

ORDINANCE: 13-10

AN ORDINANCE ACCEPTING WATER AND SEWER LINES DEDICATION AT 13193 AND 13199 ZION ROAD AND DECLARING AN EMERGENCY

WHEREAS, Daniel Grosse owns ±35.375 acres of land located at 13169 Zion Road (Parcel No. 039-000477-5100); and

WHEREAS, Daniel Grosse recently had his lot officially split into three lots, two of which are Lots A, 5.143 acres (13199 Zion Road) and Lot B, 6.232 acres (13193 Zion Road); and

WHEREAS, there is a privately installed water line and sewer line running thru Daniel Grosse's property, via easement. In March 2013, Council for the Village of Thornville accepted the easement. Daniel Grosse now has delivered to the Village of Thornville the necessary description and depictions of water and sewer lines and wants to dedicate these utilities to the Village of Thornville.; and

WHEREAS, these water and sewer lines have been tested, and are working properly. The Village of Thornville believes these water and sewer lines should be accepted for dedication purposes; and

WHEREAS, the acceptance and confirmation of these infrastructure requirements for the water and sewer lines are consistent with the public interest of the Village of Thornville.

NOW, **THEREFORE, BE IT ORDAINED** by the Council of the Village of Thornville, County of Perry, State of Ohio:

SECTION 1: Council for the Village of Thornville hereby accepts and approves the water line and sewer line dedication at 13193 and 13199 Zion Road, Thornville, Ohio, known as Lots A and B of Parcel No. 039-000477-5100 by property owner Daniel Grosse as described and depicted more particularly on the attached Exhibits A and B, which are incorporated herein by reference.

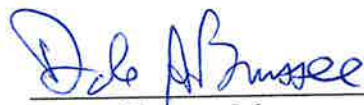
SECTION 2: The water and sewer lines described in Section 1 are hereby dedicated to public use for the purpose of public maintenance and operation.

SECTION 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the Village of Thornville which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

SECTION 4: All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereof.

SECTION 5: Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of this municipality and the further reason Council would like to accept this dedication as soon as possible so that these newly created lots can be developed with public utilities. Wherefore, provided this Ordinance receives the required affirmative votes of Council, this Ordinance shall take effect and be in force immediately upon passage by Council.

Passed in Council this 15th day of April, 2013.


Gavin Renner, ~~Mayor~~
PRESIDENT PRO TEM

ATTEST:

Sharon Brussee
Sharon Brussee, Clerk of Council

APPROVED:

Approved as to form this 12th day of April 2013.

Brian M. Zets

Brian M. Zets, Esq.
Village Solicitor

ck# 1245 Map# 514609
Split Fee Paid \$400.00 -
Date: 4/2/2013 JF
Perry Co. Planning Comm.

APPROVED FOR
TRANSFER
BY: JF DATE: 4/2/2013
PERRY COUNTY ENGINEER

BOESHART & ASSOCIATES
94 CANYON VILLA DRIVE
HEBRON, OH 43025
Phone: 740-928-4130
Email: piboeshart@hotmail.com

Date: March 18, 2013

SURVEYOR'S DESCRIPTION - Part of Parcel No. 039-000477-5100
Previous Deed: O.R. 378 Pg. 633-639 ~ Linnville Land, LLC- 35.579 Acres
Part of Vacated Thorn Hill Estates - Section II - Plat Book 5 Page 476 (Slot 424)

PARCEL A ~ 5.143 Acres

The parcel herein described is known as being a part of the same lands conveyed to Linnville Land, LLC as described in Official Record 378 on Page 633-639 (Sheriff Sale Instrument No. 201100002267) and is better known as being a part of the Vacated Thorn Hill Estates - Section II in the Village of Thornville found recorded in the Perry County Recorder's Office in New Lexington, Ohio and is better known as being a part of the Northeast Quarter of Section 16 in Township 18 North in Range 17 West in the Refugee Lands of Perry County, Ohio and is better described as follows:

