

ORDINANCE NO. 0-35-65

AN ORDINANCE ACCEPTING APPLICATION FOR ANNEXATION.

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

Section 1. That the application of Frances Kern Woogerd and Sara Kay Owings, by Kenneth Woogerd, her Attorney-in-Fact, for the annexation of the following described territory in the County of Athens and adjacent to the City of Athens, to-wit:

Situate in the Township of Athens, in the County of Athens, and State of Ohio, to-wit: Being parts of Lease Lots No. 16, 17 and 42, in Sections No. 2, 3, 8 and 9, Town 9, Range 14, Ohio Company's Purchase, bounded and described as follows:

First Tract: Beginning at the Southeast corner of Lease Lot No. 42; thence North 4 degrees East 17.96 chains to the Hastings Addition Road; thence following the road South 33 degrees West 6.00 chains; thence South 58½ degrees West 5.54 chains; thence South 42 degrees West 2.79 chains; thence South 2½ degrees West 3.46 chains; thence South 9 ¾ degrees East 3.90 chains to the South line of Lease Lot No. 42; thence along the South line, South 86 degrees East 8.17 chains to the place of beginning, containing 10.33 acres, more or less.

Second Tract: Beginning at the Northwest corner of Lease Lot No. 16; thence East along the North line of Lot No. 16, 7.25 chains; thence South 1.33 chains to the middle of the Allendale Road; thence South 70 degrees West 7.94 chains to the West line of said Lease Lot No. 16; thence North 4.56 chains to the place of beginning, containing 2.13 acres, more or less. Excepting 49/100 of an acre out of the East end; containing after said exception 1.64 of an acre, more or less.

Third Tract: Beginning at the Southwest corner of Lease Lot No. 17; thence North 4 degrees East along the West line of said Lot 13.04 chains to the Hastings Addition Road; thence along the road North 41 degrees East 4.48 chains to the North line of Lease Lot No. 17; thence along the North line of Lot No. 17; South 85 ¾ degrees East 15.24 chains; thence South 3 ¾ degrees East 11.93 chains to an iron pin; thence North 69½ degrees West 4.21 chains to a stone; thence North 63½ degrees West 3.29 chains; thence South 74½ degrees West 1.88 chains; thence South 70½ degrees West 4.64 chains; thence South 4½ degrees West 5 chains to the South line of said Lease Lot No. 17; thence West along the South line of said Lot 4.50 chains to the place of beginning, containing 21.98 acres, more or less;

said application praying that so much of said territory which is not now within the geographical confines of said city be annexed to the City of Athens, an accurate map of which territory, together with the petition for its annexation and other papers relating thereto, and a certified transcript of the proceedings of the County Commissioners in relation thereto are on file with the Clerk of Council of said City, be and the same hereby is accepted.

Section 2. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 24 day of May, 1965.

Attest: 151 HARRY B. CREWSON  
President of Council

151 NANCY R. GUSMAN  
Clerk  
Approved: 151 RAYMOND SHEPARD  
MAYOR

CERTIFICATE

STATE OF OHIO,  
COUNTY OF ATHENS, ss:

Florence Davis, being first duly sworn according to law, deposes and says that she is the duly elected and acting Auditor of the City of Athens, Ohio and being the person in whom custody of the City Council Ordinance Book is reposed and certifies that the foregoing copy of Ordinance 0-35-65 is a true and correct copy of the Ordinance passed by the Council of the City of Athens, Ohio on May 24, 1965.

Florence Davis  
Florence Davis

Sworn to and subscribed in my presence this 23rd day of June, 1965.

Lifetime Commission

J. B. [Signature]  
Notary Public, State of Ohio

ENVELOPE: 380B  
ANNEXATION OF LEASE LOTS  
16-17-42  
ATHENS

STATE OF OHIO,  
ATHENS COUNTY, ss:

Helen Robinette, being first duly sworn according to law, deposes and says that she is the duly appointed and acting Clerk of the Athens County Board of County Commissioners, and being the person in whose custody the County Commissioners' Journal is confided, and certifies that the following:

- (1) Minutes of the meeting of March 15, 1965;
- (2) Petition for Annexation;
- (3) Proof of publication;
- (4) Minutes of the meeting of May 17, 1965;
- (5) Order of County Commissioners for annexation; and,
- (6) Map of annexation area,

are true and correct copies of the proceedings had before the Athens County Commissioners in regard to this matter.

