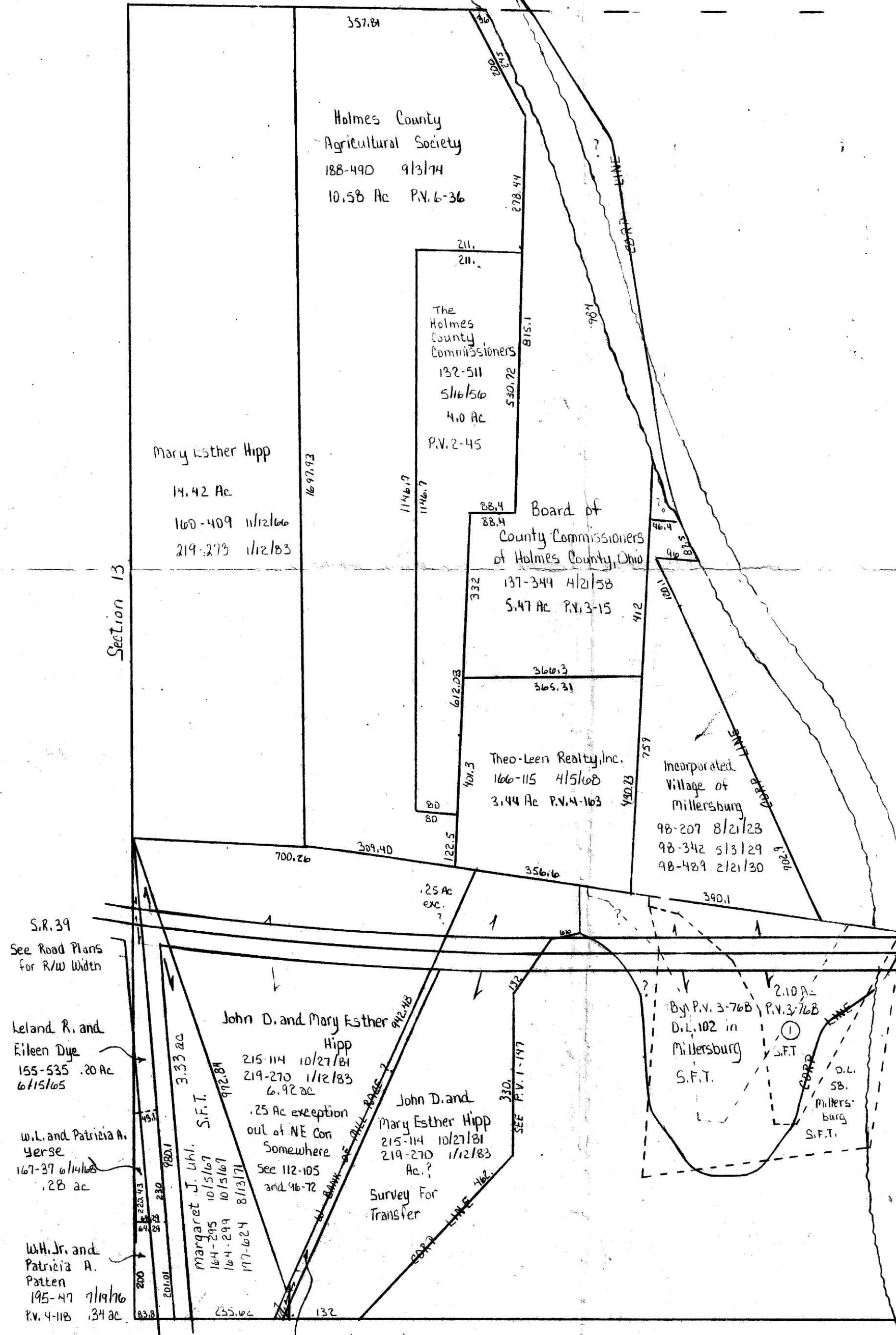


MILLERS



(M-3)

NOTE -  
2.10 Ac Tract - Survey for Transfer  
See P.V. 3-76 B - Dotted Black Line  
P.V. 1-197 - Solid Black Line  
S.R. 5-170 - Dotted Red Line

Let it be known that this map is not the results of a field survey and is only a drawing of the deed descriptions listed hereon. It has been prepared as a guide to property ownership and is not intended for any legal use. We believe the information to be correct, but do not accept any responsibility for errors of any nature.