Beginning at an existing iron pipe at the northeast corner of Lot 132 in Thorn Hills Estates, Section 1 (Plat Book 5 Page 195) at an existing 5/8" iron pipe;

Thence, with the north line of the said lot, North 86 degrees 21 minutes 50 seconds West, 270.80 feet to an existing 5/8" iron pipe at the southeast corner of Lot 130 in Thorn Hills Estates, Section 1 (Plat Book 5 Page 195);

Thence, with the east line of Lot 130, North 3 degrees 38 minutes 10 seconds East, 161.28 feet to an existing 5/8" iron pipe and the **true point of beginning**;

Thence, with the east line of Lots 130, 129 & 128, North 27 degrees 19 minutes 49 seconds West, 277.15 feet to an existing 5/8" iron pipe;

Thence, with the south line of the Edgar A. Orr, Post No. 342 of the American Legions, Inc. (D.B. 179 Pg. 236), North 57 degrees 17 minutes 11 seconds East, 466.45 feet to an existing 5/8" iron pipe;

Thence, with the south line of the Edgar A. Orr, Post No. 342 of the American Legions, Inc. (D.B. 112 Pg. 267), North 57 degrees 18 minutes 43 seconds East, 159.96 feet to an existing 5/8" iron pipe;

Thence, with the west line of Kermit A. & Dorothy E. Boring (D.B. 215 Pg. 185), South 36 degrees 50 minutes 46 seconds East, 120.92 feet to an existing 5/8" iron pipe;

Thence, with the west line of Paul R. & Rebecca L. Krumlauf (D.B. 231 Pg. 583), South 38 degrees 58 minutes 46 seconds East, 80.47 feet to an existing iron pipe;

Thence, with the west line of Lawrence E. & Sheila J. Gallagher (O.R. 238 Pg. 27), South 42 degrees 14 minutes 02 seconds East, 80.47 feet to an existing 5/8" iron pipe;

Thence, following the Gallagher southerly line, North 56 degrees 59 minutes 08 seconds East, 190.72 feet to an existing 5/8" iron pipe;

Thence, North 89 degrees 18 minutes 18 seconds East, 42.06 feet to a point in the center line of Zion Road (County Road 30);

Thence, with the center of the said road on a curve to the left, Curve Data: Delta = 3 degrees 17 minutes 44 seconds, Radius = 1406.97 feet, Arc = 80.93 feet, South 47 degrees 07 minutes 37 seconds East, 80.91 feet along the chord to a point;

Thence, leaving the said road and through the Linnville Land, LLC lands, South 63 degrees 55 minutes 09 seconds West, passing a set 5/8" iron pin at 31.72 feet, a total distance of 674.68 feet to a set 5/8" iron pin;

Thence, South 62 degrees 58 minutes 19 seconds West, 260.86 feet to the **true point of beginning**. Containing 5.143 Acres and being subject to all legal roads, easements and restrictions of record. North is based on the Mid-Line of Section 16 as bearing North 4 degrees 14 minutes 44 seconds East. All iron pins set are 5/8" x 30" Rebar with a plastic ID cap stamped "Boeshart S-6512". The parcel is subject to the following utility easement:

Water and Sanitary Sewer Easement to the Village of Thornville

UTILITY EASEMENT: The easement herein described is known as being a part of the Vacated Thorn Hill Estates - Section II in the Village of Thornville found recorded in the Perry County Recorder's Office in New Lexington, Ohio and is better known as being a part of the Northeast Quarter of Section 16 in Township 18 North in Range 17 West in the Refugee Lands of Perry County, Ohio and is better described as follows:

Beginning at an existing iron pipe at the northeast corner of Lot 132 in Thorn Hills Estates, Section 1 (Plat Book 5 Page 195) at an existing 5/8" iron pipe;

Thence, with the north line of the said lot, North 86 degrees 21 minutes 50 seconds West, 138.55 feet to a point;

