

ORDINANCE NO. 17-11

AN ORDINANCE ASSENTING TO JENNIFER AND MIKE MOHLER'S APRIL 20, 2017
DETACHMENT PETITION

WHEREAS, on April 20, 2017, Jennifer and Mike Mohler petitioned the Village of Thornville to detach ± 27.934 acres of land, identified as Parcel No. 390004770008, Thornville, Ohio ("the Property"). While the petition does not articulate any legal basis to detach the Property, the Village of Thornville construes the petition as being made under R.C. 709.38; and

WHEREAS, both Jennifer and Mike Mohler are identified on the detachment petition, though the Perry County Auditor's website lists only Jennifer Mohler as the owner of the Property; and

WHEREAS, R.C. 709. 38, which provides one of two ways that non-farm land can be detached, allows property to be detached upon petition by a majority of the owners of land "with the assent of the legislative authority of the municipal corporation given in an ordinance passed for the purpose;" and

WHEREAS, once such assent is given, the Perry County Board of County Commissioners shall detach the Property from the Village of Thornville, attach it to the Township of Thorn, and follow all the requirements of R.C. 709.38; and

WHEREAS, Council for the Village of Thornville now wants to assent to Jennifer and Mike Mohler's detachment petition.

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 assents to Jennifer and Mike Mohler's April 20, 2017 Petition to Detach ± 27.934 acres of land, identified as Parcel No. 390004770008, Thornville, Ohio.

SECTION 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that results in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

SECTION 3: All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereof.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 4: This Ordinance shall take effect at the earliest time allowed by law.

Passed in Council this 24th day of July, 2017.

Linda Savage
Gavin Renner, Mayor
Linda Savage Council

ATTEST

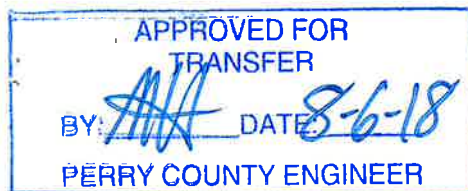
Sharon Brussee
Sharon Brussee, Clerk of Council

APPROVED:

Approved as to form this 18th day of May 2017:



Brian M. Zets, Esq.
Village Solicitor



Instrument Book Page
201800003232 OR 446 1946

BOESHART & ASSOCIATES
94 CANYON VILLA DRIVE
HEBRON, OHIO 43025
PHONE: 740-928-4130



February 24, 2011 1416501
Job No. 11-2816 ~ Part of Parcel 39000 477 0006
Surveyor's Description - 27.934 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 370 on Pages 1652-1655 and is better known as being a part of the Southwest Quarter of Section 16 in the Village of Thornville, Township 18 North in Range 17 West in the Refugee Lands of Perry County, Ohio and is better described as follows:

Beginning at the Southwest corner of Lot 38, Thorn Hill Estates, Plat Book 5 Page 195 at an existing iron pin;

Thence, with the east line of the southwest quarter of Section 16, South 4 degrees 14 minutes 44 seconds West, 476.26 feet to an existing iron pin and the **true point of beginning**;

Thence, continuing with the said quarter section line, South 4 degrees 14 minutes 44 seconds West, 906.23 feet to an existing iron pin;

Thence, North 86 degrees 12 minutes 40 seconds West, 1332.70 feet to an existing Stone Corner;

Thence, North 4 degrees 26 minutes 38 seconds East, 927.37 feet to an existing iron pin at the southwest corner of Lot 18 in Thorn Hill Estates (P.B.5 Pg.195);

Thence, with the south line of the said Lot 18, South 84 degrees 46 minutes 36 seconds East, 293.70 feet to an existing iron pin;

Thence, with the west line of Hickory Way, North 5 degrees 13 minutes 24 seconds East, 0.68 feet to a point;


Thence, with the south line of Lot 109 extended, South 84 degrees 46 minutes 36 seconds East, 361.93 feet to an existing iron pin;

Thence, South 85 degrees 45 minutes 16 seconds East, passing an existing iron pin at 175.00 feet, a total distance of 673.91 feet to the **true point of beginning**. Containing **27.934 Acres** and being subject to all legal roads, easements and restrictions of record.

All iron pins set are 5/8x30" Re-bar with ID cap stamped "Boeshart S-6512".
North is based on the Mid-line of Section 16 as bearing: North 4 degrees 14
minutes 44 seconds East.

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

Paul J. Boeshart
Paul J. Boeshart, P.L.S.
Registration No. S-6512

A circular professional seal for Paul J. Boeshart, a Registered Professional Surveyor in the State of Ohio. The seal features the text "STATE OF OHIO" at the top, "PAUL J. BOESHART" and "6512" in the center, and "REGISTERED PROFESSIONAL SURVEYOR" around the bottom edge, separated by two stars.

1416501

201800003232
VILLAGE OF THORNVILLE

