

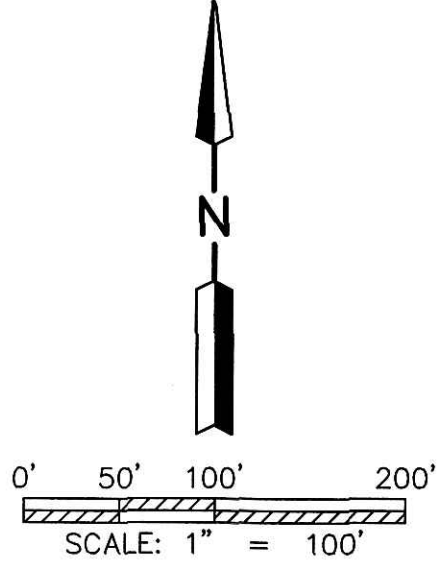
LOCATION MAP

1.868 AC.
ANNEXATION PLAT
 TO THE
VILLAGE OF MILLERSBURG
 PART OF
 T-9N ; R-7W, SECTION 13
 HARDY TOWNSHIP
 HOLMES COUNTY, OHIO

1ST QTR. LOT 48
 13 12

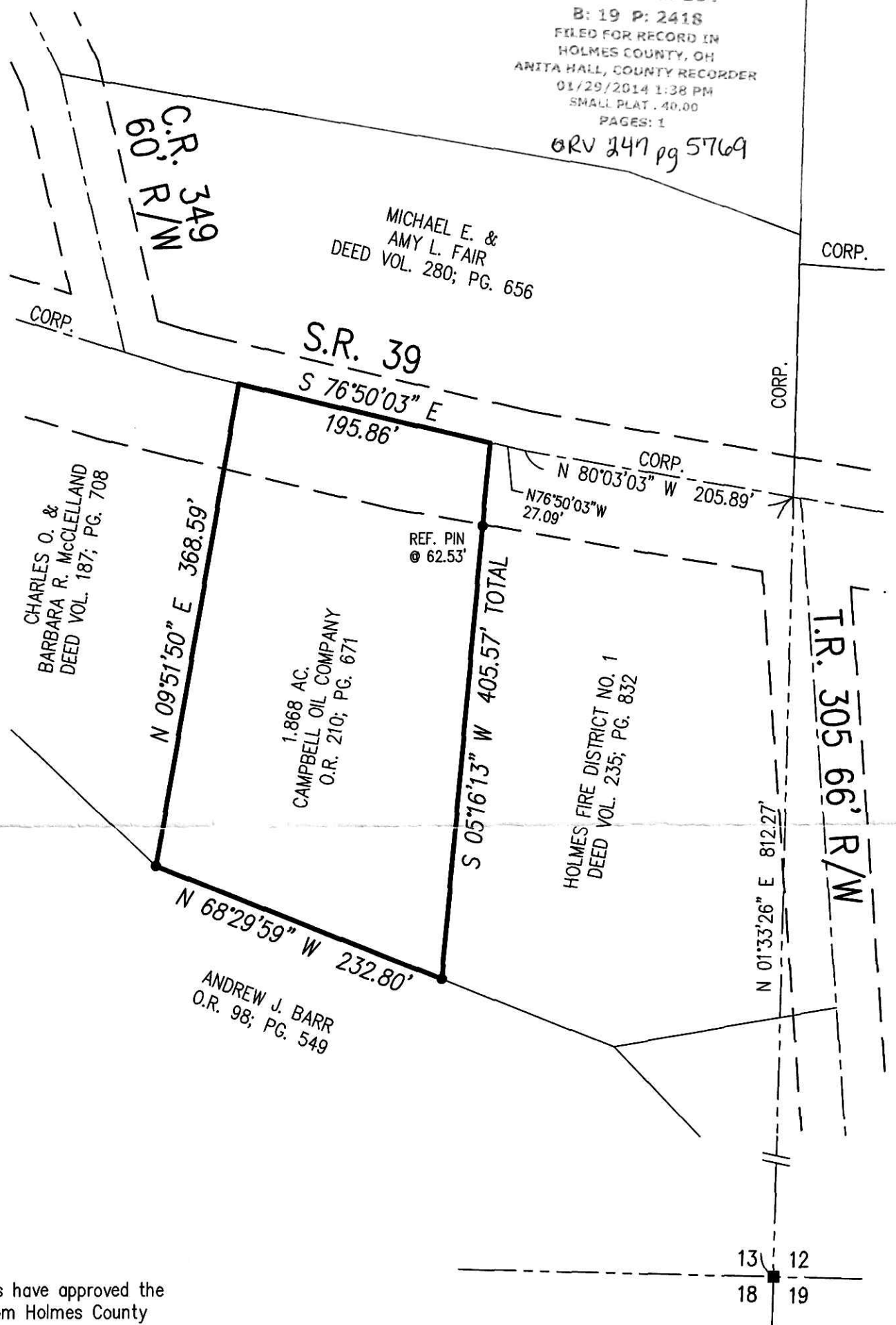
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 B: 19 P: 2418
 FILED FOR RECORD IN
 HOLMES COUNTY, OH
 ANITA HALL, COUNTY RECORDER
 01/29/2014 1:38 PM
 SMALL PLAT . 40.00
 PAGES: 1

ORV 247 pg 5769



REFERENCE SURVEY:
 VOIL. 10; PG. 242
 VOL. 16; PG. 515
 VOL. 17; PG. 30
 BASIS OF BEARING:
 The bearings are to an
 assumed meridian.