Thence, leaving the said lot line, North 31 degrees 26 minutes 58 seconds East, 90.77 feet to a point;

Thence, North 52 degrees 23 minutes 04 seconds West, 175.64 feet to a point;

Thence, South 62 degrees 58 minutes 19 seconds West, 33.66 feet to an existing 5/8" iron pipe on the east line of Lot 130;

Thence, with the east line of the said Lot 130, North 27 degrees 19 minutes 49 seconds West, 21.00 feet to a point;

Thence, leaving the east line of Lot 130 of said Addition, North 61 degrees 34 minutes 09 seconds East, 445.94 feet to a point;

Thence, South 89 degrees 51 minutes 48 seconds East, 154.64 feet to a point;

Thence, North 8 degrees 20 minutes 38 seconds East, 155.88 feet to a point on the west line of Lawrence & Sheila Gallagher(O.R.238 Pg.27);

Thence, west line of the said Gallagher parcel, South 42 degrees 14 minutes 02 seconds East, 25.72 feet to an existing iron pipe;

Thence, following the Gallagher southerly line, North 56 degrees 59 minutes 08 seconds East, 190.72 feet to an existing 5/8" iron pipe;

Thence, North 89 degrees 18 minutes 18 seconds East, 1.64 feet to a point on the westerly right of way line of Zion Road (County Road 30);

Thence with the said road, South 44 degrees 50 minutes 22 seconds East, 34.86 feet to a point;

Thence, leaving the said road, South 56 degrees 59 minutes 08 seconds West, 209.91 feet to a point;

Thence, South 8 degrees 20 minutes 38 seconds West, 152.12 feet to a point;

Thence, North 89 degrees 51 minutes 48 seconds West, 165.32 feet to a point;

Thence, South 63 degrees 55 minutes 09 seconds West, 55.26 feet to a point;

Thence, South 31 degrees 26 minutes 58 seconds West, 177.23 feet to a point;

Thence, South 15 degrees 53 minutes 58 seconds West, 106.40 feet to a point;

Thence, South 52 degrees 23 minutes 04 seconds East, 94.95 feet to a point;

Thence, South 18 degrees 21 minutes 47 seconds East, 95.62 feet to a point;

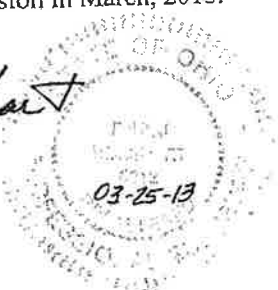
Thence, South 49 degrees 15 minutes 27 seconds West, 34.60 feet to a point;

Thence, North 18 degrees 21 minutes 47 seconds West, 94.12 feet to a point;

Thence, North 86 degrees 21 minutes 50 seconds West, 18.02 feet to the point of beginning;
The easement described above is subject to all legal roads, easements and restrictions of record. North is based on the Mid-Line of Section 16 as bearing North 4 degrees 14 minutes 44 seconds East.

I, Paul J. Boeshart, hereby certify that the above description represents a true and correct survey and all measurements were made in accordance with Chapter 4733-37 of the Ohio Administrative Code under my direct supervision in March, 2013.


Paul J. Boeshart, PLS
Registration No. S-6512



ck# 1245 rept# 514609
 Split Fee Paid \$400.00
 Date: 4/2/2013 JF
 Perry Co. Planning Comm.

