

ORDINANCE NO. 2017 - 10

**AN ORDINANCE TO ACCEPT THE APPLICATION FOR THE ANNEXATION OF CERTAIN TERRITORY CONTAINING APPROXIMATELY 3.500 ACRES IN HARRISON TOWNSHIP, PREBLE COUNTY, OHIO, TO THE VILLAGE OF LEWISBURG, PREBLE COUNTY, OHIO**

That Whereas, a petition for the annexation of certain territory in Harrison Township was duly filed by all of the owners of 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 27<sup>th</sup> 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, who received the same on the 7<sup>th</sup> 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 of the owners of real estate sought to be annexed with all other relevant parties consenting thereto, and submitted to the Board of County Commissioners of Preble County, Ohio, on or before the 27<sup>th</sup> 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 27<sup>th</sup> day of February, 2017, be and the same is hereby accepted. The territory is described as follows:

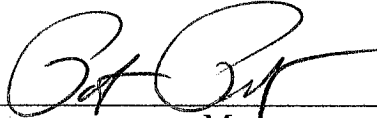
see attached one page Exhibit "A" description.

The above territory shall be initially zoned as "R-1" Suburban Residential 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 its 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

D1093

I, Kim S. Cahill, Clerk of 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  Clerk of Council

# EXHIBIT "A"

## DESCRIPTION

for

### Annexation to the Village of Lewisburg, Ohio

### 3.500 Acre Tract

*To be used for annexation purposed only; Not for Transfer*

Situated in the Northeast Quarter of Section Twenty-Eight (28), Township Seven (07) North, Range Three (03) East, Harrison Township, Preble County, Ohio, including all of a 1 acre tract described in Official Records Volume 353, Page 997, all of a 1.49 acre tract described in Official Records Volume 347, Page 2292, and all of a 1.01 acre tract described in Official Record 331, Page 2640 in the Office of the Preble County Recorder, and being more particularly described as follows:

Commencing at the northeast corner of said Section Twenty-Eight (28);

thence South  $00^{\circ}41'51''$  West 42.90 feet along the east line of said quarter, to the northeast corner of a said 1 acre tract, being the **True Point of Beginning** for the tract herein described;

thence continuing South  $00^{\circ}41'51''$  West 462.00 feet along the east line of said quarter, to the southeast corner of said 1.01 acre tract;

thence North  $89^{\circ}57'48''$  West 330.00 feet along the south line of said 1.01 acre tract, to the southwest corner of said tract;

thence North  $00^{\circ}41'51''$  East 462.00 feet along the west line of said 1.01 acre tract, 1.49 acre tract, and 1 acre tract, also being the present corporation line, to the northwest corner of said 1 acre tract;

thence South  $89^{\circ}57'48''$  East 330.00 feet along the north line of said 1 acre tract, also being the present corporation line, to the point of beginning, containing 3.500 acres, more or less, being subject to any legal easements, restrictions, covenants or right-of-ways of record.

Bearings are based upon Apple Valley Estates Section 2, as recorded in Plat Book Volume 13, Page 62.

Prepared by Douglas E. Kramer, Professional Surveyor #6329 on October 25, 2016, as shown on Drawing D-1861 by Kramer & Associates, located at 101 North Barron Street, Eaton, Ohio.

  
Douglas E. Kramer  
Professional Surveyor # 6329