- STONE FOUND
- I.P. OR PIPE FOUND



APPROVAL OF THE HOLMES COUNTY COMMISSIONERS:
 I hereby certify that the Holmes County Commissioners have approved the detachment of this tract of land as shown hereon, from Holmes County
 This 23rd day of September 2013, Resolution # 9-23-13-2

[Signature]
 Chairman, County Commissioners

APPROVAL OF THE MILLERSBURG PLANNING COMMISSION:
 I hereby certify that this plat for annexation was approved by Millersburg Planning Commission at a meeting held on
 This 7 day of AUGUST 2013,

[Signature]
 President, Millersburg Planning Commission

APPROVAL OF THE MILLERSBURG VILLAGE COUNCIL:
 I hereby certify that this plat for annexation was approved by the Village Council of Millersburg, Ohio at a meeting held on
 This 23rd day of December 2013, Resolution # 2013-37

[Signature]
 Village Clerk Administrator

PLAT APPROVED
 9/13/2013 *[Signature]*

I hereby certify that this plat was prepared on behalf of the property owner from surveys by Donald C. Baker dated 11-22-96 & 02-11-99 and a survey by William H. Long dated 02-29-84 and existing deeds and survey records.

By: *[Signature]* Date 5-21-13
 Mark E. Purdy, P.S. #7307



SHAFFER, JOHNSTON, LICHTENWALTER & ASSOCIATES, INC.
 Consulting Engineers & Surveyors
 3477 Commerce Parkway, Suite C
 Wooster, Ohio 44691
 TEL (330) 345-6377 FAX (330) 345-6725 EMAIL sjl@sjl-inc.com

DRAWN C. Faib	CHECKED	SCALE 1" = 100'	DATE 05/21/13
DWG NO: EW-2423-ANNEX		JOB NO: EW-2423	
SHEET 1 OF 1			

TRANSFER NOT NECESSARY

DATE Jan. 29, 2014
AUDITOR Joshua McKee-DT

VILLAGE OF MILLERSBURG

RESOLUTION # 2013-37

(Annexing 1.868 Acres to the Village of Millersburg)

WHEREAS, Campbell Oil Company, an Ohio corporation (the "Owner") is the owner of a parcel of real property containing a total of approximately 1.868 acres (the "Property"). The Owner desires that the property be annexed to the Village of Millersburg, Ohio.

WHEREAS, pursuant to O.R.C. §§709.021 and 709.022, the Village of Millersburg, Ohio (the "Village"), the Trustees of Hardy Township, Ohio (the "Village") "Township"), Campbell Oil Company and the Village of Millersburg (the Village) entered into a certain Annexation Agreement dated September 9, 2013 (the "Annexation Agreement"), a copy of which is attached hereto as Exhibit A and made a part hereof;

WHEREAS, the Owners filed its Petition for Annexation (expedited Type I), a copy of which is attached hereto as Exhibit B and made a part hereof, along with a copy of the Annexation Agreement with the Board of County Commissioners, Holmes County, Ohio on September 13, 2013;

WHEREAS, on September 23, 2013, the Board of County Commissioners, Holmes County, Ohio adopted a resolution granting the annexation request, a copy of the resolution is attached hereto as Exhibit C and made a part hereof;

WHEREAS, the Petition, Annexation Agreement and all accompanying materials appear to be in conformance with the law and it further appears that the proposed annexation of the Property is in the best interest of the Village.

WHEREAS, pursuant to Section 1153.04 of the Millersburg Ordinances, and with the approval of the Millersburg Planning and Zoning Board at their meeting on August 7, 2013, and after public hearing, the annexed property shall be designated as B-2 Highway Business District immediately upon annexation.

NOW, THEREFORE, BE IT RESOLVED that the Village of Millersburg, Ohio, hereby accepts the Petition for Annexation, along with all accompanying materials, grants the annexation as requested and affirms and adopts the Annexation Agreement in its entirety. The annexation shall be effective 30 days after the date of this Resolution.

BE IT FURTHER RESOLVED that the annexed property shall be zoned B-2 Highway Business District immediately upon annexation.



BE IT FURTHER RESOLVED that the Clerk of the Village forward the signed Petition and Annexation Agreement and accompanying materials, along with a copy of this Resolution to the Auditor of Holmes County, Ohio, the Recorder of Holmes County, Ohio and the Secretary of State of Ohio.

Passed at a regular meeting of Millersburg Village Council on the 23 day of December, 2013.

Notice of this Resolution shall be published in the Holmes County Bargain Hunter and/or the Wooster Daily Record once per week for two (2) consecutive weeks as required by the Ohio Revised Code.

Reading 1 11-25-13 Reading 2 12-9-13 Reading 3 12-23-13

PASSED in Council this 23 day of December, 2013.

Vote: All yea

Attest: Karen Shaffer
Karen Shaffer, Clerk of Council

James Beechy
James Beechy, President of Council

Approved: December 23, 2013

Jeff Hudner
Jeff Hudner, Mayor

Annexation Agreement

This Annexation Agreement (the "Agreement") is made and entered into this 9 day of September, 2013, pursuant to Ohio Revised Code Sections 709.021 and 709.022, by and between the Village of Millersburg, Ohio (the "Village") and the Trustees of Hardy Township, Ohio (the "Township") and Campbell Oil Company, an Ohio corporation, ("Owner") with reference to the following facts:

1. Owner is the owner in fee simple of 1.868 acres of real property described in Exhibit A attached hereto and made a part hereof (the "Property"). A plat map of the Property is attached hereto as Exhibit B and made a part hereof.
2. The Property is contiguous with the Village.
3. The parties desire to annex the Property to the Village pursuant to and under the authority of Ohio Revised Code Sections 709.021 and 709.022.
4. Simultaneous herewith, Owner is filing with the Village a Petition for Annexation pursuant to Ohio Revised Code Sections 709.021 and 709.022.
5. The parties desire to enter into a mutual agreement, which outlines their respective rights, duties and obligations with respect to the annexation of the Property into the Village.