Section 12 T9 R7  
Hardy Twp.

144108

TAX MAP OFFICE

Rec'd. AUG 22 1984 AT 11:15 O'CLOCK A.M.  
Recorded Aug. 23, 1984 Holmes Co. Ohio Fee, 20.70  
Plot 4 Vol. 11 Pg. 11 Recorder  
23 X 18 X 5  
Deed Vol. 224-Pg. 643  
Deed Vol. 224-Pg. 650

-23 X 18-  
20.70

*Paid #20.00*

VOL 224 PAGE 643

144106

RESOLUTION 84-24

A RESOLUTION ACCEPTING THE ANNEXATION OF LAND ADJACENT  
TO THE VILLAGE OF MILLERSBURG AND OWNED  
BY THEO-LEEN REALTY INC.

WHEREAS, Theo-Leen Realty Inc. has filed it's Petition and Map of the property in question with the Holmes County Commissioners seeking an annexation to the Village of Millersburg of it's adjacent land and,

WHEREAS, the Holmes County Commissioners by Resolution dated June 11, 1984 granted said Petition to annex and,

WHEREAS, said Resolution, Petition and Map were filed with the Clerk of the Village of Millersburg and sixty (60) days have lapsed since the filing and no legal actions opposing the annexation have been commenced and,

WHEREAS, it is in the best interest the Village of Millersburg to accept the annexation of the aforesaid property. Plat Vol.11 Pg.11.

NOW THEREFORE BE IT RESOLVED, by the Village of the Council of Millersburg, State of Ohio, that the annexation of the adjacent land owned by Theo-Leen Realty Inc. to the Village of Millersburg shall be accepted. IT IS FURTHER RESOLVED, that the Clerk of the Village of Millersburg shall make three (3) complete certified copies of the Petition, Map and Transcript of the County Commissioners proceedings and the instant Resolution and file them with the Holmes County Recorder, Holmes County Auditor and Secretary for the State of Ohio pursuant to Ohio Revised Code Section 709.06.

This Resolution is hereby declared to be an emergency measure in the best interests of the health, safety and welfare of the Village of Millersburg and it's residents.

PASSED: 8/13/84

MILLERSBURG VILLAGE COUNCIL

BY: Warren E. Taylor  
Village Council President

BY: David J. Shuck  
Village Mayor

ATTEST:  
Harold S. Wheat  
Village Council Clerk

Stephen D. Knowling  
Atty. At Law  
103 North Clay St.  
Millersburg, Ohio  
44654  
Ph. (216) 674-2004

TRANSFER NOT NECESSARY

DATE 8/22/84  
WITNESSED BY Daniell Conkle, Jr

VCL 224 PAGE 644

RESOLUTION

WHEREAS, on the 9th day of April 1984 there was filed with the Holmes County Commissioners a Petition signed by Theo-Leen Realty, Inc. (an Ohio Corporation) seeking annexation of property owned by it adjacent to the Village of Millersburg and,

WHEREAS, said Petition was set for hearing on June 11, 1984 and,

WHEREAS, a notice of the substance of said Petition and a 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 Farmer Hub on April 14, April 26, May 3 and May 10, 1984 and,

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

WHEREAS, at the hearing of the above matter no opposition was raised to the proposed annexation of the property in question and furthermore the Commissioners found according to law that (1) the Petition contained a full legal description and accurate map or plat of the territory sought to be annexed, (2) the Petition contained a statement of the number of owners of the real estate and the territory sought to be annexed, (3) the Petition contained 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 annexation Petition was not unreasonably large, (7) the map or plat was accurate, (8) the general good of the territory sought to be annexed would be served if the annexation Petition was granted.

Stephen D. Kiveling  
Atty. At Law  
103 North Clay St.  
Millersburg, Ohio  
44654  
Ph. (216) 674-2004

WHEREFORE 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. The Deputy Clerk of the Holmes County Commissioners shall deliver the Petition, the map and all other papers on file, including the transcript of the hearing to the Clerk of the Village of Millersburg.

Mr. Maurer made a motion to adopt the above Resolution, which was seconded by Mr. Hershberger.

