CERTIFICATE

I, Robert J. L. Lee, Auditor of the City of Athens, County of Athens, State of Ohio, do hereby certify that the attached papers represent true and accurate copies of all instruments filed in relation to the annexation of 2.333 acres in Athens Township, owned by Ronald G. McDade and Loretta G. McDade, to the City of Athens, Ohio.

Attached copies:

1) Petition for annexation received by County Commissioners on July 19, 1965, with attached map of annexed property;

2) Resolution of Athens County Commissioners approving the annexation dated September 7, 1965;

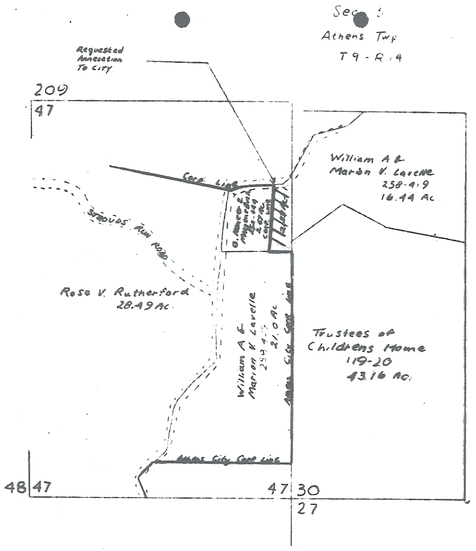
3) Ordinance No. 0-5-66 of the City of Athens, Ohio, dated February 21, 1966, accepting the annexation.

WITNESS my signature and the official seal of the City of Athens, State of Ohio, this 1st day of March, 1966.

Robert J. L. Lee
Robert J. L. Lee
Auditor, City of Athens, Ohio

ENVELOPE: 385B

ANNEXATION OF LEASE LOT 47
ATHENS



SCALE 1" = 400' OR 6 CHAINS

PROOF OF PUBLICATION

LEGAL NOTICE

Notice is hereby given that on the 19th day of July, 1965, there was presented to the Board of Commissioners of Athens County, Athens, State of Ohio, a petition signed by a majority of the adult freeholders residing in the following described territory, situate in the County of Athens, Township of Athens, and adjacent to the City of Athens, to-wit:

In Lease Lot No. 47, Sections Nos. 5 and 11, Town No. 9, Range No. 14, Ohio University Leasehold Land, beginning in the middle of the road on the East line of said Lot 6.30 chains South of the Northeast corner; thence South 4 degrees West 7.59 chains; thence North 86 degrees West 8.30 chains to the middle of the road; thence following said road North 11 degrees East 8.92 chains; thence North 83 1/2 degrees East 3 chains; thence South 84 degrees East 3.54 chains; thence North 43 1/2 degrees East 1.69 chains to the place of beginning, containing five (5) acres, more or less.

EXCEPTING 2.666 acres heretofore sold out of said five (5) acres to G. Kenner Bush and Margene Bush, said 2.666 acres being more particularly described as follows: Beginning at an iron pin on the South line of a five acre tract last recorded at Page 429, Volume 258, Athens County, Ohio Record of Deeds, said iron pin is South 4 degrees 00 min. West 926.74 feet and North 86 degrees 00 minutes West 252.70 feet from the Northeast corner of Lot No. 47; thence along the South line of above mentioned five acre tract North 86 degrees 00 minutes West 295.10 feet to the centerline of the Strouds Run Road (iron pin South 86 degrees East 20.60 feet), thence along said centerline North 11 degrees 00 minutes East 390.70 feet, North 83 degrees 30 min. East 198.00 feet, South 84 degrees 00 minutes East 77.00 feet (iron pin South 7 degrees 05 min. West 30.49 feet); thence leaving the road, South 7 degrees 05 minutes West 423.44 feet to the place of beginning, containing 2.666 acres.

Containing after said Exception 2.333 acres, praying therein that said territory be annexed to the City of Athens in the manner provided by law, and that Ronald G. McDade be appointed as their agent in securing such annexation.

The said Board of Commissioners has fixed the 30th day of August, 1965, at 10:00 A. M. as the time for hearing said petition at the office of the Commissioners in the Court House, Athens County, Ohio.