In consideration of the above recitals and for other good and valuable consideration, the receipt of which is acknowledged, the parties covenant and agree as follows:

1. **Annexation of Property.** Effective as of thirty days after the passage of a resolution of the Village accepting Owners' Petition for Annexation, the Property shall be annexed to the Village of Millersburg, Holmes County, Ohio and the corporate limits of the Village shall be extended to include and encompass the Property. Once annexed to the Village, the Property shall no longer be a part of the territory of Hardy Township and shall be the exclusive territory of the Village for all purposes, including but not limited to, allocation of real property, and income tax proceeds.
2. **Zoning.** Once annexed, the Property shall be classified for zoning purposes as B-2 Highway Business District. Pursuant to Section 1153.04 of the Village's Codified Ordinances this zoning classification was approved by the Village Council simultaneous to annexation.
3. **Utilities.** Owners desire that certain utility services be extended and made available to the Property. With respect to the provision of utilities to the Property, the parties agree as follows:
 - A. **Construction and Installation of Utilities.** Owner shall be primarily responsible for ensuring that gas, water, electric, phone, cable, water and sewage utilities (collectively, the "Utilities") are available to the Property. Owner shall be responsible for obtaining any necessary permits, easements or licenses necessary to extend the Utilities, including the

Exhibit A

lateral lines, to the boundaries of the Property. The above-referenced utility lines and other necessary facilities such as sanitary sewer lift station shall be constructed in accordance with the standards established by the Village and the Ohio Environmental Protection Agency (“OEPA”). The Village and the OEPA, if required, shall approve the plans for all such utility lines and facilities prior to commencing construction. These plans as approved shall become part of this agreement as if fully rewritten herein.

B. Provision of Water and Sewage. Upon completion of construction of the necessary water and sewage pipelines and facilities by Owner and connection of these systems to the Village water and sewer mains, the Village shall be responsible for providing water and sewage utility services to the Property.

C. Ownership of Systems; Maintenance and Repair.

As part of the installation of Utilities, owner will be installing: (1) a sanitary sewer lift station on the northwest corner its property. A pressurized line will be extended from that lift station north under State Route 39 and will be connected to the Village’s main sewer line located north of State Route 39; (2) a sanitary sewer line that runs from the lift station east to a manhole located on property owned by Holmes Fire District #1; (3) a water line that runs in the state Route 39 right-of-way in an East- West direction.

After the water and sewer lines are completed per the specifications of the Village and OEPA, if required, the Village will issue a “Certification of Completion”, which will indicate the Owner has complied with the design and construction specifications of the Village and the OEPA, if required. Thereupon, the water line as described above will be offered for dedication, which offer will be accepted by the Village. The Village shall exercise due diligence to approve the dedication as soon as possible after the offer for dedication is received by the Village. Notwithstanding said dedication, consistent with Sec. 1133.16 of the Village Ordinances, for one year from the acceptance of the dedication, the Owner shall be responsible for all maintenance and repair for said water lines. The Owner shall remain responsible for all maintenance and repair of its sewer lines and the lift station facilities installed by Owner except as provided for below.

The owner shall not allow any other person or entity to connect to its water and sewer lines without the express written consent of the Village.

The Village shall maintain the option of choosing to make the water and sewer lines installed by Owner the property of the Village. If the Village exercises this option, the Village shall be entitled to upgrade the water and sewer lines and lift station as necessary to accommodate future water and sewer customers. If the Village exercises this option, it shall become fully responsible for all costs related to the upgrade of the facilities as well as all future maintenance costs.

In order to allow the Village to assume ownership of the water and sewer lines, all easements obtained by Owner must be drafted so they are assignable to the Village as necessary. Furthermore Owner shall assign the easements to the Village as necessary and shall grant a 20 foot easement to the Village (10 feet on either side of the centerline of the water and sewer lines) to enter upon its property for construction and maintenance of said lines as necessary.

- D. Storm Water. All improvements constructed on the Property by Owner, including, but not limited to driveways and any buildings shall be designed to channel or divert surface water to the village storm sewer for dispersal.
- E. Recoupment. The Owner is subject to recoupment fees per Section 921.03 of the Millersburg Ordinances.

4. Streets. The Property will have access to State Route 39 through adjacent property of Owner which is located inside the Village. It is not necessary to build or extend any street for this annexation.

5. Tax Revenue. Effective as of thirty days after the passage of a resolution of the Village accepting Owner's Petition for Annexation, the Property shall be annexed to the Village and the corporate limits of the Village shall be extended to include and encompass the Property. Once annexed to the Village, the Property shall no longer be a part of the territory of the Township and shall be the exclusive territory of the Village for all purposes, including but not limited to, allocation of real property, and income tax proceeds except as follows using the property valuation for the year that the payment is due:

With respect to commercial and industrial real, and personal taxes using the property valuation for the year that the payment is due:

- (a) In the first through third years following the annexation of the Property from the Township, 80% of the Township taxes in the Property that would have been due the Township for if no annexation occurred;
- (b) In the fourth and fifth years following the annexation of the Property from the Township, 67.5% of the Township taxes in the Property that would have been due the Township if no annexation had occurred;
- (c) In the sixth and seventh years following the annexation of the Property from the Township, 62.5% of the Township taxes in the Property that would have been due the Township if no annexation had occurred;
- (d) In the eighth and ninth years following the annexation of the Property from the Township, 57.5% of the Township taxes in the Property that would have been due the Township if no annexation had occurred; and
- (e) In the tenth through twelfth years following the annexation of the Property from the township, 42.5% of the Township taxes in the Property that would have been due the Township if no annexation had occurred.