APPROVED FOR
 TRANSFER
 BY: JF DATE: 4/2/2013
 PERRY COUNTY ENGINEER

BOESHART & ASSOCIATES
94 CANYON VILLA DRIVE
HEBRON, OH 43025
Phone: 740-928-4130
Email: niboeshart@hotmail.com

Date: March 18, 2013

SURVEYOR's DESCRIPTION - Part of Parcel No. 039-000477-5100
Previous Deed: O.R. 378 Pg. 633-639 ~ Linnville Land, LLC- 35.579 Acres
Part of Vacated Thorn Hill Estates - Section II - Plat Book 5 Page 476 (Slot 424)

PARCEL B ~ 6.232 Acres

The parcel herein described is known as being a part of the same lands conveyed to Linnville Land, LLC as described in Official Record 378 on Page 633-639 (Sheriff Sale Instrument No. 201100002267) and is better known as being a part of the Vacated Thorn Hill Estates - Section II in the Village of Thornville found recorded in the Perry County Recorder's Office in New Lexington, Ohio and is better known as being a part of the Northeast Quarter of Section 16 in Township 18 North in Range 17 West in the Refugee Lands of Perry County, Ohio and is better described as follows:

Beginning at an existing iron pipe at the northeast corner of Lot 132 in Thorn Hills Estates, Section 1 (Plat Book 5 Page 195) at an existing 5/8" iron pipe;

Thence, with the north line of the said lot, North 86 degrees 21 minutes 50 seconds West, 270.80 feet to an existing 5/8" iron pipe at the southeast corner of Lot 130 in Thorn Hills Estates, Section 1 (Plat Book 5 Page 195);

Thence, with the east line of Lot 130, North 3 degrees 38 minutes 10 seconds East, 161.28 feet to an existing 5/8" iron pipe;

Thence, through the Linnville Land, LLC lands, North 62 degrees 58 minutes 19 seconds East, 260.86 feet to a set 5/8" iron pin;

Thence, North 63 degrees 55 minutes 09 seconds East, passing a set 5/8" iron pin at 642.96 feet, a total distance of 674.68 feet to a point in the center line of Zion Road (County Road 30);

Thence, with the center of the said road on a curve to the left, Curve Data: Delta = 7 degrees 08 minutes 32 seconds, Radius = 1406.97 feet, Arc = 175.39 feet, South 52 degrees 20 minutes 46 seconds East, 175.28 feet along the chord to a point;

Thence, leaving the said road and through the Linnville Land, LLC lands, South 49 degrees 15 minutes 27 seconds West, passing a set 5/8" iron pin at 31.02 feet, a total distance of 958.13 feet to an existing 5/8" iron pipe at the southeast corner of Lot 132 in Thorn Hills Estates, Section 1 (Plat Book 5 Page 195);

Thence, with the east line of Lot 132, North 3 degrees 38 minutes 10 seconds East, 139.40 feet to the **true point of beginning**. Containing **6.232 Acres** and being subject to all legal roads, easements and restrictions of record. North is based on the Mid-Line of Section 16 as bearing

North 4 degrees 14 minutes 44 seconds East. All iron pins set are 5/8" x 30" Rebar with a plastic ID cap stamped "Boeshart S-6512". The parcel is subject to the following utility easement:

Water and Sanitary Sewer Easement to the Village of Thornville

UTILITY EASEMENT: The easement herein described is known as being a part of the Vacated Thorn Hill Estates – Section II in the Village of Thornville found recorded in the Perry County Recorder's Office in New Lexington, Ohio and is better known as being a part of the Northeast Quarter of Section 16 in Township 18 North in Range 17 West in the Refugee Lands of Perry County, Ohio and is better described as follows:

Beginning at an existing iron pipe at the northeast corner of Lot 132 in Thorn Hills Estates, Section 1 (Plat Book 5 Page 195) at an existing 5/8" iron pipe;

Thence, with the north line of the said lot, North 86 degrees 21 minutes 50 seconds West, 138.55 feet to a point;

Thence, leaving the said lot line, North 31 degrees 26 minutes 58 seconds East, 90.77 feet to a point;

Thence, North 52 degrees 23 minutes 04 seconds West, 175.64 feet to a point;

Thence, South 62 degrees 58 minutes 19 seconds West, 33.66 feet to an existing 5/8" iron pipe on the east line of Lot 130;

Thence, with the east line of the said Lot 130, North 27 degrees 19 minutes 49 seconds West, 21.00 feet to a point;