*Helen Robinette*  
Helen Robinette

Sworn to and subscribed in my presence this 17th day of May, 1965.

*My commission expires*  
Notary Public, State of Ohio

Lifetime Commission

COMMISSIONERS' JOURNAL, ATHENS CO., REGULAR SESSION, March 15, A. D. 1965.

Petition For Annexation By Inhabitants

We, the undersigned, being a majority of the adult free holders residing on the following described territory situated in the County of Athens, and adjacent to the City of Athens, to-wit:

Situate in the Township of Athens, in the County of Athens, and State of Ohio, to-wit:

Being parts of Lease Lots No. 16, 17 and 42, in Sections No. 2, 3, 8, and 9, Range 14, Ohio Company's Purchase, bounded and described as follows:

**FIRST TRACT:** Beginning at the Southeast corner of Lease Lot No. 42; thence North 4 degrees East 17.96 chains to the Hastings Addition Road; thence following the road South 33 degrees West 6.00 chains; thence South 58 1/2 degrees West 5.54 chains; thence South 42 degrees West 2.79 chains; thence South 2 3/4 degrees West 3.46 chains; thence South 9 3/4 degrees East 3.90 chains to the South line of Lease Lot No. 42; thence along the South line, South 86 degrees East 8.17 chains to the place of beginning, containing 10.33 acres, more or less.

**SECOND TRACT:** Beginning at the Northwest corner of Lease Lot No. 16; thence East along the North line of Lot No. 16, 7.25 chains; thence South 1.33 chains to the middle of the Alleendale Road; thence South 70 degrees West 7.94 chains to the West line of said Lease Lot No. 16; thence North 4.56 chains to the place of beginning, containing 2.13 acres, more or less. Excepting 49/100 of an acre out of the East end; containing after said exception 1.64 of an acre, more or less.

**THIRD TRACT:** Beginning at the Southwest corner of Lease Lot No. 17; thence North 4 degrees East along the West line of said Lot 13.04 chains to the Hastings Addition Road; thence along the road North 41 degrees East 4.48 chains to the North line of Lease Lot No. 17; thence along the North line of Lot No. 17; South 85 3/4 degrees East 15.24 chains; thence South 3 3/4 degrees East 11.93 chains to an iron pin; thence North 69 1/2 degrees West 4.21 chains to a stone; thence North 69 1/2 degrees West 3.29 chains; thence South 74 1/2 degrees West 1.88 chains; thence South 70 1/2 degrees West 4.64 chains; thence South 1/4 degrees West 5 chains to the South line of said Lease Lot No. 17; thence West along the South line of said Lot 4.50 chains to the place of beginning, containing 21.98 acres, more or less.

An accurate map of which territory is hereto attached.

Respectfully petition that the said above described territory may be annexed to the City of Athens.

And Kenneth Woogerd is hereby authorized to act as agent of the petitioners in securing such annexation.

/s/ Frances Kern Woogerd  
/s/ Sara Kay Owings

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

WHEREAS, a petition and description as recorded above for the annexation of certain territory to the City of Athens has been filed this day with the Board of Athens County Commissioners, by Kenneth Woogerd, as agent for the petitioners.

THEREFORE BE IT RESOLVED that the said petition and plat be

approved by the Board of County Commissioners, and that the time for hearing be set for May 17, 1965 at 10:00 o'clock A.M. E.S.T. in the office of the Board of County Commissioners, Court House, Athens, Ohio, and

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 the Resolution of the Board of County Commissioners with the City auditor of Athens, as provided in Section 709.03 of the Revised Code of the State of Ohio.

Mr. Law seconded the Resolution. The roll being called upon its adoption the vote resulted as follows: Mr. Cline, yes; Mr. Law, yes; Mr. Edwards, yes.

COMMISSIONERS' JOURNAL, ATHENS CO., REGULAR SESSION, May 17, 1965.