The vote was as follows:

<u>Jack E. Nowels</u> Mr. Nowels	yes
<u>Robert S. Maurer</u> Mr. Maurer	yes
<u>Clayton Hershberger</u> Mr. Hershberger	yes

PASSED: June 11, 1984

MILLERSBURG VILLAGE COUNCIL

By: \_\_\_\_\_  
Village Council President

By: \_\_\_\_\_  
Village Mayor

ATTEST:

\_\_\_\_\_  
Village Council Clerk

Stephen D. Knowling  
Atty. At Law  
103 North Clay St.  
Millersburg, Ohio  
44654  
Ph. (216) 674-2004

VOL 224 PAGE 646

PETITION FOR ANNEXATION OF UNINCORPORATED TERRITORY  
FOR THE VILLAGE OF MILLERSBURG

TO THE COMMISSIONERS OF HOLMES COUNTY, STATE OF OHIO:

The undersigned, is the sole owner of the following described territory situated in the County of Holmes and adjacent to the Village of Millersburg, to-wit:

TRACT I. SMITH REST HOME (Fairview)

Situated in the County of Holmes, in the State of Ohio, and in the Township of Hardy and bounded and described as follows:

Known as and being a part of the southwest quarter of Section Twelve (12), Township Nine (9) and Range Seven (7) and being more fully described as follows: Beginning at a stone at the southwest corner of Section Twelve; thence with the west line of Section Twelve North 5 degrees 10' 40" East, 987.66 feet to a point in the center of old S.R. 39 said point being South 82 degrees 09' 20" East, 11.98 feet from the face of the old stone backwall of the old bridge over Sapps Run. Thence with old S.R. 39 South 82 degrees 09' 20" East 268.30 feet to a point; the said point being 194 feet plus from the centerline stripe on new S.R. 39. Thence with old S.R. 39 South 79 degrees 36' 40" East 411.15 feet to an iron pin (set) and point of beginning of the tract herein conveyed. Said point being North 7 degrees 47' East 160 feet from the centerline stripe on S.R. 39. Thence continuing along old S.R. 39 South 75 degrees 21' 40" East 356.6 feet to an iron pin (set); said point being North 9 degrees 17' 20" East 105.0 feet from the centerline stripe on new S.R. 30 and the southwest corner of a 3.34 acre tract now owned by the Village of Millersburg. Thence leaving old S.R. 39 and with the west line of aforesaid Village of Millersburg Tract North 9 degrees 17' 20" East 430.73 feet to an iron pipe (found); said point being the southeast corner of the Holmes County Fairground tract in the west line of the Village of Millersburg Tract and northeast corner of the Grantor's property. Thence with the line of the Fairground Tract North 80 degrees 08' 20" West 365.31 feet to an iron pin (set) at the southwest corner of the Fairground Tract, and northwest corner of the Grantor's property; thence South 7 degrees 47' West 401.3 feet to the point of beginning containing 3.44 acres, be the same more or less, but subject to all legal highways. Deed Book Volume 166, Page 115.

Note: The "stone" reference is taken from Volume 4, Page 389 of the Surveyors Record and is dated January 16, 1914. W.L. Reidenbach, Co. Surveyor.

An accurate map of said territory is attached hereto as "Exhibit A".

The undersigned respectfully petitions that the aforescribed territory be annexed to the Village of Millersburg. Petitioner states that the territory described in the instant annexation petition is not unreasonably large, the map is accurate, and the general good of the territory sought to be annexed will be served if the instant

Stephen D. Knowling  
Atty. At Law  
103 North Clay St.  
Millersburg, Ohio  
44654  
Ph. (216) 674-2004

petition is granted.

Petitioner further states that Stephen D. Knowling is hereby authorized to act as it's agent in securing said annexation.

THEO-LEEN REALTY, INC.

By: Donald R. Sullivan  
Don Sullivan, Secretary-Treasurer

Stephen D. Knowling  
Atty. At Law  
103 North Clay St.  
Milledburg, Ohio  
44654  
Ph. (216) 674-2004

VCL 224 PAGE 648

# Commissioner Journal

Wm. Lillenthal & Sons, Cambridge, O.-2983

SP 208

June 11, 1984 624

## APPROPRIATION AMENDMENT

By the signing of the request, Commissioners approved the amendment of of the following appropriation:

Tax Map Department - 12-A-5x

TO

Sheriff's Department - 6-A-6

The purpose is to correct Warrent #1378 dated 5/29/84 which was erroneously paid by the Sheriff's Department.

