

ORDINANCE NO. 2022 - 12

AN ORDINANCE TO ACCEPT THE APPLICATION FOR THE ANNEXATION OF CERTAIN TERRITORY CONTAINING APPROXIMATELY 1.189 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 23rd day of May, 2022;

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 24th day of May, 2022;

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 23rd day of May, 2022, 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 23rd day of May, 2022, 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 "HS" Highway Service 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: 08-16-2022

Marsha Fries
Mayor

Attest: Elizabeth A. Wagner
Clerk of Council

D1602

CERTIFICATION OF CLERK OF COUNCIL

I, Elizabeth A. Wagoner, 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 August 16, 2022, now on file and in my office as a matter of official record.

Dated: 08-16-2022

Elizabeth A. Wagner
Clerk of Council

Description

of a

1.189 Acre Tract (to be annexed)

for

Village of Lewisburg

Situated in the Northwest Quarter of Section 34, Township 7 North, Range 3 East, Harrison Township, Preble County, Ohio and being the 1.204 acre tract as described in Preble County Recorders Official Records Volume 218, Page 1958 and being more particularly described as follows:

Commencing at an iron spike found at the northwest corner of the Northwest Quarter of Section 34;

thence South $00^{\circ} 50' 10''$ West 1203.93 feet along the west line of said Northwest Quarter to an iron spike found at the northwest corner of said 1.204 acre tract, said spike being the TRUE POINT OF BEGINNING for the tract described herein;

thence South $89^{\circ} 29' 34''$ East 290.79 feet to an iron pin found at the northeast corner of said 1.204 acre tract;

thence South $00^{\circ} 01' 36''$ West 177.34 feet to a point at the southeast corner of said 1.204 acre tract, said point being witnessed by an iron pin set North $89^{\circ} 29' 11''$ West 1.00 feet;

thence North $89^{\circ} 29' 11''$ West 293.30 feet to an iron spike set at the southwest corner of said 1.204 acre tract, said spike being on the west line of said Northwest Quarter;

thence North $00^{\circ} 50' 10''$ East 177.30 feet to the point of beginning containing 1.189 acres, more or less, and being subject to all legal highways and easements of record.

This description was prepared from a survey completed in June, 2021 by Louis J. Bergman, Registered Surveyor #7177.

Mote & Associates, Inc.
214 West Fourth Street
Greenville, Ohio 45331

Parcel ID # D14733410000009000