Ohio, Mr. Hershberger seconded the motion, upon call of roll, all voted yes.

### ADJOURN MOTION

The hour of 4:30 p.m. having arrived and there being no further business before the Board, Mr. Hershberger moved to adjourn, seconded by Mr. Lee, Mr. Bell voted yes.

COMMISSIONERS

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

ATTEST

  
CLERK TO THE BOARD

\*\*\*\*\*

April 16, 1990

### THE MINUTES

The regular meeting of the Holmes County Commissioners met on Monday, April 16, 1990, with all members present. Chairman Bell opened the meeting with the reading of THE MINUTES, which were read and approved.

### PAY BILLS MOTION

Mr. Hershberger moved that the following bills which have been properly filed and duly signed, may be and are, authorized paid. Mr Lee seconded the motion, Mr. Bell voted yes.

### GENERAL FUND

Holmes County Commissioners	A001-A03	Gas for Custodian & Postage	22.57
Blair A. Bower	A001-A05	Legal Counsel	95.50





known as part of the S.W. '14 and the S.E. '14 of Frac'l Sec. 11, T9N,  
R7W of Hardy Twp., Hol. Co., Ohio, and as part of Vol. 222 Pg. 670.

Beginning at the S.E. corner of the S.W. '14 of Frac'l Sec. 11;  
thence with the South Line thereof North 87°03'38" West 1,498.45'  
to a point;

thence leaving said line North 3°07'57" East 676.56' to an iron pin,  
and passing an iron pin on line at 565.58' ;

thence North 40°31'14" East 880.07' to a point and passing an iron  
pin on line at 705.39' ;

thence South 84°35'52" East 197.16' to a point;

thence North 76°48'50" East 506.10' to a point;

thence North 70°08'05" East 204.90' to a point;

thence North 60°08'19" East 157.22' to a point;

thence North 56°29'48" East 118.78' to a point;

thence North 62°35'27" East 476.71' to an iron pin;

thence North 70°35'27" East 91.08' to an iron pin;

thence South 60°24'33" East 582.12' to an iron pin;

thence South 13°35'27" West 264.00' to an iron pin;

thence South 80°54'33" East 269.28' to a concrete monument;

thence South 36°24'33" West 1,758.99' to a concrete monument  
on the South Line of the S.E. '14 of Frac'l Sec. 11;

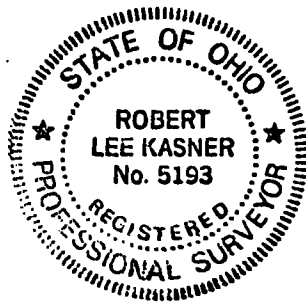
thence with said line North 87°03'38" West 405.07' to the place of  
beginning and containing 42.015 acres in the S.E. '14 and 43.164 acres  
in the S.W. '14, but subject to all legal highways.

This tract is subject to a 50' wide easement for ingress  
and egress of the 6,7904 acre tract to Briar Lane the centerline  
of which is as follows;

beginning at a point on the West Line North 3°07'57" East 375.00'  
from the S.W. corner; thence South 87°03'38" East 1,750.05' to a  
point; thence North 41°49'47" East 628.77' to a point on the  
Westerly Line of above captioned 6,7904 acre tract and there  
to terminate.

Description by Robert L. Kasner P.S. 5193  
P.E. 28820  
114190.

Plat Vol. 2 Page 222A



APPROVED 1/25/90 Rg  
 PLAT REQUIRED  
 NO PLAT REQUIRED  
HOLMES CO TAX MAP OFFICE

VOL 248 PAGE 495

RECEIVED

PETITION FOR ANNEXATION

Ohio Revised Code 709.02

JAN 31 1990

HOLMES COUNTY COMMISSIONERS

To The Commissioners of Holmes County, State of Ohio:

The undersigned, being all the owners of real estate in the following described territory within the Township of Hardy, County of Holmes and adjacent to the Village of Millersburg, to-wit: The full description of the real estate is set forth on EXHIBIT A attached hereto and made a part hereof.

