

ORDINANCE NO. 2017-09

AN ORDINANCE TO ACCEPT THE APPLICATION FOR THE ANNEXATION OF CERTAIN TERRITORY CONTAINING APPROXIMATELY 7.672 ACRES IN HARRISON TOWNSHIP, PREBLE COUNTY, OHIO, INTO THE VILLAGE OF LEWISBURG, PREBLE COUNTY, OHIO

That Whereas, an annexation of certain territory in Harrison Township was duly filed by all of the owners of the real estate therein, with all other relevant parties consenting thereto;

And Whereas, the petition was duly considered and approved by the Board of County Commissioners of Preble County, Ohio, on the 27th day of February, 2017;

And Whereas, the board of County Commissioners certified the transcript of the proceedings in connection with the annexation with the map and petition required in connection therewith to the Village Clerk of Council, she received the same on the 7th day of March, 2017;

And Whereas, sixty days from the date of the filing have now elapsed in accordance with the provisions of O.R.C. §709.04;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF LEWISBURG, PREBLE COUNTY, OHIO, AS FOLLOWS:

Section 1. That the proposed annexation as applied for in the petition of all owners of real estate sought to be annexed with all other relevant parties consenting thereto, and submitted to the Board of Commissioners of Preble County, Ohio, on or before the 27th day of February, 2017, and which the petition prayed for annexation to the Village of Lewisburg, Preble County, Ohio, of certain territory adjacent and contiguous thereto as hereinafter described, and which the petition was approved for annexation to the Village of Lewisburg, Preble County, Ohio, by the Board of Preble County Commissioners on the 27th day of February, 2017, be and the same is hereby accepted. The territory is described as follows:

Situated in the Southeast Quarter of Section Twenty-eight (28), Township Seven (07) North, Range Three (03) East, Harrison Township, Preble County, Ohio, being all of a 7.672 acre tract described in Official Records Volume 368, Page 540, in the office of the Preble County Recorder, and being more particularly described as follows:
Commencing at a railroad spike found, in Lewisburg Western Road, at the southwest corner of said Southeast Quarter;
thence South 89° 18' 11" East 75.21 feet along the south line of said quarter to a railroad spike found at the intersection of Lewisburg Western Road with Clay Street, being the **TRUE POINT OF BEGINNING** for the tract herein described;

thence North 64° 18' 10" East 585.14 feet along the centerline of Lewisburg Western Road to a railroad spike found;
thence North 00° 20' 34" West 418.50 feet along a west line of said 7.672 acre tract, also being an east line of a 161.740 acre tract, described in Official Records Volume 355, Page 1790, to an iron pin found;
thence North 89° 39' 26" East 238.04 feet along a north line of said 7.672 acre tract, also being a south line of said 161.740 acre tract, to an iron pin found;
thence South 82° 36' 03" East 259.42 feet along a north line of said 7.672 acre tract, also being a south line of said 161.740 acre tract, to a point on the existing corporation line;
thence South 17° 32' 18" West 681.85 feet along the east line of said 7.672 acre tract, also being the west line of a 0.525 acre tract described in Official Records Volume 368, Page 540, and the west line of a 2.000 acre tract described in Official Records Volume 309, Page 2301, said line being the existing corporation line, to a railroad spike found in Clay Street;
thence North 89° 18' 11" West 814.66 feet along the south line of said quarter, also being the centerline of Clay Street, to the point of beginning, containing 7.672 acres, more or less, having 1.240 acres, more or less, in the right of way of Lewisburg Western Road and Clay Street, being subject to the public roads and any legal easements, restrictions, covenants or right-of-ways of record.

Bearings are based upon the south line of the Southeast Quarter of Section Twenty Eight being South 89° 18' 11" East per previous surveys by this firm.

Prepared by Douglas E. Kramer, Professional Surveyor #6329 on January 27, 2017, as shown on Drawing D-1864 by Krarher & Associates, located at 101 North Barron Street, Eaton, Ohio.

Parcel ID #D14-732840000003-000

The above territory shall be initially zoned "I-1" Light Industrial Commercial District, effective on the date of annexation recording with the Preble County, Ohio, Recorder.

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 thereto of the County Commissioners are all on file with the Village Clerk of Council of the Village of Lewisburg, Preble County, Ohio, and have been for more than sixty days.

Section 2. That the Village Clerk of Council shall be and she is hereby authorized and directed to make three 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 Preble County Commissioners relating thereto, and a certificate as to the correctness thereof. The Village Clerk of Council shall then forthwith deliver one copy to the Preble County Auditor, one copy to the Preble County Recorder, and one copy to the Secretary of State, and shall file notice of this annexation with the Preble County Board of Elections within thirty days after it becomes effective, and the Clerk of Council shall do all other things required by law.

Section 3. This Ordinance shall be effective from and after the earliest period allowed by law.

Dated: 5-18-17



Mayor

Attest: Kim S. Cahill
Clerk of Council

I, Kim S. Cahill, Clerk of the Council of the Village of Lewisburg, Preble County, Ohio, do hereby certify that the foregoing is a true and accurate copy of or duplicate original Ordinance adopted on May 18, 2017, now on file and in my office as a matter of official record.

Dated: May 18, 2017

Kim S. Cahill
Clerk of Council