With respect to residential and retail real property taxes using the property valuation for the year that the payment is due:

(a) In the first through third years following the annexation of the Property from the township, 80% of the Township taxes in the Property that would have been due the Township if no annexation had occurred;

(b) In the fourth and fifth years following the annexation of the Property from the Township, 52.5% of the Township taxes in the Property that would have been due the Township if no annexation had occurred;

(c) In the sixth through tenth years following the annexation of the Property from the Township, 40% of the Township taxes in the Property that would have been due the Township if no annexation had occurred;

(d) In the eleventh and twelfth years following the annexation of the Property from the Township, 27.5% of the Township taxes in the Property that would have been due the Township if no annexation had occurred.

6. **Fair Interpretation.** Every covenant, term, and provision of this Agreement shall be construed simply according to its fair meaning and not strictly for or against either party.

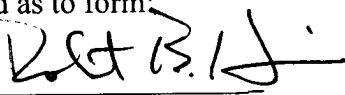
7. **Severability.** Every provision of this Agreement is intended to be severable. If any term or provision hereof is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity or legality of the remainder of this Agreement.


8. **Governing Law.** This Agreement shall be construed in accordance with, and governed by, the laws of the State of Ohio.

9. **Dispute Resolution.** If any party to this agreement believes another party has failed to perform its part of any provision of that agreement, including the failure to make any payment of moneys due under the agreement, that party shall give notice to the other party clearly stating what breach has occurred. The party receiving the notice has ninety days from the receipt of that notice to cure the breach. If the breach has not been cured within that ninety-day period, the party that sent the notice may sue for recovery of the money due under the agreement, sue for specific enforcement of the agreement, or terminate the agreement upon giving notice of termination to all the other parties. The parties agree that they shall exhaust all other available remedies before pursuing termination of the agreement.

10. **Binding Effect.** This agreement shall be binding upon and inure to the benefit of the heirs, successors and assigns of the parties.

Approved as to form:


Robert B. Hines
Millersburg Solicitor


Steve Knowlton
Holmes County Prosecuting Attorney

“Village”
Village of Millersburg, Ohio

“Township”
Hardy Township Trustees

By: Jeff Huebner
Jeff Huebner
Its Mayor

Richard Dye, Trustee

By: James L Beechy
James Beechy
Council President

David Gerber
David Gerber, Trustee

David Crilow
David Crilow, Trustee

“Owner”

Campbell Oil Company
an Ohio corporation

By: Robert D. Engel
Print Name: Robert D. Engel
Its: VP

State of Ohio:
County of Holmes:

The foregoing instrument was acknowledged before me this 9 day of September, 2013, by Jeff Huebner, Mayor, of the Village of Millersburg, Ohio.

[seal]



Karen S Shaffer
Notary Public

State of Ohio:
County of Holmes:

The foregoing instrument was acknowledged before me this 9 day of September, 2013, by James Beechy, Council President, of the Village of Millersburg, Ohio.

[seal]



Karen S Shaffer
Notary Public

State of Ohio:
County of Holmes:

The foregoing instrument was acknowledged before me this _____ day of _____, 2013, by Richard Dye, Trustee of the Hardy Township Trustees.
[seal]

Notary Public

State of Ohio:
County of Holmes:

The foregoing instrument was acknowledged before me this 10th day of July, 2013, by David Gerber, Trustee of the Hardy Township Trustees.



CLINT M. LEIBOLT
Attorney at Law
Notary Public, State of Ohio
My Commission Has No
Expiration Date
Section 147.03 R.C.

Clint Leibolt
Notary Public

State of Ohio:
County of Holmes:

The foregoing instrument was acknowledged before me this 10th day of July, 2013, by David Crilow, Trustee of the Hardy Township Trustees.



CLINT M. LEIBOLT
Attorney at Law
Notary Public, State of Ohio
My Commission Has No
Expiration Date
Section 147.03 R.C.

Clint Leibolt
Notary Public

State of Ohio:
County of Holmes:

The foregoing instrument was acknowledged before me this 15th day of JULY, 2013, by ROBERT D. ENGEL, V.P., of Campbell Oil Company, an Ohio corporation, on behalf of said company.

[seal]

Robin Roach

Notary Public



ROBIN ROACH
Notary Public, State of Ohio
My Commission Expires
November 29, 2015

This instrument prepared by:
Clint M. Leibolt, Attorney at Law
138 East Jackson Street
Millersburg, Ohio 44654



EXHIBIT A

Situated in the Township of Hardy, County of Holmes, State of Ohio and known as being a part of Section 13, T-9N, R7W, also known as being lands conveyed to Campbell Oil Company in O.R. Volume 210; Page 671 of Holmes County Official Records and further bound and described as follows:

Commencing at a stone found at the southeast corner of Section 13;

Thence N 01° 33' 26" E, 812.27 feet along the section line to a point in S.R. 39;

Thence N 80° 03' 03" W, 205.89 feet in S.R. 39 to a point;

Thence N 76° 50' 03" W, 27.09 feet to a point at the northwest corner of lands conveyed to Holmes Fire District No. 1 in Volume 235, Page 832 of Holmes County Deed Records and the principal place of beginning of the parcel herein described;

