

IN THE COUNCIL OF THE VILLAGE OF NEW CONCORD, OHIO

ORDINANCE NO. G-6-97-1

AN ORDINANCE TO ACCEPT THE ANNEXATION OF CERTAIN TERRITORY CONTAINED IN UNION TOWNSHIP TO THE VILLAGE OF NEW CONCORD AND ESTABLISHING THE ZONING THEREOF UPON ANNEXATION AND DECLARING AN EMERGENCY.

WHEREAS, a petition for annexation of certain territory in Union Township was duly filed with the Board of Muskingum County Commissioners on December 19, 1996 by John and Marta Knight; and

WHEREAS, said petition was duly considered by the Board of County Commissioners of Muskingum County, Ohio on December 19, 1996 and April 3, 1997; and

WHEREAS, on April 3, 1997 the Board of County Commissioners approved the annexation petition and certified the transcript of the proceedings in connection with said annexation with the map and petition required in connection therewith the Village Clerk who received the same on April 5, 1997; and

WHEREAS, sixty (60) days from the date of the filing of said transcript with the Village Clerk have now elapsed in accordance with the provisions of R.C. 709.04; and

WHEREAS, the property contained in the annexation petition shall be subject to the Village Zoning Ordinance as approved by the Village Planning Commission on January 22, 1997 and adopted by Village Council by Ordinance No. K-3-97-1 on March 24, 1997 as shown in the attached Schedule "A"; and

WHEREAS, the immediate adoption of this ordinance is in the interest of the health, safety and welfare of the Village.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of New Concord, that:

Section 1. That the proposed annexation of certain territory in Union Township to the Village of New Concord, as applied for in the petition of John and Marta Knight, contains the signatures of all sole free land holders in the territory sought to be annexed to the Village of New Concord, and filed with the Board of County Commissioners of Muskingum County on December 19, 1996 and which said petition prayed for the annexation to the Village of New Concord of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the Village of New Concord by the Board of County Commissioners on April 3, 1997, be and the same is hereby accepted. Said territory is described as follows:

I hereby certify that the above Ordinance No. G-6-97-1 was posted per Ordinance No. L-1-84-1 from June 23, 1997 to December 16, 1997.

Beryl L. Hammer, Clerk

Situated in the State of Ohio, County of Muskingum, Township of Union, bounded and described as follows:

Being a part of the Northwest Quarter of Section 10 and the Southwest Quarter of Section 1, Township 1 North, Range 5 West, United States Military Lands and more particularly described as follows:

BEGINNING at an iron pin found on the Northeast corner of the Northwest Quarter of Section 10;

THENCE South 01 degrees 58 minutes 46 seconds West for a distance of 950.77 feet to an iron pin found on the southwest corner of lands now owned by E.T. and G.M. Vickers (Deed Record 807-66);

THENCE along the west line of lands now owned by E. Payne (Deed Record 1094-85) the following two courses:

1. South 02 degrees 02 minutes 23 seconds West for a distance of 913.11 feet to a concrete monument found at SR 83 centerline survey station 44+50, offset 124.94 feet right as shown and delineated on R/W Plan MUS-76-0.61 on file with the Ohio Department of Transportation;
2. South 02 degrees 02 minutes 23 seconds West for a distance of 194.64 feet to a point in the centerline of SR 83 at centerline station 43+00.76;

THENCE along said SR 83 centerline North 37 degrees 53 minutes 45 seconds West for a distance of 1080.89 feet to a point of curve at station 53+81.65;

THENCE on a curve to the right having a radius of 3906.53 feet, a central angle of 05 degrees 15 minutes 26 seconds and a chord bearing North 35 degrees 16 minutes 01 seconds West for a distance of 358.33 feet to a point at centerline station 57+40.10;

THENCE along the line of lands now owned by Thompkins Child and Adolescent Service (Deed Record 1125-356) the following three courses:

1. South 87 degrees 48 minutes 09 seconds East for a distance of 153.16 feet to a concrete monuement found on the east right of way of SR 83;
2. South 86 degrees 10 minutes 12 seconds East for a distance of 51.25 feet to an iron pin found at the southeast corner of said Thompkins' lands;
3. Along the east line of said Thompkins' lands North 06 degrees 03 minutes 24 seconds West for a distance of 366.20 feet to an iron pin found on the northeast corner of said Thompkins' lands and the southeast corner of lands now owned by T. Wolfe, Trustee (Deed Record 1125-353);

THENCE along said T. Wolfe's lands and the east line of R.G. Adams' land (Deed Record 1125-445) North 06 degrees 03 minutes 24 seconds West for a distance of 586.79 feet to an iron pin found on the east line of said R. G. Adams' land and the said north line of Section 10 and the south line of lands now owned by K.C. Vickers (Deed Record 1092-272);

THENCE along said Vicker's south line and the north line of said Section 10 North 88 degrees 10 minutes 48 seconds West for a distance of 839.87 feet to the place of beginning, containing 28.62 acres, more or less, subject to all legal road right-of-ways and applicable easements, written or implied.

Bearings are based on NAD83 State Plane coordinate System, as per GPS observations taken on October 6, 1996.

This description is written based on an actual field survey completed on December 9, 1996 by Timothy H. Linn, Reg. No. 7113.