Thence, leaving the east line of Lot 130 of said Addition, North 61 degrees 34 minutes 09 seconds East, 445.94 feet to a point;

Thence, South 89 degrees 51 minutes 48 seconds East, 154.64 feet to a point;

Thence, North 8 degrees 20 minutes 38 seconds East, 155.88 feet to a point on the west line of Lawrence & Sheila Gallagher(O.R.238 Pg.27);

Thence, west line of the said Gallagher parcel, South 42 degrees 14 minutes 02 seconds East, 25.72 feet to an existing iron pipe;

Thence, following the Gallagher southerly line, North 56 degrees 59 minutes 08 seconds East, 190.72 feet to an existing 5/8" iron pipe;


Thence, North 89 degrees 18 minutes 18 seconds East, 1.64 feet to a point on the westerly right of way line of Zion Road (County Road 30);

Thence with the said road, South 44 degrees 50 minutes 22 seconds East, 34.86 feet to a point;

Thence, leaving the said road, South 56 degrees 59 minutes 08 seconds West, 209.91 feet to a point;

Thence, South 8 degrees 20 minutes 38 seconds West, 152.12 feet to a point;
Thence, North 89 degrees 51 minutes 48 seconds West, 165.32 feet to a point;
Thence, South 63 degrees 55 minutes 09 seconds West, 55.26 feet to a point;
Thence, South 31 degrees 26 minutes 58 seconds West, 177.23 feet to a point;
Thence, South 15 degrees 53 minutes 58 seconds West, 106.40 feet to a point;
Thence, South 52 degrees 23 minutes 04 seconds East, 94.95 feet to a point;
Thence, South 18 degrees 21 minutes 47 seconds East, 95.62 feet to a point;
Thence, South 49 degrees 15 minutes 27 seconds West, 34.60 feet to a point;
Thence, North 18 degrees 21 minutes 47 seconds West, 94.12 feet to a point;
Thence, North 86 degrees 21 minutes 50 seconds West, 18.02 feet to the **point of beginning**;
The easement described above is subject to all legal roads, easements and restrictions of record.
North is based on the Mid-Line of Section 16 as bearing North 4 degrees 14 minutes 44 seconds East.

I, Paul J. Boeshart, hereby certify that the above description represents a true and correct survey and all measurements were made in accordance with Chapter 4733-37 of the Ohio Administrative Code under my direct supervision in March, 2013.


Paul J. Boeshart, PLS
Registration No. S-6512



STATE OF OHIO
PERRY COUNTY
VILLAGE of THORNHILL
PART of SECTION 16
TOWNSHIP 18 NORTH
RANGE 17 WEST
REFUGEE LANDS
33.379 ACRES in all

THORNHILL ESTATES
SECTION 1
Plat Book 5 Pg. 195

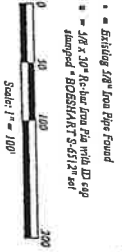
LOT A
5.143 ACRES

LOT B
6.232 ACRES

Course A	Dist = 17.44'
Bearing = N 17° 44'	
Course B	Dist = 10.03'
Bearing = N 10° 32'	
Course C	Dist = 10.03'
Bearing = S 17° 44' E	
Area = 17.23'	

Based on the Mid Line of Section 16
as bearing North 4° 14' 44" East

Linnville Land, LLC
O.R. 378 Pg. 613-639
(Shelf Life Int. No. 2011/00022267)



I HEREBY CERTIFY THAT THIS PLAT REPRESENTS A TRUE AND CORRECT SURVEY AND ALL MEASUREMENTS WERE MADE IN ACCORDANCE WITH CHAPTER 173-11 OF THE OHIO ADMINISTRATIVE CODE, 2013, DIRECT SUPERVISION IN MAY/2013.

DATE: 1/20/2013
PAUL J. ROBERTS, PLS - REG. NO. 8612
PERRY COUNTY, OHIO
PHONE: 740-228-4110 CELL: 740-616-0812