## PROFESSIONAL TRIPS

By the signing of the application, Commissioners approved the following professional trips:

James H Estill, Judge, court of common pleas, to attend the Common Pleas Judges Summer Seminar, Painesville, Ohio, on the dates of June 27,28,29, 1984, at a cost of \$440.00.

Darrell Conkle, Holmes County Auditor, to attend the Auditor's Summer Convention, Cedar Point, Ohio, on the dates of June 13,14, 1984, at a cost of \$250.00.

## AGRICULTURAL EXTENSION OFFICE IMPROVEMENTS APPROVED

Upon a request by Richard McNutt, Agricultural Extension Agent, Commissioners approved carpeting for the Extension Office, also insulation for the attic floor joists, and installation of two air conditioners. Mr. McNutt will keep Commissioners informed as to the progress of the work.

## NEW OFFICE FOR PROBATE COURT - PROBATION OFFICER

A request from Judge Schuler, Probate Court Judge, was presented to Commissioners for additional office space for the Juvenile Probation Officer. Judge Schuler estimated the cost at \$2,500.00. Mr. Maurer moved, seconded by Mr. Hershberger: roll call vote was unanimous.

## ADULT PROBATION DEPUTY CLERK - FULL TIME

Maynard Mohr, Adult Probation Officer, requested that Commissioners approve the full time employment of his Deputy Clerk. Presently the position is for 3 days a week, and Mr. Mohr feels that the workload of his office justifies a full time clerk. Mr. Hershberger made the motion, seconded by Mr. Maurer, that the position be made full time. The salary to be \$3.85 per hour.

## MILLERSBURG ANNEXATION(S) HEARING

The hour of 1:00 p.m. having arrived as the time set aside and advertised for a hearing for the annexation of two properties to the Village of Millersburg. Mr. Nowels opened the hearing with Prosecuting Attorney Hines and Attorney Knowingling present. Attorney Knowingling made the presentation and with no persons present with objections to the annexation(s) the following motion(s) were made:

### VILLAGE SWIMMING POOL

Mr. Hershberger made a motion to approve the annexation of unincorporated territory owned by the Village of Millersburg to the Village of Millersburg (see page 598 of this journal for complete description). Mr. Maurer seconded the motion and roll call vote was: Mr. Nowels, yes; Mr. Maurer, yes; Mr. Hershberger, yes.

### SMITH REST HOME (FAIRVIEW)

Mr. Maurer made a motion to approve the annexation of unincorporated territory for the Village of Millersburg (see page 598 of this journal for complete description). Mr. Hershberger seconded the motion and roll call vote was: Mr. Nowels, yes; Mr. Maurer, yes; and Mr. Hershberger, yes.

## RESOLUTION

WHEREAS, on the 9th day of April 1984 there was filed with the Holmes County Commissioners a Petition signed by Theo-Leen Realty, Inc. (an Ohio Corporation) seeking annexation of property owned by it adjacent to the Village of Millersburg and,  
Whereas, said Petition was set for hearing on June 11, 1984 and,  
WHEREAS, a notice of the substance of said Petition and a time and place where the hearing would be held was published once a week for a period

# Commissioner Journal

Wm. Lillenthal & Sons, Cambridge, O.-2983

SP 208

June 11, 1984 6:25

of four (4) consecutive weeks in the Holmes County Farmer Hub on April 14, April 26, May 3, and May 10, 1984 and,  
 WHEREAS, a copy of the notice of said hearing was also sent to the Clerks of the Village of Millersburg, and Hardy Township and,  
 WHEREAS, at the hearing of the above matter no opposition was raised to the proposed annexation of the property in question and furthermore the Commissioners found according to law that (1) the Petition contained a full legal description and accurate map or plat of the territory sought to be annexed, (2) the Petition contained a statement of the number of owners of the real estate and the territory sought to be annexed, (3) the Petition contained 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 annexation Petition was not unreasonably large, (7) the map or plat was accurate, (8) the general good of the territory sought to be annexed would be served if the annexation Petition was granted.  
 WHEREFORE 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. The Deputy Clerk of the Holmes County Commissioners shall deliver the Petition, the map and all other papers on file, including the transcript of the hearing to the Clerk of the Village of Millersburg.