TIMORE AND OHIO RAIL ROAD

MAPLE

S-1

S-1

R-1

100 YEAR FLOOD LINE

100 YEAR FLOOD LINE

B-3

I-1

B-1

TC

B-1

LIBERTY

SCHEDULE "A"
ZONING MAP

R-1

BARRING TON

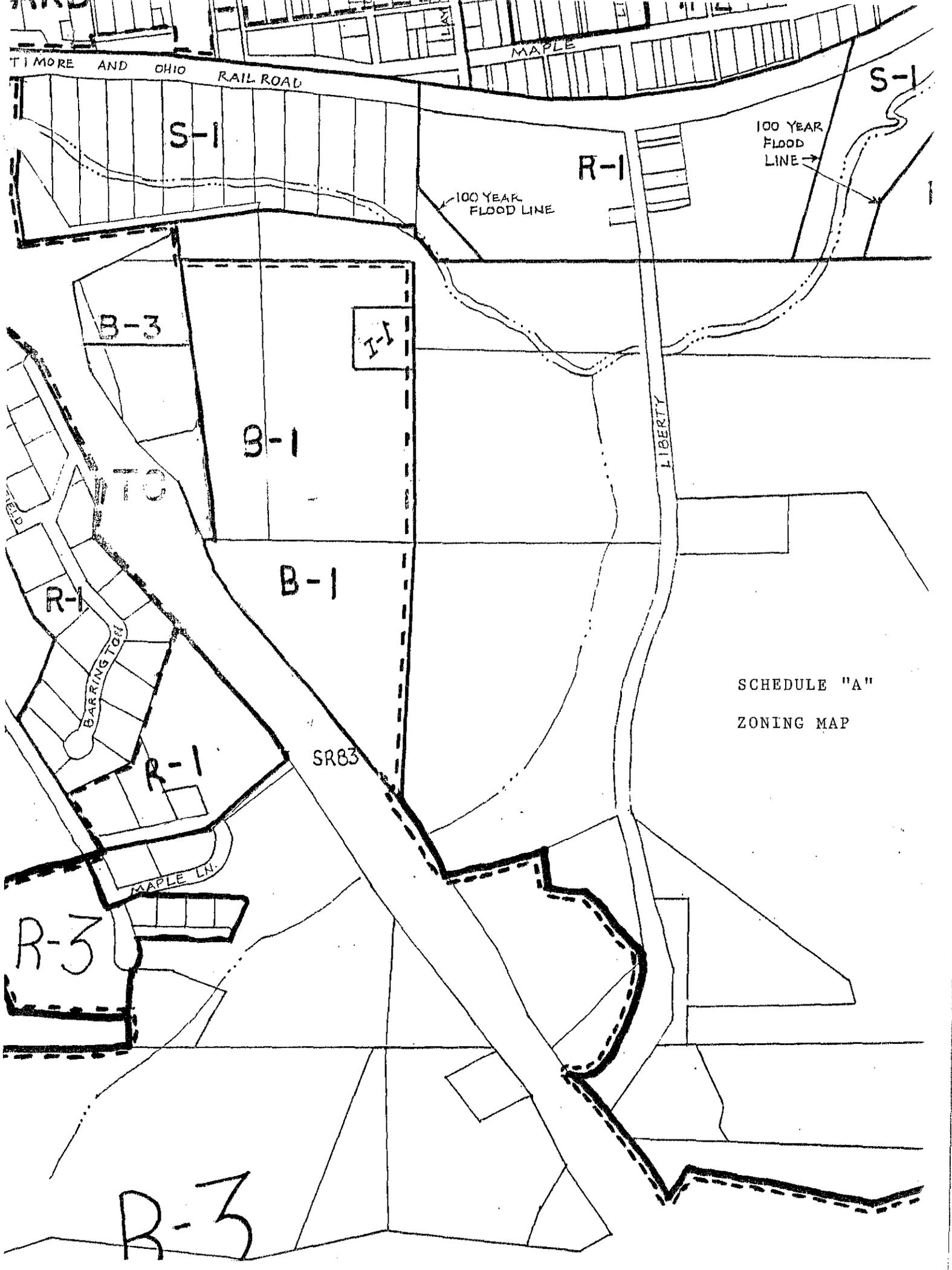
R-1

SR83

MAPLE LN

R-3

R-3

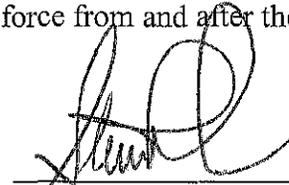


Section 2. The above described property shall be designated in the zoning districts as described in the Village Zoning Code as shown in the attached Schedule "A".

Section 3. The Village Clerk be and hereby is authorized and directed to make two 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 the proceedings of the Board of County Commissioners relating thereto and the certificate as to the correctness thereof. The Village Clerk shall then immediately deliver one copy to the Muskingum County Auditor, one copy to the Muskingum County Recorder and one copy to the Secretary of State and do all things required by law.

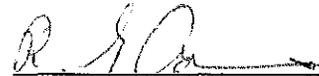
Section 4. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: June 9, 1997



Steve Kokovich
President of Council

APPROVED: June 9, 1997



R. Gregory Adams
Mayor

ATTEST: Beryl L. Hammer
Beryl L. Hammer, Clerk/Treasurer

I hereby certify that the above Ordinance No. G-6-97-1 was posted per Ordinance No. L-1-84-1 from June 11, 1997 to August 13, 1997.

_____, Clerk