THENCE WITH THE FOLLOWING FOUR (4) COURSES:

- 1) S 05° 16' 13" W, 405.57 feet along the westerly line of said Holmes Fire District lands to an iron pin found at the southwest corner thereof and on the northerly line of lands conveyed to Andrew J. Barr in O.R. Volume 98; Page 549 of Holmes County Official Records;
- 2) N 68° 29' 59" W, 232.80 feet along the northerly line of said Barr lands to an iron pin found at the southeast corner of lands conveyed to Charles O. and Barbara R. McClelland in Volume 187; Page 708 of Holmes County Deed Records;
- 3) N 09° 51' 50" E, 368.59 feet along the easterly line of said McClelland lands to a point at the northeast corner thereof and in S.R. 39;
- 4) S 76° 50' 03" E, 195.86 feet in S.R. 39 to the principal place of beginning and containing within said bounds 1.868 acres of land, more or less, and subject to all legal highways and easements of record.

This description was prepared by mark E. Purdy, P.S. #7307 of Shaffer, Johnston, Lichtenwalter & Associates, Inc. in May of 2013 from surveys by Donald C. Baker dated 11-22-96 & 02-11-99 and a survey by William H. Long dated 02-29-84 and existing deeds and survey records.

The bearings are to an assumed meridian.

See Plat Volume 19, Page 2418 for survey.

PRIOR INSTRUMENT REFERENCE: O.R. Volume 210; Page 671 of Holmes County Official Records.

[Signature in box]

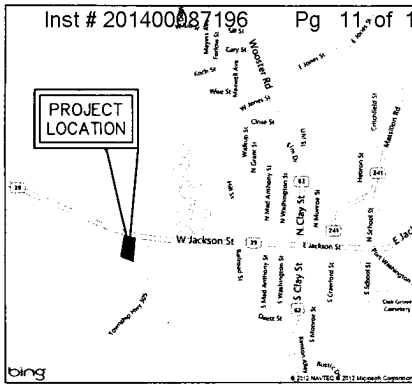
1.868 AC. ANNEXATION PLAT

TO THE
VILLAGE OF MILLERSBURG

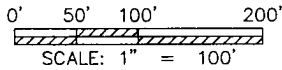
PART OF
T-9N ; R-7W, SECTION 13
HARDY TOWNSHIP
HOLMES COUNTY, OHIO

1ST QTR. LOT 48

13 12

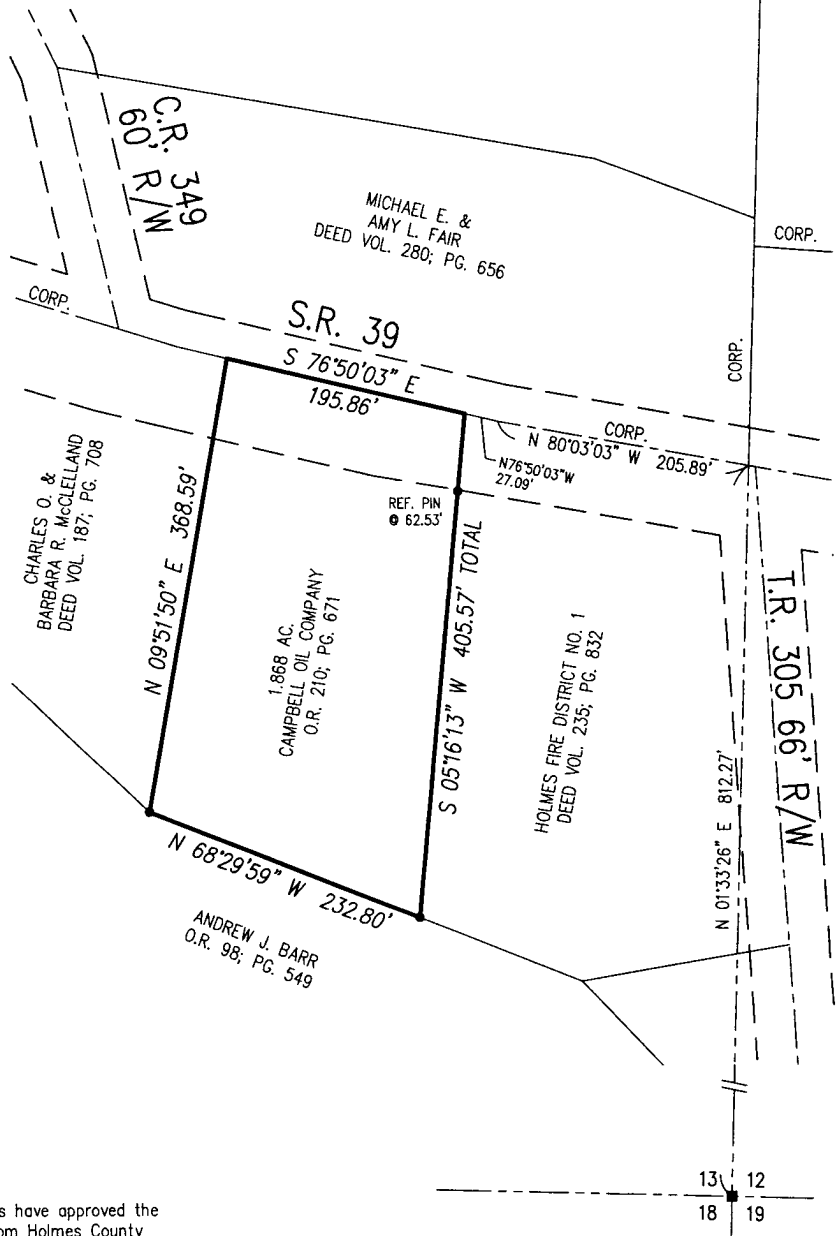
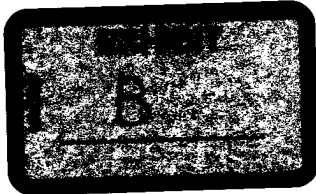


LOCATION MAP



REFERENCE SURVEY:
VOL. 10; PG. 242
VOL. 16; PG. 515
VOL. 17; PG. 30
BASIS OF BEARING:
The bearings are to an assumed meridian.