### RESOLUTION

WHEREAS, on the 9th day of April 1984 there was filed with the Holmes County Commissioners a Petition signed by the Village of Millersburg seeking annexation of property owned by it adjacent to the Village of Millersburg and,  
 WHEREAS, a notice of the substance of said Petition and a 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 Farmer Hub on April 14, April 26, May 3, and May 10, 1984 and,  
 WHEREAS, a copy of the notice of said hearing was also sent to the Clerk of the Village of Millersburg and,  
 WHEREAS, at the hearing of the above matter no opposition was raised to the proposed annexation of the property in question and furthermore the Commissioners found according to law that (1) the Petition contained a full description and accurate map or plat of the territory sought to be annexed, and contained a copy of the ordinance authorizing said action, (2) the Petition contained a statement of the number of owners of the real estate and the territory sought to be annexed, (3) the Petition contained 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 annexation Petition was not unreasonably large, (7) the map or plat was accurate, (8) the general good of the territory sought to be annexed would be served at the annexation Petition was granted.  
 WHEREFORE BE IT RESOLVED, that the Holmes County Commissioners hereby grant the annexation Petition at issue and hereby release said property to be annexed to the Village of Millersburg. Pursuant to Ohio Revised Code Section 709.16, the annexation Petition at issue is hereby complete upon the filing of the instant Resolution. The Deputy Clerk of the Holmes County Commissioners is instructed to deliver the instant Resolution, the map and all other papers on file relating to this annexation proceeding to the Holmes County Recorder, Holmes County Auditor and the Secretary of State.

### ADJOURN MOTION

The hour being 4:30 p.m., and there being no further business before the Board, Mr. Maurer made a motion to adjourn, seconded by Mr. Hershberger; all concurred.

Recorded Aug. 23, 1984 Holmes Co. Ohio Fee 2.00  
 Deed Vol. 224 Pg. 643 Recorder Richard

*Richard E. Hershberger*  
*Robert S. Maurer*



VCL 224 PAGE 650

*Paid \$18.00*

144107

RESOLUTION

WHEREAS, on the 9th day of April 1984 there was filed with the Holmes County Commissioners a Petition signed by the Village of Millersburg seeking annexation of property owned by it adjacent to the Village of Millersburg and,

WHEREAS, said Petition was set for hearing on June 11, 1984 and,

WHEREAS, a notice of the substance of said Petition and a 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 Farmer Hub on April 14, April 26, May 3 and May 10, 1984 and,

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

WHEREAS, at the hearing of the above matter no opposition was raised to the proposed annexation of the property in question and furthermore the Commissioners found according to law that (1) the Petition contained a full description and accurate map or plat of the territory sought to be annexed, and contained a copy of the ordinance authorizing said action, (2) the Petition contained a statement of the number of owners of the real estate and the territory sought to be annexed, (3) the Petition contained 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 annexation Petition was not unreasonably large, (7) the map or plat was accurate, (8) the general good of the territory sought to be annexed would be served at the annexation Petition was granted.

Plat Vol.11-Pg.11.

TRANSFER NOT NECESSARY

DATE 8/22/84

AUDITOR Darrell Cook, Jr.

Stephen D. Knowling  
Atty. At Law  
103 North Clay St.  
Millersburg, Ohio  
44654  
Ph. (216) 674-2004

WHEREFORE BE IT RESOLVED, that the Holmes County Commissioners hereby grant the annexation Petition at issue and hereby release said property to be annexed to the Village of Millersburg. Pursuant to Ohio Revised Code Section 709.16, the annexation Petition at issue is hereby complete upon the filing of the instant Resolution. The Deputy Clerk of the Holmes County Commissioners is instructed to deliver the instant Resolution, the map and all other papers on file relating to this annexation proceeding to the Holmes County Recorder, Holmes County Auditor and the Secretary of State.

Mr. Hershberger made a motion to adopt the above Resolution, which was seconded by Mr. Maurer.

