

IN THE COUNCIL OF THE VILLAGE OF NEW CONCORD, OHIO

ORDINANCE NO. G-6-98-1

AN ORDINANCE VACATING A PORTION OF AN UNNAMED ALLEY IN THE VILLAGE OF NEW CONCORD, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, the Village has received a petition signed by the owners of abutting lots 4 and 5, Russell's Addition, to vacate that portion of an unnamed alley which lies to the north of their property; and

WHEREAS, the portion of said alley abutting lots 4 and 5 is bounded by State Route 83 to the East, has never been maintained, developed or improved and is not necessary for access to any other property; and

WHEREAS, vacation of said alley is consistent with the general interest of the Village and appropriate for the health, safety and welfare of residents of the Village of New Concord.

NOW, THEREFORE, be it ordained by the Council of the Village of New Concord, Ohio that:

Section 1. That the unnamed alley described as set forth in the attached schedule "A" and Schedule "B" be and hereby is vacated effective immediately upon the terms and conditions herein set forth:

727 Cambridge Road
Coshocton, Ohio 43812



LANDMARK SURVEYS
EARL R. DONAKER, P.S.

(614) 623-0993
1-800-842-3264

ALLEY VACATION: SOUTH HALF: 0.0181 Acres

PP0898AL

Being **0.0181 acres**, more or less, the south one-half of that part of the alley north of Lots 4 & 5 of Russell's Addition to the Town of West Concord, Plat Book 1, pages 106-107 and Replat Book 1 pages 176-177, in the first quarter of township 1 north, range 5 west, United States Military Lands, in the Village of New Concord, in the township of Union, in the county of Muskingum, in the State of Ohio, and more particularly described as follows:

Beginning at a 5/8" steel pin set at the northwest corner of Lot 5 of said Russell's Addition, said 5/8" steel pin set

Beginning at a 5/8" steel pin set at the northwest corner of Lot 5 of said Russell's Addition, said 5/8" steel pin set being the TRUE POINT OF BEGINNING;

thence, along the extension of the Lot line between Lots 5 & 6, the following 2 courses:

1. thence, N.01°48'00"W. 6.23' to a 3/4" pipe found;
2. thence, continuing N.01°48'00"W. 2.02' to a point in the centerline of said alley;

thence, along the centerline of said alley, N.88°12'00"E. 94.08' to a point on the west line of SR 83;

thence, along the west line of SR 83, S.21°16'13"E. 8.75' to a 5/8" steel pin set;

thence, along the north line of Lots 4 & 5, S.88°12'00"W. 97.00' to the TRUE POINT OF BEGINNING, containing **0.0181 acres**, more or less, and is subject to all easements, rights-of-way, or restrictions, whether recorded or implied.

Bearings are based on Plat Book 8, page 10 and are for angular calculations only. All 5/8" steel pins set are 30" long with plastic cap marked "E.R.D. 7142".

Pertinent documents: tax maps; deeds: 1016/512, 1137/309, 365/225; plat books: 1 pages 106-107, 8 page 10, replat 1 pages 176-177; highway plans: Mus-22-23.75, Mus-76-0.61; and an act of the Sixteenth Congress, May 16, 1820, Chap. CXXIII, Continuation of the Cumberland Road.

Prior deed: Plat Book 1, pages 106-107 and Replat Book 1, pages 176-177.

Description and plat by Landmark Surveys, Earl R. Donaker, Professional Surveyor, #7142, from a survey of the premises in the month of April, in the year of our LORD one thousand nine hundred and ninety-eight.

727 Cambridge Road
Coshocton, Ohio 43812



LANDMARK SURVEYS
EARL R. DONAKER, P.S.

(614) 623-0993
1-800-842-3264

ALLEY VACATION: NORTH HALF: 0.0175 Acres

PP0888AL

Being **0.0175 acres**, more or less, the north one-half of that part of the alley north of Lots 4 & 5 of Russell's Addition to the Town of West Concord, Plat Book 1, pages 106-107 and Replat Book 1 pages 176-177, in the first quarter of township 1 north, range 5 west, United States Military Lands, in the Village of New Concord, in the township of Union, in the county of Muskingum, in the State of Ohio, and more particularly described as follows:

Commencing at a 5/8" steel pin set at the northwest corner of Lot 5 of said Russell's Addition;

Commencing at a 5/8" steel pin set at the northwest corner of Lot 5 of said Russell's Addition;

thence, along the extension of the Lot line between Lots 5 & 6, the following 2 courses:

1. thence, N.01°48'00"W. 6.23' to a 1/2" pipe found;
2. thence, continuing N.01°48'00"W. 2.02' to a point in the centerline of said alley, said point being the TRUE POINT OF BEGINNING;

thence, continuing along the extension of the Lot line between Lots 5 & 6, N.01°48'00"W. 8.25' to a point;

thence, along the north line of said alley, N.88°12'00"E. 91.17' to a point on the west line of SR 83, said point bearing S.00°38'47"W. 1.40' from a 1/4" pipe found;

thence, along the west line of SR 83, S.21°16'13"E. 8.75' to a 5/8" steel pin set;

thence, along the centerline of said alley, S.88°12'00"W. 94.08' to the TRUE POINT OF BEGINNING, containing **0.0175 acres**, more or less, and is subject to all easements, rights-of-way, or restrictions, whether recorded or implied.

Bearings are based on Plat Book 8, page 10 and are for angular calculations only. All 5/8" steel pins set are 30" long with plastic cap marked "E.R.D. 7142".

Pertinent documents: tax maps; deeds: 1016/512, 1137/309, 385/225; plat books: 1 pages 106-107, 8 page 10, replat 1 pages 176-177; highway plans: Mus-22-23.75, Mus-76-0.61; and an act of the Sixteenth Congress, May 16, 1820, Chap. CXXIII, Continuation of the Cumberland Road.

Prior deed: Plat Book 1, pages 106-107 and Replat Book 1, pages 176-177.

Description and plat by Landmark Surveys, Earl R. Donaker, Professional Surveyor, #7142, from a survey of the premises in the month of April, in the year of our LORD one thousand nine hundred and ninety-eight.

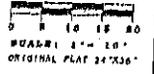
THIS SURVEY IS SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, EASEMENTS, ETC. RECORDED BY REFERENCE.

727 Cambridge Road
Cohasset, Ohio 43012

LANDMARK SURVEYS

EARL R. DOMAKER, F.S.

tel: (614) 623-0088
1-800-842-3204



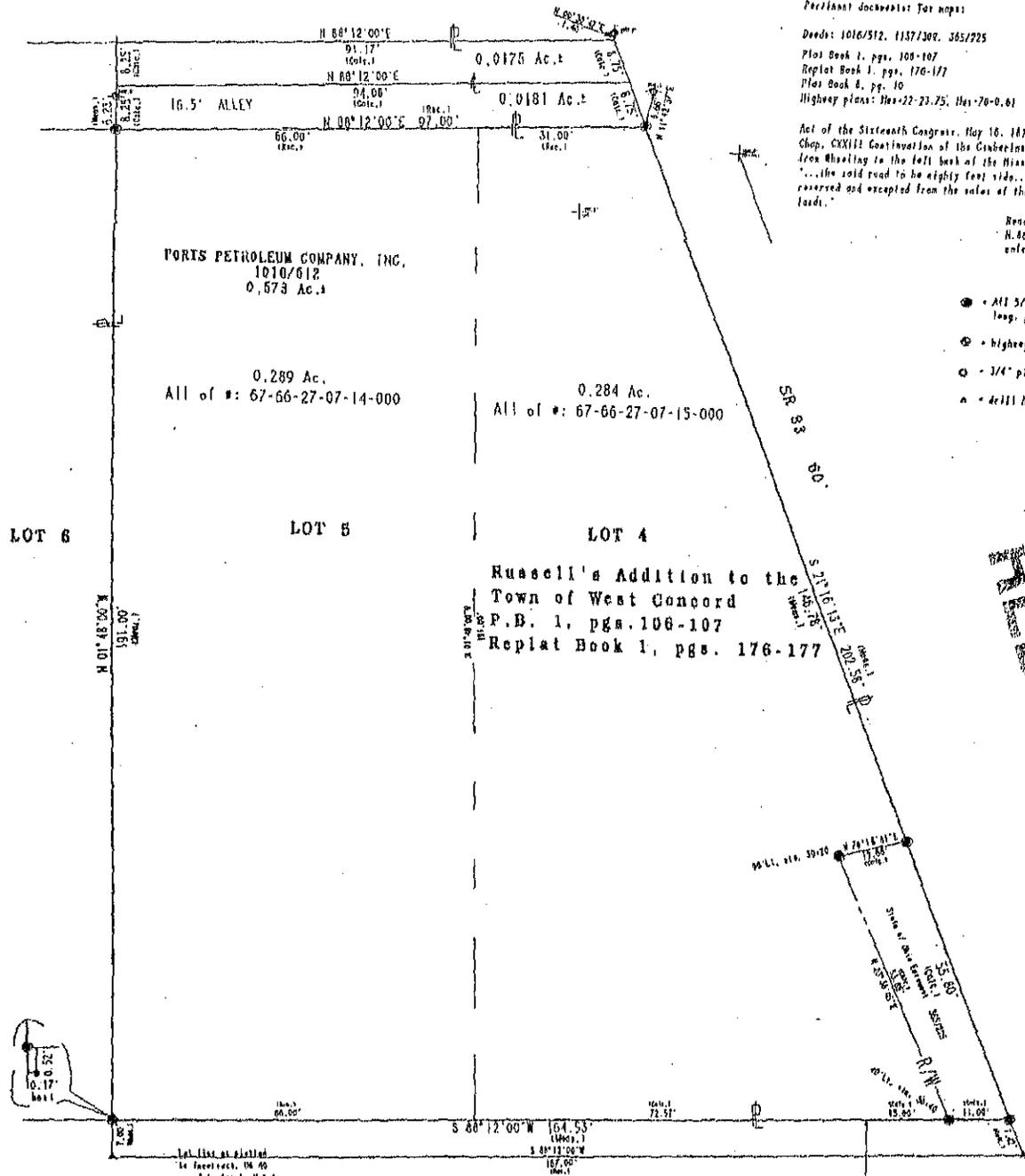
Permitted documents for maps:

- Deeds: 1016/512, 1137/300, 365/725
- Plat Book 1, pgs. 100-107
- Replat Book 1, pgs. 176-177
- Plat Book 8, pg. 10
- Highway plans: Hws-22-23.75, Hws-70-0.81

Act of the Sixteenth Congress, May 16, 1820.
Chap. CXXIII Continuation of the Canted Road
from Wheeling to the left bank of the Mississippi.
...the said road to be eighty feet wide... hereby
reserved and excepted from the sales of the public
lands.

Bearings are based on P.S. & pg. 10
N. 88°12'00"E, and are for angular
enclosures only.

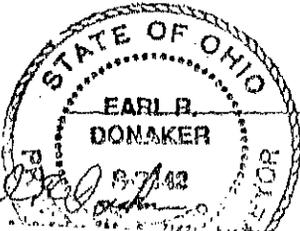
- All 3/4" steel pipe set are 30" long, plastic cap marked "END 7143"
- highway monument found
- 3/4" pipe found
- drill hole



REDUCED

Russell's Addition to the
Town of West Concord
P.D. 1, pgs. 106-107
Replat Book 1, pgs. 176-177

US 40 80' Width
By act of Congress
May 16, 1820



Ports Petroleum Company, Inc.
Lot 4 & 5 Russell's Add to
Town of West Concord
FIRST QUARTER, T1 N, R5 W

Acreage distribution is as follows:

Lot #4 and #5 Russell's Addition add 0.0181 acres

Lot #1 Spencer's Addition add 0.0175 acres

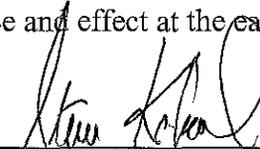
This description was written in April 1998 by Earl R. Wanaker, Ohio Registered Surveyor #7142.

Section 2. That the Village reserves an easement to install, operate, maintain, repair and replace any water, sewer or other utility lines in the vacated area and an easement for signs and billboards posted by the village or with village permission, including but not limited to the use of said property for Village directory signs.

Section 3. That the Mayor and Clerk of this Village, be, and they hereby are authorized to approve the plat of the alley and street vacations contained herein and that such plats shall be submitted to the Muskingum County Engineer for approval, transferred in the Office of the County Auditor, and recorded in the Office of the County Recorder pursuant to R.C. 711.39.

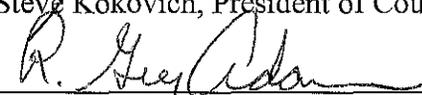
Section 4. That this Ordinance shall be in full force and effect at the earliest date permitted by law.

PASSED: June 8, 1998

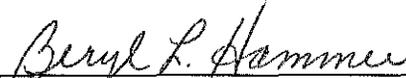


Steve Kokovich, President of Council

APPROVED: June 8, 1998



R. Gregory Adams, Mayor

ATTEST: 

Beryl L. Hammer, Clerk/Treasurer

I hereby certify that the above Ordinance No. G-6-98-1 was posted per Ordinance No.L-1-84-1 from June 10,1998 to August12,1998.

_____, Clerk