

ENVELOPE: 405B

ANNEXATION OF PART OF LEASE LOT 59 TO ATHENS CITY -

Ordinance No. 0-54-68 Passed August 5, 1968

ORDINANCE NO. 0-54-68

An Ordinance authorizing annexation of certain territory to the City of Athens, Ohio.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, STATE OF OHIO:

SECTION I

That the annexation of the following described territory:

Situated in the County of Athens, State of Ohio, being part of Town 9, Range 14, Section 14 and 15, Farm Lot 59 of Athens Township, and bounded and described as follows: Beginning at an angle point marked by a stone, in the southerly line of Farm Lot 59, said point being the Northwest corner of Farm Lot No. 41; thence north 67 degrees 45 minutes west a distance of 516.12 feet to a point in the southerly line of Farm Lot 59; thence north 1 degree east a distance of 269.28 feet to a point; thence north 2 degrees 15 minutes east a distance of 798.60 feet to a point; thence north 21 degrees east a distance of 251.46 feet to a point in the center of a public road (Dairy Lane); thence with the center of said public road, south 77 degrees east a distance of 159.06 feet to the northwest corner of Lot No. 11 in Loman's Addition to the City of Athens, said corner also being an angle point in the existing City of Athens Corporation line; thence with said Corporation line and the westerly Athens Corporation line; thence with said Corporation line and the westerly Addition; thence continuing with said existing Corporation line, south 24 degrees 30 minutes east a distance of 902.88 feet to the southwest corner of said Addition; thence continuing with said existing Corporation line, south 24 degrees 30 minutes east a distance of 745.74 feet to a point, said point being the northeast corner of a 16.89 acre tract now or formerly owned by the State of Ohio and Recorded in Volume 112, Pages 257 and 259, Recorder's Office, Athens, Ohio, an angle point in the existing Corporation line and in the southerly line of Farm Lot 59; thence leaving said Corporation line north 85 degrees 45 minutes west with the southerly line of Farm Lot 59 a distance of 486.79 feet to the place of beginning, containing 19.065 acres more or less. With 4.861 acres being in Section 14 and 14.204 acres in Section 15.

to the City of Athens be, and the same is hereby, authorized. The above premises when annexed shall be zoned as an R-3 District.

SECTION II

That the Solicitor be, and he is hereby, authorized to prosecute the proceedings necessary to effect such annexation.

SECTION III

This ordinance shall take effect and be in force from and after the earliest period allowed by law.

Done in Council this 5th day of August, 1968.

Harvey J. Crewson President of Council

ATTEST:

Patricia B. Bity Clerk

Approved: [Signature]

I, hereby certify that the above is a true copy of Ordinance No. 0-54-68 of the City of Athens, Ohio, adopted August 5th, 1968.

Patricia B. Bity Clerk of Council

PROOF OF PUBLICATION

LEGAL NOTICE: Notice is hereby given that on the 22nd day of August, 1968, there was presented to the Board of Commissioners of the City of Athens, Ohio, a petition for the annexation of certain territory to the City of Athens, Ohio, as described in the City of Athens, Ohio, Ordinance No. 0-54-68, adopted August 5th, 1968. The territory described in said ordinance is situated in the County of Athens, State of Ohio, being part of Town 9, Range 14, Section 14 and 15, Farm Lot 59 of Athens Township, and bounded and described as follows: Beginning at an angle point marked by a stone, in the southerly line of Farm Lot 59, said point being the Northwest corner of Farm Lot No. 41; thence north 67 degrees 45 minutes west a distance of 516.12 feet to a point in the southerly line of Farm Lot 59; thence north 1 degree east a distance of 269.28 feet to a point; thence north 2 degrees 15 minutes east a distance of 798.60 feet to a point; thence north 21 degrees east a distance of 251.46 feet to a point in the center of a public road (Dairy Lane); thence with the center of said public road, south 77 degrees east a distance of 159.06 feet to the northwest corner of Lot No. 11 in Loman's Addition to the City of Athens, said corner also being an angle point in the existing City of Athens Corporation line; thence with said Corporation line and the westerly Athens Corporation line; thence with said Corporation line and the westerly Addition; thence continuing with said existing Corporation line, south 24 degrees 30 minutes east a distance of 902.88 feet to the southwest corner of said Addition; thence continuing with said existing Corporation line, south 24 degrees 30 minutes east a distance of 745.74 feet to a point, said point being the northeast corner of a 16.89 acre tract now or formerly owned by the State of Ohio and Recorded in Volume 112, Pages 257 and 259, Recorder's Office, Athens, Ohio, an angle point in the existing Corporation line and in the southerly line of Farm Lot 59; thence leaving said Corporation line north 85 degrees 45 minutes west with the southerly line of Farm Lot 59 a distance of 486.79 feet to the place of beginning, containing 19.065 acres more or less. With 4.861 acres being in Section 14 and 14.204 acres in Section 15.

THE STATE OF OHIO, ) ATHENS COUNTY, ss. )

Personally appeared before me, a Notary Public in and for Athens County, Ohio, GEORGE W. HARRON, General Manager of The Athens Messenger, and made oath that an advertisement, a copy of which is hereto attached, was published in The Athens Messenger, a newspaper printed in and of general circulation in said county, on the 19th day of August, 1968, and the last publication on the 22nd day of August, 1968, and that the said paper was during that time printed and published in said county.