The vote was as follows:

<u>Jack E. Nowels</u> Mr. Nowels	yes
<u>Robert S. Maurer</u> Mr. Maurer	yes
<u>Clayton Hershberger</u> Mr. Hershberger	yes

PASSED: June 11, 1984

MILLERSBURG VILLAGE COUNCIL

By: Warren E. Taylor  
Village Council President

By: David J. Shrock  
Village Mayor

ATTEST:

Dwight S. Wheaton  
Village Council Clerk

Stephen D. Knowling  
Atty. At Law  
103 North Clay St.  
Millersburg, Ohio  
44654  
Ph. (216) 674-2004

VOL 224 PAGE 652

PETITION FOR ANNEXATION OF UNINCORPORATED TERRITORY  
OWNED BY THE VILLAGE OF MILLERSBURG TO  
THE VILLAGE OF MILLERSBURG

TO THE COMMISSIONERS OF HOLMES COUNTY, STATE OF OHIO:

The Village of Millersburg, being the sole owner of territory located in the Southwest Quarter of Section 12, Township 9, Range 7, Hardy Township, Holmes County, Ohio and adjacent to the Village of Millersburg, being more particularly described in Holmes County Deed Volume 98, Page 489, a copy of which is attached hereto as "Exhibit A", and in an accurate map of said territory attached hereto as "Exhibit B"; respectfully petitions that the above described property be annexed to the Village of Millersburg pursuant to O.R.C. § 709.13 et. seq.

Petitioner states that the territory sought to be annexed is not unreasonably large, the attached map and legal descriptions are accurate, and the general good of the territory sought to be annexed will be served if the instant petition is granted.

Petitioner further states that the Council of the Village of Millersburg authorized the instant annexation petition by Ordinance 84-3 passed and adopted March 12, 1984, and further authorized it's Solicitor, Stephen D. Knowling to prosecute said proceedings.

David J. Strick  
Mayor of the Village of Millersburg

DATE: 4/9/84

APPROVAL:

Stephen D. Knowling  
Village Solicitor

Stephen D. Knowling  
Atty. At Law  
103 North Clay St.  
Millersburg, Ohio  
44654  
Ph. (216) 674-2004

No. 2848 RECORD OF DEEDS No. 90, HOLMES COUNTY, OHIO

VOLUME 98 PAGE 489

Know all men by these Presents, That Lawrence J. Smith, unmarried.

~~XXXXXX~~, of the County of Holmes and State of Ohio in consideration of the sum of One Dollar (~~XXXXXX~~ \$ 1.00) in hand paid by The Incorporated Village of Millersburg, of the County of Holmes and State of Ohio have Bargained and Sold, and do hereby Grant, Bargain, Sell and Convey unto the said The Incorporated Village of Millersburg, its successors and assigns forever, the following premises, situated in the

County of Holmes and State of Ohio, and bounded and described as follows:  
 Being a part of the southwest quarter of Section 12, Township 9, Range 7, in Hardy Township, Holmes County, Ohio, beginning at a point in the center of the public road leading from Millersburg to Loudonville, said point being a rail road spike, and being south 88 degrees and 05 minutes west, 79 feet from the north west corner of the north wing wall of the west abutment of the bridge over Killbuck Creek, and north 68 degrees and 49 minutes west, 98 13/100 feet from the south west corner of the south wing wall of the west abutment of the bridge over Killbuck Creek; thence north 79 degrees west, 390.1 feet along the center line of said public road to a point, said point being a 3/4 inch bar, and being 8.3 feet west of the east face of curtain wall of west abutment, of the second bridge west of Millersburg; thence north 5 degrees and 52 minutes east 759 feet to a point, said point being a 1/2 inch iron pipe in the center of the old channel of Killbuck Creek; thence south 84 degrees and 08 minutes east, 46.4' to the east bank of the old channel of Killbuck Creek; thence southeasterly along the east bank of the old channel 87 1/2 feet to a point; thence north 84 degrees and 08 minutes west, 96 feet to a point, thence south 26 degrees and 30 minutes east, 120.1 feet to a point; thence south 21 degrees east 702.9 feet to the place of beginning, said point also being the south west corner of the present water works land.