The plat which is attached hereto as EXHIBIT B shall serve as an accurate map of the territory sought to be annexed, and the undersigned respectfully petition that the above described territory be annexed to the Village of Millersburg.

Arlie R. Rodhe of 7604 SR 39, Route #6, Millersburg, Ohio 44654 is hereby authorized to act as agent of the Petitioners in securing such annexation.

The number of owners of real estate in the territory sought to be annexed is two (2).

Respectfully Submitted:

Rodhe's Market, Inc., Petitioner

By: Arlie R. Rodhe, Pres.  
Arlie R. Rodhe, President

Evelyn L. Rodhe, Petitioner

Evelyn L. Rodhe  
Evelyn L. Rodhe

RECEIVED

JAN 31 1990

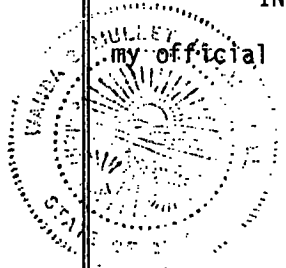
KEVIN E. PYLE  
AUDITOR

THE LAW OFFICE  
MILLER BUILDING  
105 NORTH CLAY STREET  
MILLERSBURG, OHIO 44654  
TELEPHONE: 216-674-1080

STATE OF OHIO  
COUNTY OF HOLMES

Before me, a Notary Public in and for said County and State, personally appeared the above named RODHE'S MARKET, INC., by Arlie R. Rodhe, President who acknowledged that he did sign the foregoing instrument and that it is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Millersburg, Ohio this 31st day of January, 1990.



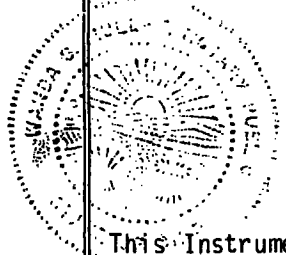
*Wanda S. Mullet*  
Notary Public

WANDA S. MULLET  
Notary Public, State of Ohio  
My Commission Expires July 14, 1994

STATE OF OHIO  
COUNTY OF HOLMES

Before me, a Notary Public in and for said County and State, personally appeared the above named EVELYN L. RODHE who acknowledged that she did sign the foregoing instrument and that it is her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Millersburg, Ohio this 31st day of January, 1990.