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

ORDER OF COUNTY COMMISSIONERS FOR ANNEXATION

The Commissioners of the County of Athens, State of Ohio, proceeding this day to hear the Petition of Frances Kern Woogerd and Sara Kay Owings, by Kenneth Woogerd, her Attorney-in-Fact, 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 said Petition is signed by a majority of the adult freeholders residing in the 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 relative to said matter be deposited at once with the Auditor of the said City.

Mr. Law seconded the motion. The roll being called upon its adoption the vote resulted as follows: Mr. Cline, yes; Mr. Law, yes; Mr. Edwards, yes.

PETITION FOR ANNEXATION

To the Honorable Commissioners of Athens County, State of Ohio:

We, the undersigned, being a majority of the adult freeholders residing on the following described territory situated in the County of Athens, and adjacent to the City of Athens, to-wit:

Situate in the Township of Athens, in the County of Athens, and State of Ohio, to-wit: Being parts of Lease Lots No. 16, 17 and 42, in Sections No. 2, 3, 8 and 9, Range 14, Ohio Company's Purchase, bounded and described as follows:

**First Tract:** Beginning at the Southeast corner of Lease Lot No. 42; thence North 4 degrees East 17.96 chains to the Hastings Addition Road; thence following the road South 33 degrees West 6.00 chains; thence South 58 1/2 degrees West 5.54 chains; thence South 42 degrees West 2.79 chains; thence South 2 3/4 degrees West 3.46 chains; thence South 9 3/4 degrees East 3.90 chains to the South line of Lease Lot No. 42; thence along the South line, South 86 degrees East 8.17 chains to the place of beginning, containing 10.33 acres, more or less.

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Respectfully petition that the said above described territory may be annexed to the City of Athens.

An accurate map of the said territory is attached hereto, and Kenneth Woogerd is hereby authorized to act as agent of the petitioners in securing such annexation.

/s/ Frances Kern Woogerd  
Frances Kern Woogerd

/s/ Sara Kay Owings  
Sara Kay Owings, by Kenneth Woogerd, her attorney in fact

STATE OF OHIO, ATHENS COUNTY, ss:

Before me, a Notary Public in and for said State, personally appeared Frances Kern Woogerd, who acknowledged that she did sign the foregoing Petition for Annexation, and that the facts and allegations therein contained are true as she verily believes.

And also before me, a Notary Public in and for said State, personally appeared Sara Kay Owings, by Kenneth Woogerd, her attorney in fact, who acknowledged that he did sign the foregoing Petition for Annexation, and that the facts and allegations therein contained are true as he verily believes.

In Testimony Whereof, I have hereunto subscribed my name and affixed my official seal at Athens, Ohio, this 15 day of March, 1965.

*15/ Frances Kern Woogerd*  
Frances Kern Woogerd  
Notary Public, State of Ohio  
My commission expires January 25, 1969.

ENVELOPE: 381A  
ANNEXATION OF LEASE LOTS  
16-17-42  
ATHENS

PROOF OF PUBLICATION

Notice is hereby given that on the 17th day of March, 1965, there was published in the Athens Messenger, a newspaper published in Athens, Ohio, a petition for the annexation of certain territory to the City of Athens, Ohio, as provided in Section 709.03 of the Revised Code of the State of Ohio, and that the said petition was published in said county, Ohio, for six (6) consecutive weeks, the first publication being on the 17th day of March, 1965, and the last publication on the 21st day of April, 1965, and that the said paper was during that time printed and published in said county.

Sworn to and subscribed before me the 21st day of April, 1965.

*Bertine Herron*  
Bertine Herron  
Notary Public  
My commission expires January 25, 1969.

Printer's Fee, \$ 57.75

ORDER OF COUNTY COMMISSIONERS FOR ANNEXATION

The Commissioners of the County of Athens, State of Ohio, proceeding this day to hear the Petition of Frances Kern Woogerd and Sara Kay Owings, by Kenneth Woogerd, her Attorney-in-Fact, 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 said Petition is signed by a majority of the adult freeholders residing in the 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 relative to said matter be deposited at once with the Auditor of the said City.

Dated this 17th day of May, 1965.

*Frances Kern Woogerd*  
Frances Kern Woogerd  
*Sara Kay Owings*  
Sara Kay Owings