This deed is a deed of correction given to correct the description in another deed of correction recorded in Volume 98 page 342 of the deed records of Holmes County, Ohio, dated May 22, 1929; which said deed was a deed of correction to correct the description in the original deed given by said Lawrence E. Smith to the Village of Millersburg for said premises. The description in the said first two deeds being erroneous.

TO HAVE AND TO HOLD said premises with the appurtenances unto the said The Incorporated Village of Millersburg its successors ~~X~~ ~~XXXX~~ and assigns forever. And the said Lawrence J. Smith for himself and heirs, do hereby covenant with the said The Incorporated Village of Millersburg, its successors and assigns, that he is lawfully seized of the premises; that the premises are free and clear from all encumbrances whatsoever; and that he will forever Warrant and Defend the same, with the appurtenances, unto the said The Incorporated Village of Millersburg, its successors and assigns, against the lawful claims of all persons whomsoever.

IN TESTIMONY WHEREOF, I Lawrence J. Smith have hereunto set my hand ~~XXXXXX~~ this 16 day of December A. D. 1929.

Executed in the Presence of  
R. B. Putnam.  
Blanche Killian.

Lawrence J. Smith. (SEAL)  
 \_\_\_\_\_ (SEAL)  
 \_\_\_\_\_ (SEAL)  
 \_\_\_\_\_ (SEAL)

THE STATE OF OHIO, } Before me, a Notary Public in and for said County, personally  
Holmes County, ss. } appeared the above named Lawrence J. Smith

~~XXX~~ and acknowledged the signing ~~XXXXXX~~ of the above conveyance to be his voluntary act and deed, this 16th day of December A. D. 1929.

Received for Record at 3:45 P. M. February 21<sup>st</sup> 1930.  
 Recorded February 26th 1930.  
Rose M. Linn Recorder.  
 Fees \$ .90



Robert B. Putnam, Notary Public,  
Holmes County, Millersburg, Ohio.

Exhibit A

VOL 224 PAGE 654

# Commissioner Journal

Wm. Lillenthal & Sons, Cambridge, O.-2983

SP - 208

June 11, 1984 624

## APPROPRIATION AMENDMENT

By the signing of the request, Commissioners approved the amendment of the following appropriation:

Tax Map Department - 12-A-5x

TO

Sheriff's Department - 6-A-6

The purpose is to correct Warrent #1378 dated 5/29/84 which was erroneously paid by the Sheriff's Department.

## PROFESSIONAL TRIPS

By the signing of the application, Commissioners approved the following professional trips:

James H Estill, Judge, court of common pleas, to attend the Common Pleas Judges Summer Seminar, Painesville, Ohio, on the dates of June 27, 28, 29, 1984, at a cost of \$440.00.

Darrell Conkle, Holmes County Auditor, to attend the Auditor's Summer Convention, Cedar Point, Ohio, on the dates of June 13, 14, 1984, at a cost of \$250.00.

## AGRICULTURAL EXTENSION OFFICE IMPROVEMENTS APPROVED

Upon a request by Richard McNutt, Agricultural Extension Agent, Commissioners approved carpeting for the Extension Office, also insulation for the attic floor joists, and installation of two air conditioners. Mr. McNutt will keep Commissioners informed as to the progress of the work.

## NEW OFFICE FOR PROBATE COURT - PROBATION OFFICER

A request from Judge Schuler, Probate Court Judge, was presented to Commissioners for additional office space for the Juvenile Probation Officer. Judge Schuler estimated the cost at \$2,500.00. Mr. Maurer moved, seconded by Mr. Hershberger: roll call vote was unanimous.

## ADULT PROBATION DEPUTY CLERK - FULL TIME

Maynard Mohr, Adult Probation Officer, requested that Commissioners approve the full time employment of his Deputy Clerk. Presently the position is for 3 days a week, and Mr. Mohr feels that the workload of his office justifies a full time clerk. Mr. Hershberger made the motion, seconded by Mr. Maurer, that the position be made full time. The salary to be \$3.85 per hour.

## MILLERSBURG ANNEXATION(S) HEARING

The hour of 1:00 p.m. having arrived as the time set aside and advertised for a hearing for the annexation of two properties to the Village of Millersburg. Mr. Nowels opened the hearing with Prosecuting Attorney Hines and Attorney Knowling present. Attorney Knowling made the presentation and with no persons present with objections to the annexation(s) the following motion(s) were made:

### VILLAGE SWIMMING POOL

Mr. Hershberger made a motion to approve the annexation of unincorporated territory owned by the Village of Millersburg to the Village of Millersburg (see page 598 of this journal for complete description). Mr. Maurer seconded the motion and roll call vote was: Mr. Nowels, yes; Mr. Maurer, yes; Mr. Hershberger, yes.