Sworn to and subscribed before me this 22nd day of August, 1968.

George W. Harron Notary Public

Printer's Fee, \$ 1.25

To the Commissioners of Athens County, State of Ohio: The City of Athens respectfully represents that by an ordinance duly passed by its council on the 5th day of August, 1968, the following described territory:

Situated in the County of Athens, State of Ohio, being part of Town 9, Range 14, Section 14 and 15, Farm Lot 59 of Athens Township, and bounded and described as follows: Beginning at an angle point marked by a stone, in the southerly line of Farm Lot 59, said point being the Northwest corner of Farm Lot No. 41; thence north 67 degrees 45 minutes west a distance of 516.12 feet to a point in the southerly line of Farm Lot 59; thence north 1 degree east a distance of 269.28 feet to a point; thence north 2 degrees 15 minutes east a distance of 798.60 feet to a point; thence north 21 degrees east a distance of 251.46 feet to a point in the center of a public road (Dairy Lane); thence with the center of said public road, south 77 degrees east a distance of 159.06 feet to the northwest corner of Lot No. 11 in Loman's Addition to the City of Athens, said corner also being an angle point in the existing City of Athens Corporation line; thence with said Corporation line and the westerly Athens Corporation line; thence with said Corporation line and the westerly Addition; thence continuing with said existing Corporation line, south 24 degrees 30 minutes east a distance of 902.88 feet to the southwest corner of said Addition; thence continuing with said existing Corporation line, south 24 degrees 30 minutes east a distance of 745.74 feet to a point, said point being the northeast corner of a 16.89 acre tract now or formerly owned by the State of Ohio and Recorded in Volume 112, Pages 257 and 259, Recorder's Office, Athens, Ohio, an angle point in the existing Corporation line and in the southerly line of Farm Lot 59; thence leaving said Corporation line north 85 degrees 45 minutes west with the southerly line of Farm Lot 59 a distance of 486.79 feet to the place of beginning, containing 19.065 acres more or less. With 4.861 acres being in Section 14 and 14.204 acres in Section 15.

was authorized to be annexed to said city. An accurate map of which territory is hereto attached. And said city respectfully petitions that said territory may be annexed to said city.

/s/ Gerald A. Mollica Solicitor for the City of Athens, Ohio

The above petition is recorded in the Athens County Commissioner's Journal Volume 27, Page 201.

Mrs. Helen Robinette Clerk of the Board of Commissioners

ABSTRACT OF MINUTES OF REGULAR MEETING OF BOARD OF COUNTY COMMISSIONERS, COURT HOUSE, ATHENS COUNTY, OHIO, ON August 12th, 1968

Mr. Cline offered the following Resolution and moved its adoption:

WHEREAS, a petition and description as recorded above for the annexation of certain property to the City of Athens has been filed this day with the Board of Athens County Commissioners, by Gerald A. Mollica, as agent for said petitioners.

THEREFORE BE IT RESOLVED that the said petition and plat be approved by the Board of County Commissioners, and that the time of hearing be set for October 21st, 1968, at 10:00 o'clock A.M., at the office of the Board of County Commissioners, Court House, Athens, Ohio.

FURTHER BE IT RESOLVED that the Clerk of this Board be authorized to file said petition and plat of the proposed territory, with a copy of this Resolution and other Resolutions pertaining to said annexation, with the Athens County Auditor, as provided by Section 709.03 of the Revised Code of the State of Ohio. Mr. Law seconded the Resolution. The vote being called upon its adoption, the vote resulted as follows: Mr. Cline, yea; Mr. Law, yea; Mr. Edwards, yea.

The above is a true excerpt of the minutes of the Athens County Commissioner's of August 12th, 1968, which is recorded in Athens County Commissioner's Journal 27, Page 201.

Mrs. Helen Robinette Clerk of the Board of Commissioners

Order of County Commissioners for Annexation

The commissioners of the county of Athens, State of Ohio, proceeding this day to hear the petition of the City of Athens, to obtain the annexation of the territory in their petition described to the city of Athens, and having in open meeting heard all the persons desiring to be heard for or against the granting of said petition and considered the affidavits presented with reference thereto, and being fully advised find that said petition contains all the matters required by law, that its statements are true, that the territory sought to be annexed is adjacent to the said city of Athens; that the petition contains a full description of said territory; that the map of said territory attached to the petition is accurate; that there are no electors residing in said territory sought to be annexed; that the required legal notice of the petition has been given, and that it is right and proper that said petition should be granted.

It is hereby ordered that the prayer of said petition be granted, and that the territory described in said petition may be annexed to the city of Athens in accordance with law, and that a certified transcript signed by a majority of this board of all the orders and proceedings of this board relative to said petition and hearing thereon, together with said petition and map attached thereto, and all the papers on file relating to said matter be deposited at once with the auditor of the said city.

October 21st, 1968 Board of Athens County Commissioners James L. Edwards John D. Law

The above order is recorded in the Athens County Commissioner's Journal Volume 27, Page 214.

Mrs. Helen Robinette Clerk of the Board of Commissioners