*Wanda S. Mullet*  
Notary Public

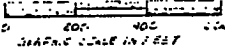
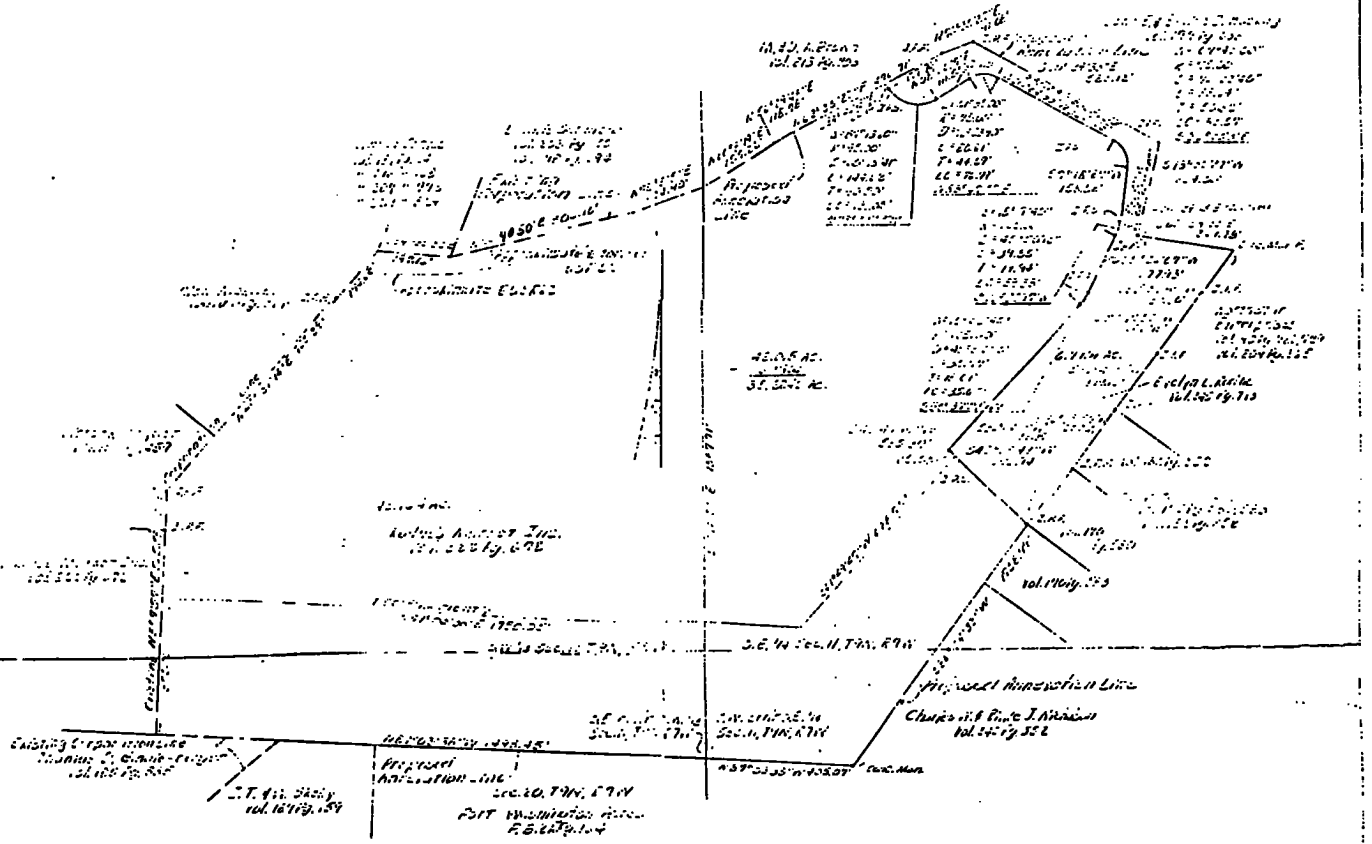
WANDA S. MULLET  
Notary Public, State of Ohio  
My Commission Expires July 14, 1994

This Instrument Prepared by:  
Paul A Miller Law Offices  
Millersburg, Ohio 44654  
#171.11/lm

THE LAW OFFICE  
MILLER BUILDING  
105 NORTH CLAY STREET  
MILLERSBURG, OHIO 44654  
TELEPHONE: 216-674-1080

24B-497

EXHIBIT B



**FROM THE ANNEXATION TO THE**  
**WILSON CO. RESERVATION**  
 PART OF PORT OF FRASER, SEC. 11, T. 14 N.,  
 R. 11 W. OF COUNTY TWP., POLK CO., OHIO  
 Robert L. Kusner R.S. 5445  
 R.E. 3380  
 11/3/90

APPROVED BY  
 TAX MAP OFFICE  
 Date 11/25/90

**HOLMES COUNTY COMMISSIONERS**  
 I hereby certify that the Holmes County Commissioners have approved the Settlement of these tracts of land as shown hereon from Wilkes County, Ohio  
Robert L. Kusner  
 Chairman of the Board

**ZONING PLANNING COMMISSION**  
 I, the undersigned, being president of the Holmes County Planning Commission, do hereby certify approval of the attached plat for residential use  
Robert L. Kusner  
 President of the Board

**SHARPLESS, CLARE CLERK**  
 I hereby certify that this plat for residential use was approved by this clerk and that the same is a true and correct copy  
Robert L. Kusner  
 Clerk

**RECORDED**  
 I hereby certify that this plat was received for recording on the date of 11/25/90, and was recorded in Plot Book 169071

REC. 169071  
 AUG 3 1991  
 at 9:00 O'clock  
 RECORDS 21 31 82  
 Recorder  
 Holmes Co. Ohio Nov 25 1990  
 Recorder