### SMITH REST HOME (FAIRVIEW)

Mr. Maurer made a motion to approve the annexation of unincorporated territory for the Village of Millersburg (see page 598 of this journal for complete description). Mr. Hershberger seconded the motion and roll call vote was: Mr. Nowels, yes; Mr. Maurer, yes; and Mr. Hershberger, yes.

## RESOLUTION

WHEREAS, on the 9th day of April 1984 there was filed with the Holmes County Commissioners a Petition signed by Theo-Leen Realty, Inc. (an Ohio Corporation) seeking annexation of property owned by it adjacent to the Village of Millersburg and,  
Whereas, said Petition was set for hearing on June 11, 1984 and,  
WHEREAS, a notice of the substance of said Petition and a time and place where the hearing would be held was published once a week for a period:

022

# Commissioner Journal

Wm. Lillienthal & Sons, Cambridge, O.--2983

SP 208

June 11, 1984 625

of four (4) consecutive weeks in the Holmes County Farmer Hub on April 14, April 26, May 3, and May 10, 1984 and, WHEREAS, a copy of the notice of said hearing was also sent to the Clerks of the Village of Millersburg, and Hardy Township and, WHEREAS, at the hearing of the above matter no opposition was raised to the proposed annexation of the property in question and furthermore the Commissioners found according to law that (1) the Petition contained a full legal description and accurate map or plat of the territory sought to be annexed, (2) the Petition contained a statement of the number of owners of the real estate and the territory sought to be annexed, (3) the Petition contained 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 annexation Petition was not unreasonably large, (7) the map or plat was accurate, (8) the general good of the territory sought to be annexed would be served if the annexation Petition was granted. WHEREFORE 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. The Deputy Clerk of the Holmes County Commissioners shall deliver the Petition, the map and all other papers on file, including the transcript of the hearing to the Clerk of the Village of Millersburg.

### RESOLUTION

WHEREAS, on the 9th day of April 1984 there was filed with the Holmes County Commissioners a Petition signed by the Village of Millersburg seeking annexation of property owned by it adjacent to the Village of Millersburg and, WHEREAS, a notice of the substance of said Petition and a 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 Farmer Hub on April 14, April 26, May 3, and May 10, 1984 and, WHEREAS, a copy of the notice of said hearing was also sent to the Clerk of the Village of Millersburg and, WHEREAS, at the hearing of the above matter no opposition was raised to the proposed annexation of the property in question and furthermore the Commissioners found according to law that (1) the Petition contained a full description and accurate map or plat of the territory sought to be annexed, and contained a copy of the ordinance authorizing said action, (2) the Petition contained a statement of the number of owners of the real estate and the territory sought to be annexed, (3) the Petition contained 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 annexation Petition was not unreasonably large, (7) the map or plat was accurate, (8) the general good of the territory sought to be annexed would be served at the annexation Petition was granted. WHEREFORE BE IT RESOLVED, that the Holmes County Commissioners hereby grant the annexation Petition at issue and hereby release said property to be annexed to the Village of Millersburg. Pursuant to Ohio Revised Code Section 709.16, the annexation Petition at issue is hereby complete upon the filing of the instant Resolution. The Deputy Clerk of the Holmes County Commissioners is instructed to deliver the instant Resolution, the map and all other papers on file relating to this annexation proceeding to the Holmes County Recorder, Holmes County Auditor and the Secretary of State.

Rec'd AUG 22 1984 1:10 O'CLOCK AM  
 Recorded Aug. 23, 1984 Holmes Co. Ohio Fees 18.00  
 Deed Vol. 224 Pg. 652 Recorder Richard [Signature]

### ADJOURN MOTION

The hour being 4:30 p.m., and there being no further business before the Board, Mr. Maurer made a motion to adjourn, seconded by Mr. Hershberger; all concurred.

884 091

Jack E. Hershberger  
 Robert S. Maurer