- STONE FOUND
- I.P. OR PIPE FOUND



APPROVAL OF THE HOLMES COUNTY COMMISSIONERS:

I hereby certify that the Holmes County Commissioners have approved the detachment of this tract of land as shown hereon, from Holmes County

This ___ day of _____ 20___, Resolution # _____

Chairman, County Commissioners

APPROVAL OF THE MILLERSBURG PLANNING COMMISSION:

I hereby certify that this plat for annexation was approved by Millersburg Planning Commission at a meeting held on

This ___ day of _____ 20___,

President, Millersburg Planning Commission

APPROVAL OF THE MILLERSBURG VILLAGE COUNCIL:

I hereby certify that this plat for annexation was approved by the Village Council of Millersburg, Ohio at a meeting held on

This ___ day of _____ 20___, Resolution # _____

Village Clerk

I hereby certify that this plat was prepared on behalf of the property owner from surveys by Donald C. Baker dated 11-22-96 & 02-11-99 and a survey by William H. Long dated 02-29-84 and existing deeds and survey records.

By: *Mark E. Purdy* 5-21-13
Mark E. Purdy, P.S. #7307 Date



SHAFFER, JOHNSTON, LICHTENWALTER & ASSOCIATES, INC.
Consulting Engineers & Surveyors
3477 Commerce Parkway, Suite C
Wooster, Ohio 44691
TEL (330) 345-6377 FAX (330) 345-6725 EMAIL sjl@sjl-inc.com

DRAWN C. Falb	CHECKED	SCALE 1" = 100'	DATE 05/21/13
DWG NO: EW-2423-ANNEX		JOB NO: EW-2423	
		SHEET 1 OF 1	

**Petition for Annexation
(Expedited Type I)**

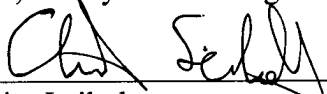
The undersigned ("Petitioners"), being the sole owners of the real property bearing Auditor's Permanent Parcel Number 0601136000 being a 1.868 acre parcel more fully described in Exhibit A, attached hereto and made a part hereof (the "Property") hereby petitions, pursuant to Ohio Revised Code Section 709.022, for the annexation of the Property to the Village of Millersburg, Holmes County, Ohio.

In support of its petition, Petitioner states as follows:

1. The legal description of the perimeter of the Property is attached hereto as Exhibit A and made a part hereof.
2. A plat map of the Property is attached hereto as Exhibit B and made a part hereof. The Property is adjacent to the Village of Millersburg.
3. The undersigned Petitioners are the owners, as defined in ORC Section 709.02(E), of all of the land in the area proposed to be annexed.
4. Clint Leibolt, attorney, of 138 East Jackson Street, Millersburg, Ohio, is hereby appointed agent for Petitioner with full power and authority to do any and all things necessary in connection with the filing, review and approval of this petition.

Acceptance of Appointment

The undersigned, named herein agent for Petitioner, hereby acknowledges and accepts the appointment of agent for said Petitioner.



 Clint Leibolt

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.

Petitioner,
Campbell Oil Company, an Ohio corporation

By: Robert D. Engel
 Its: Vice President

Date: October 18, 2012

Exhibit B



EXHIBIT A

Situated in the Township of Hardy, County of Holmes, State of Ohio and known as being a part of Section 13, T-9N, R7W, also known as being lands conveyed to Campbell Oil Company in O.R. Volume 210; Page 671 of Holmes County Official Records and further bound and described as follows:

Commencing at a stone found at the southeast corner of Section 13;

Thence N 01° 33' 26" E, 812.27 feet along the section line to a point in S.R. 39;

Thence N 80° 03' 03" W, 205.89 feet in S.R. 39 to a point;

Thence N 76° 50' 03" W, 27.09 feet to a point at the northwest corner of lands conveyed to Holmes Fire District No. 1 in Volume 235, Page 832 of Holmes County Deed Records and the principal place of beginning of the parcel herein described;

THENCE WITH THE FOLLOWING FOUR (4) COURSES:

- 1) S 05° 16' 13" W, 405.57 feet along the westerly line of said Holmes Fire District lands to an iron pin found at the southwest corner thereof and on the northerly line of lands conveyed to Andrew J. Barr in O.R. Volume 98; Page 549 of Holmes County Official Records;
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- 3) N 09° 51' 50" E, 368.59 feet along the easterly line of said McClelland lands to a point at the northeast corner thereof and in S.R. 39;
- 4) S 76° 50' 03" E, 195.86 feet in S.R. 39 to the principal place of beginning and containing within said bounds 1.868 acres of land, more or less, and subject to all legal highways and easements of record.

This description was prepared by mark E. Purdy, P.S. #7307 of Shaffer, Johnston, Lichtenwalter & Associates, Inc. in May of 2013 from surveys by Donald C. Baker dated 11-22-96 & 02-11-99 and a survey by William H. Long dated 02-29-84 and existing deeds and survey records.

