

ORDINANCE NO. 269

ORDINANCE ACCEPTING ANNEXATION ON
APPLICATION OF FREEHOLDERS.

To accept the application for the annexation of certain territory containing 137.67 acres in Monterey Township to the Village of Ottoville.

WHEREAS, a Petition for the annexation of certain territory in Monterey Township was duly filed by Martin J. Kuhlman, and

WHEREAS, the said Petition was duly considered by the Board of County Commissioners of Putnam County, Ohio, on December 18, 1995, and

WHEREAS, the Board of County Commissioners has approved the annexation of said territory to the Village of Ottoville as hereinafter described, and

WHEREAS, the Board of County Commissioners certified the transcript of the proceedings in connection with said annexation with the map to the Village Clerk who received same on January 2, 1996, and

WHEREAS, sixty (60) days from the date of said filing has 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 Ottoville:

1. That the proposed annexation as applied for in the Petition of Martin J. Kuhlman and a majority of the owners of the land sought to be annexed and filed with the Board of County Commissioners of Putnam County, Ohio, on October 13, 1995, and which said Petition prayed for annexation to the Village of Ottoville, Ohio, of certain territory adjacent thereto as hereinafter described, and which said Petition was approved for annexation to the Village of Ottoville by the Board of County Commissioners on December 18, 1995, be and the same is hereby accepted. See "Exhibit A" attached hereto and made a part hereof for description to said territory.

The certified transcript of the proceedings for annexation with an accurate map of said territory, together with other papers relating to the proceedings thereto of said

County Commissioners are all on file with the Clerk of this Village Council and have been for more than sixty (60) days.

2. That the Village Clerk be, and he 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 County Commissioners relating thereto and a Certificate as to the correctness thereof. The Village Clerk shall then forthwith deliver one copy to the County Recorder, one copy to the County Auditor, and one copy to the Secretary of State and do all things required by law.

PASSED: *May 6, 1996*

ATTEST:

APPROVED:

Virginia M. Kimmet
Clerk-Treasurer

Judy M. Wannemacher
Mayor

DESCRIPTION

PARCEL NO. 1: The east half (1/2) of the northwest fractional quarter (1/4) of Section nineteen (19) Town One (1) South, Range five (5) east, containing ninety six and twenty four hundredths (96.24) acres of land, more or less.

ALSO, the east half (1/2) of the northwest quarter (1/4) of the northwest fractional quarter (1/4) of said section nineteen (19), town and range aforesaid, containing twenty four and 6 hundredths (24.06) acres of land, more or less. Being all that Part of the above which lies east of the Miami and Erie Canal.

ALSO, all that part of the southwest quarter (1/4) of the northwest fractional quarter (1/4) of said section nineteen (19), town and range aforesaid that lies east of the Miami and Erie Canal containing twenty (20) acres of land, more or less.

ALSO, all the right of way of what was formerly the Delphos and Northern Railroad through the Northwest quarter of Section 19, Town 1 South, Range 5 East, and being a strip of land sixty-six (66') feet in width which is thirty three (33') feet on each side of the centerline of what was formerly said railroad right-of-way, containing 4 acres of land, more or less.

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Exception No. 1: Commencing at the North Quarter Post of Section 19; Thence South 1 deg. 24 min. 00 sec. West, along the Half Section Line, 208.71 feet; Thence West, parallel with the North Line of Section 19, 208.71 feet; Thence North 1 deg. 24 min. 00 sec. East, parallel with the Half Section Line, 208.71 feet to the North Line of Section 19; Thence East, along the North Line of Section 19, 208.71 feet to the Point of Beginning. Containing 1.00 Acre of land, more or less. Subject to all legal highways, easements and restrictions of use now on record.

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Exception No. 2: Richard Winkelman Plat of a part of the East Half of the Northwest Quarter of Section 19, T1S, R5E, Monterey Township, Putnam County, Ohio and more particularly described as follows:

Commencing at a Railroad Spike found marking the North Quarter Post of Section 19, thence South ninety degrees zero minutes zero seconds West, along the North line of section 19, a distance of 208.71 feet to a PK Nail found and the POINT OF BEGINNING; thence continuing South ninety degrees zero minutes zero seconds West along said line, a distance of 104.39 feet to a Cotton Gin Spindle set; thence South one degree twenty four minutes zero seconds West, a distance of 208.71 feet to an Iron Pin set; thence North ninety degrees zero minutes zero seconds East, a distance of 104.39 feet to an Iron Pin found; thence North one degree twenty four minutes zero seconds east, a distance of 208.71 feet to the POINT OF BEGINNING; said described tract containing 0.500 acres, more or less. Subject to all legal highways, easements, and restrictions of use now on record.

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Exception No. 3: Richard Winkelman Second Plat of a part of the East Half of the Northwest Quarter of Section 19, T1S, R5E, Monterey Township, Putnam County, Ohio and more particularly described as follows:

Commencing at a Railroad Spike found marking the North Quarter Post of Section 19; thence South ninety degrees zero minutes zero seconds West, a distance of 313.10 feet to a Cotton Gin Spindle set and the POINT OF BEGINNING; thence continuing South ninety degrees zero minutes zero seconds West along said line, a distance of 313.16 feet to a Cotton Gin Spindle set; thence South one degree twenty four minutes zero seconds West, a distance of 208.71 feet to an Iron Pin set; thence North ninety degrees zero minutes zero seconds East, a distance of 313.16 feet to an Iron Pin set; thence North one degree twenty four minutes zero seconds East, a distance of 208.71 feet to the POINT OF BEGINNING; said described tract containing 1.500 acres, more or less. Subject to all legal highways, easements, and restrictions of use now on record.

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Parcel 2: All of the right-of-way lands of the Delphos and Northern Railroad Company in the southwest quarter (1/4) of Section nineteen (19) Township One (1) South, Range Five (5) East; excepting thereof the land of the south end of said right-of-way which was previously deeded to George Altenburger in the same quarter section.

This is the identical land deeded by Peter Schmitt and Louisa Schmitt to the Delphos and Northern Railroad Company in nineteen hundred and three (1903) also the land deeded by Anna M. Wannemacher and Charles O. Wannemacher, to the Delphos & Northern Railroad Company in nineteen hundred and three (1903) also the land deeded by Ignatius F. Horstman, Bishop of Cleveland, to the Delphos & Northern Railroad Company in nineteen hundred and three (1903); and that the part of the right-of-way

deeded by Max Winkelman that lies in the southwest quarter of Section Nineteen (19); excepting, out of the above described real estate, the two parcels of land which have heretofore been deeded to William W. Klima, by warranty deeds dated May 26th, 1939, and recorded June 20, 1939, Deed Book 156, page 12, and warranty deed dated September 28th, 1940, recorded October 7, 1940, Deed Record 144, Page 502, Putnam County Deed Record.

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The above described territory is adjacent and contiguous with the said Village of Ottoville.

OTTOVILLE, OHIO

Sheet #1

N 1/4 Cor.

NW Cor Sec. 19

Ordinance
#269