Ronald G. McDade
Agent for Petitioners

(8 otw)
7-21-16 otw)

THE STATE OF OHIO,
ATHENS COUNTY, ss.

Personally appeared before me, a Notary Public in and for Athens County, Ohio, Gordon K. Bush, 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, Six (6) consecutive weeks, the first publication being on 21st day of July 1965, and the last publication on the 25th day of August 1965, and that the said paper was during that time printed and published in said county.

Sworn to and subscribed before me the 25th day of August 1965.

Bernice Green
(Martha Herron) Notary Public
My commission expires January 29, 1969.

Printer's Fee, $ 30.00

PETITION

To the Commissioners of Athens County, State of Ohio:

The undersigned, being a majority of the adult freeholders residing in the following described territory, situate in the County of Athens, Township of Athens, and adjacent to the City of Athens, to-wit:

In Lease Lot No. 47, Sections Nos. 5 and 11, Town No. 9, Range No. 14, Ohio University Leasehold Land, beginning in the middle of the road on the East line of said Lot 6.30 chains South of the Northeast corner; thence South 4 degrees West 7.59 chains; thence North 86 degrees West 8.30 chains to the middle of the road; thence following said road North 11 degrees East 8.92 chains; thence North 83 1/2 degrees East 3 chains; thence South 84 degrees East 3.54 chains; thence North 43 1/2 degrees East 1.69 chains to the place of beginning, containing five (5) acres, more or less.

EXCEPTING 2.666 acres heretofore sold out of said five (5) acres to G. Kenner Bush and Margene Bush, said 2.666 acres being more particularly described as follows: Beginning at an iron pin on the South line of a five acre tract last recorded at Page 429, Volume 258, Athens County, Ohio Record of Deeds, said iron pin is South 4 degrees 00 minutes West 926.74 feet and North 86 degrees 00 minutes West 252.70 feet from the Northeast corner of Lot No. 47; thence along the South line of above mentioned five acre tract North 86 degrees 00 minutes West 295.10 feet to the centerline of the Strouds Run Road (iron pin South 86 degrees East 20.60 feet); thence along said centerline North 11 degrees 00 minutes East 390.70 feet, North 83 degrees 30 min. East 198.00 feet, South 84 degrees 00 minutes East 77.00 feet (iron pin South 7 degrees 05 min. West 30.49 feet); thence leaving the road, South 7 degrees 05 minutes West 423.44 feet to the place of beginning, containing 2.666 acres.

Containing after said Exception 2.333 acres.

There is also reserved from this conveyance and from said premises all the coal, iron ore, fire clay, salt water, petroleum and natural gas in and under said premises, with the right to mine and remove the same, and to remove through entries in mines in said premises coal and other minerals and substances from adjoining and adjacent premises, which at any time may be owned, controlled or operated by John H. Gillett, his heirs or assigns; also the right to enter upon said premises, search for said coal, iron ore, fire clay, salt water, petroleum and natural gas, by drilling test holes or otherwise. And also the right to build and maintain a railroad over the surface of said premises for the transportation of coal and other minerals from said premises and from adjacent premises, and in the event of the construction and maintenance of such railroad and the removal of such petroleum and natural gas, the said John H. Gillett, his heirs and assigns, shall pay to the said Benjamin Thurston, his heirs or assigns, full and fair compensation for such surface as may be used for railroad purposes and shall also pay for such damages as may be done to said premises by reason of the construction and maintenance of said railroad and the removal of said petroleum and natural gas and if the owners for the time being, cannot agree as to such compensation and damages, then the amount shall be ascertained by arbitration.

SUBJECT to any rights of way of the Telephone Company or Electric Company which may be presently on said premises.

Being a part of the same premises conveyed to William A. Lavelle and Marion Y. Lavelle by Warranty Deed recorded in Volume 258, Page 429, Record of Deeds of Athens County, Ohio.

An accurate map of the above described territory is hereto attached as required by law.

It is respectfully petitioned that the said above described territory be annexed to the City of Athens, Ohio.

Ronald G. McDade is hereby authorized to act as agent of the petitioners in securing such annexation.

Ronald G. McDade

Loretta G. McDade

July 19, 1965.