The bearings are to an assumed meridian.

See Plat Volume 19, Page 5769 for survey.

PRIOR INSTRUMENT REFERENCE: O.R. Volume 210; Page 671 of Holmes County Official Records.

10/1/13

1.868 AC. ANNEXATION PLAT

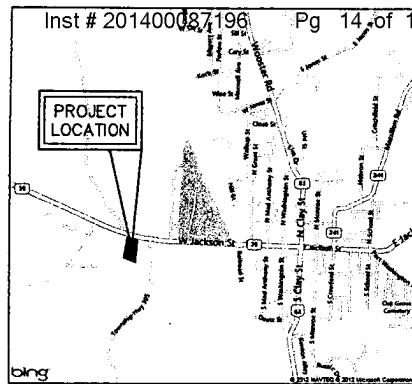
1ST QTR. LOT 48

TO THE
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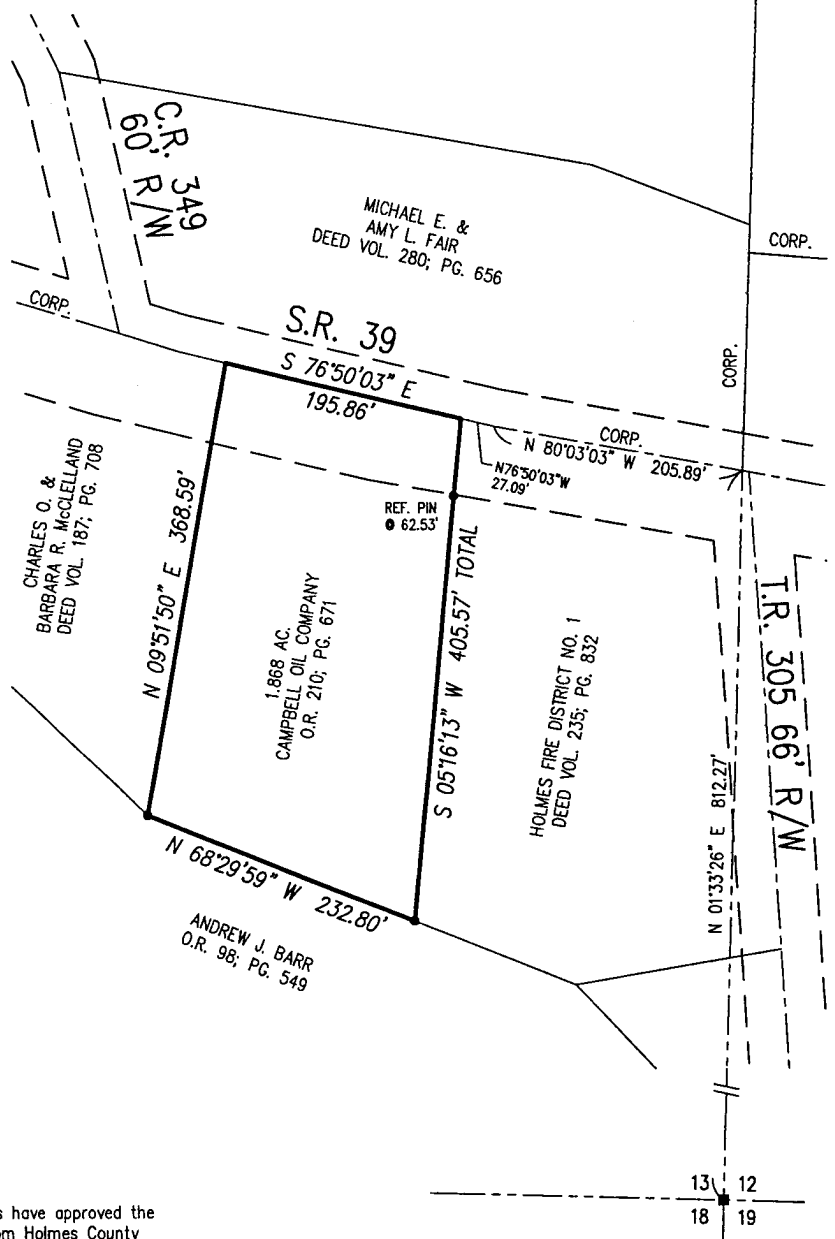
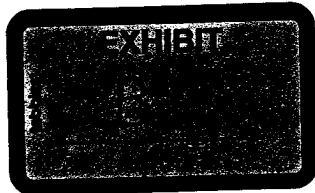
LOCATION MAP



0' 50' 100' 200'
SCALE: 1" = 100'

REFERENCE SURVEY:
VOL. 10; PG. 242
VOL. 16; PG. 515
VOL. 17; PG. 30
BASIS OF BEARING:
The bearings are to an assumed meridian.

- STONE FOUND
- I.P. OR PIPE FOUND



APPROVAL OF THE HOLMES COUNTY COMMISSIONERS:

I hereby certify that the Holmes County Commissioners have approved the detachment of this tract of land as shown hereon, from Holmes County

This ___ day of _____ 20___, Resolution # _____

Chairman, County Commissioners

APPROVAL OF THE MILLERSBURG PLANNING COMMISSION:

I hereby certify that this plat for annexation was approved by Millersburg Planning Commission at a meeting held on

This ___ day of _____ 20___,

President, Millersburg Planning Commission

APPROVAL OF THE MILLERSBURG VILLAGE COUNCIL:

I hereby certify that this plat for annexation was approved by the Village Council of Millersburg, Ohio at a meeting held on

This ___ day of _____ 20___, Resolution # _____

Village Clerk

I hereby certify that this plat was prepared on behalf of the property owner from surveys by Donald C. Baker dated 11-22-96 & 02-11-99 and a survey by William H. Long dated 02-29-84 and existing deeds and survey records.



By: *Mark E. Purdy* 5-21-13
Mark E. Purdy, P.S. #7307 Date

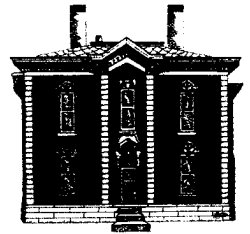
SHAFFER, JOHNSTON, LICHTENWALTER & ASSOCIATES, INC.
Consulting Engineers & Surveyors
3477 Commerce Parkway, Suite C
Wooster, Ohio 44691
TEL (330) 345-6377 FAX (330) 345-6725 EMAIL sjl@sjf-inc.com

DRAWN C. Falt	CHECKED	SCALE 1" = 100'	DATE 05/21/13
DWG NO: EW-2423-ANNEX		JOB NO: EW-2423	
		SHEET 1 OF 1	



HOLMES COUNTY COMMISSIONERS

2 COURT STREET, SUITE 14
MILLERSBURG, OHIO 44654-2001
PHONE (330) 674-0286 FAX (330) 674-0566
E-MAIL: HCC@CO.HOLMES.OH.US



Resolution #09-23-13-2

A RESOLUTION APPROVING AN ANNEXATION INTO THE VILLAGE OF MILLERSBURG

WHEREAS, Campbell Oil Company, an Ohio Corporation, (the owner) is the sole owner of a 1.868 acre parcel (the "property") located in Hardy Township, Holmes County Ohio accurately described in Exhibit A attached hereto and depicted on the plat on Exhibit B attached hereto; and and

WHEREAS, the Owners have filed a petition with this Board requesting said property be annexed into the Village of Millersburg, and

WHEREAS, said petition contains the signatures of 100% of the owners of said property who consent to the annexation and includes in bold faced type a warning that the Owners have waived their right to appeal any action taken by the County Commissioners on said Petition., and

WHEREAS, said petition is accompanied by a valid certified copy of the Annexation Agreement as described in Revised Code Section 709.192 , signed by the Owners, the Hardy Township Trustees and the Village of Millersburg, and

WHEREAS, Revised Code Section 709.022 provides that given all of the above, the Holmes County Commissioners at its next regularly scheduled meeting after receipt of the Petition, must enter a resolution granting the annexation without hearing.

BE IT RESOLVED, that the Holmes County Commissioners do hereby approve the annexation of the Property into the Village of Millersburg.

Mr. Ault moved for adoption of the preceding Resolution.

Mr. Miller seconded the motion. Upon roll call the vote was as follows:

Exhibit C

Raymond Eyer *Raymond Eyer* yes/no
Joe D. Miller *Joe Miller* yes/no
Rob Ault *Rob Ault* yes/no

The below signed Clerk to the Board hereby certifies that the preceding Resolution is a true and exact copy of a Resolution adopted during the regular business meeting of September 23, 2013 and recorded in Commissioners Journal 46 under that date.

Susan L. Haun
Susan L. Haun, Clerk to the Board
Holmes County Board of Commissioners

Exhibit C-1



EXHIBIT A

Situated in the Township of Hardy, County of Holmes, State of Ohio and known as being a part of Section 13, T-9N, R7W, also known as being lands conveyed to Campbell Oil Company in O.R. Volume 210; Page 671 of Holmes County Official Records and further bound and described as follows:

Commencing at a stone found at the southeast corner of Section 13;

Thence N 01° 33' 26" E, 812.27 feet along the section line to a point in S.R. 39;

Thence N 80° 03' 03" W, 205.89 feet in S.R. 39 to a point;

Thence N 76° 50' 03" W, 27.09 feet to a point at the northwest corner of lands conveyed to Holmes Fire District No. 1 in Volume 235, Page 832 of Holmes County Deed Records and the principal place of beginning of the parcel herein described;

THENCE WITH THE FOLLOWING FOUR (4) COURSES:

- 1) S 05° 16' 13" W, 405.57 feet along the westerly line of said Holmes Fire District lands to an iron pin found at the southwest corner thereof and on the northerly line of lands conveyed to Andrew J. Barr in O.R. Volume 98; Page 549 of Holmes County Official Records;
- 2) N 68° 29' 59" W, 232.80 feet along the northerly line of said Barr lands to an iron pin found at the southeast corner of lands conveyed to Charles O. and Barbara R. McClelland in Volume 187; Page 708 of Holmes County Deed Records;
- 3) N 09° 51' 50" E, 368.59 feet along the easterly line of said McClelland lands to a point at the northeast corner thereof and in S.R. 39;
- 4) S 76° 50' 03" E, 195.86 feet in S.R. 39 to the principal place of beginning and containing within said bounds 1.868 acres of land, more or less, and subject to all legal highways and easements of record.

This description was prepared by mark E. Purdy, P.S. #7307 of Shaffer, Johnston, Lichtenwalter & Associates, Inc. in May of 2013 from surveys by Donald C. Baker dated 11-22-96 & 02-11-99 and a survey by William H. Long dated 02-29-84 and existing deeds and survey records.

The bearings are to an assumed meridian.

See Plat Volume 19, Page 2418 for survey.

PRIOR INSTRUMENT REFERENCE: O.R. Volume 210; Page 671 of Holmes County Official Records.

Exhibit C-2

1 of 1 [Signature]