Original of above received and filed as of this date.

s/ J. F. Edwards

March 8, 1966
Transferred J. W. Whaley
County Auditor

73116

ATHENS COUNTY, OHIO
Received For Record
at 3:15 P M. on the 8th of
March 1966 Recorded
March 8 1966 M
Book No. 8 Page 111
LUTA M. WRIGHT, Recorder
Wilma Allen, Deputy
9.00

ATHENS COUNTY COMMISSIONERS
ATHENS, OHIO

City Auditor
Athens, Ohio

Re: Annexation of
McDade Property

Meeting held August 30, 1965.

Mr Cline offered the following Resolution and moved its adoption:

WHEREAS August 30, 1965 at 10:00 A.M.Est. being the date set for hearing on the property owned by Ronald G.McDade, Loretta G.McDade to be annexed to the City of Athens be tabled till the next meeting. Mr Law seconded the Resolution. The roll being called upon its adoption the vote resulted as follows; Mr Cline, yea; Mr Law, yea; Mr Edwards, yea.

Meeting held Sept. 7, 1965

Mr Cline offered the following Resoultion and moved its adoptiom:

WHEREAS the Commissioners of the County of Athens, state of Ohio, proceeding this day to here the petition of Ronald G. and Loretta G. McDade to obtain the annexation of the territory described in their petition 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 consider the affidavits presented with reference thereto, and being fully advised find that said petition contains all the matters required by law, that the statements are true, that the territory sought to be annexed is adjacent to the 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 all of the owners of 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.

THEREFORE BE IT RESOLVED it is hereby ordered that this prayer of

2 - McDade Hearing

of said petition be granted, and that the territory described in said petition may be annexed to the City of Athens in accordance with the law, and that a certified copy of this Resolution signed by the Secretary of this Board an 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 papers on file relating to said matter be deposited at once with the Auditor of the City of Athens.

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

I certify this to be a true copy of the minutes in Commissioners Journal No. 25, pages 568 and 570.

Clerk Athens County Commissioners

Mrs Helen Robinette

An Ordinance Accepting Application for Annexation of Territory

Ordinance No. 0-5-66

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

SECTION I

That the application of Ronald G. McDade and Loretta G. McDade for the annexation of the following described territory in the County of Athens and adjacent to the City of Athens, to-wit:

In Lease Lot No. 47, Sections Nos. 5 and 11, Town No. 9, Range No. 14, Ohio University Leasehold Land, beginning in the middle of the road on the East line of said Lot 6.30 chains South of the Northeast corner; thence South 4 degrees West 7.59 chains; thence North 86 degrees West 8.30 chains to the middle of the road; thence following said road North 11 degrees East 5.92 chains; thence North 83 1/2 degrees East 3 chains; thence South 84 degrees East 3.54 chains; thence North 43 1/2 degrees East 1.69 chains to the place of beginning, containing five (5) acres, more or less.

EXCEPTING 2.666 acres, heretofore sold out of said five (5) acres to G. Kenner Bush and Margene Bush, said 2.666 acres being more particularly described as follows: Beginning at an iron pin on the South line of a five acre tract last recorded at Page 429, Volume 258, Athens County, Ohio, Record of Deeds, said iron pin is South 4 degrees 00 minutes West 926.74 feet and North 86 degrees 00 minutes West 252.70 feet from the Northeast corner of Lot No. 47; thence along the South line of above mentioned five acre tract North 86 degrees 00 minutes West 295.10 feet to the centerline of the Strouds Run Road (iron pin South 86 degrees East 20.60 feet); thence along said centerline North 11 degrees 00 minutes East 390.70 feet, North 83 degrees 30 minutes East 198.00 feet, South 84 degrees 00 minutes East 77.00 feet (iron pin South 7 degrees 05 minutes West 30.49 feet); thence leaving the road, South 7 degrees, 05 minutes West 423.44 feet to the place of beginning, containing 2.666 acres.

Containing after said Exception 2.333 acres an accurate map of said 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 Auditor of said City, be and the same is hereby accepted.

SECTION II

That this Ordinance shall take affect and be in force from and after the earliest period allowed by law.

Done in council this 21st day of February, 1966.

/s/ Harry B. Crewson
President of Council

ATTEST:

/s/ Patricia B. Betz
Clerk

APPROVED:

/s/ Raymond Shepard
Mayor

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