ORDINANCE

No. 95-19

AN ORDINANCE TO VACATE A PORTION OF AN ALLEY IN THE VILLAGE OF THORNVILLE

WHEREAS, the Council of the Village of Thornville, pursuant to Ohio Revised Code Section 723.05, finds that there is good cause for vacating a portion of an alley in the Village of Thornville and that the same will not be detrimental to the general interest of the Village; and,

WHEREAS, the Council has determined that a written consent has been signed and submitted to Council and that public notice is not necessary pursuant to authority of Ohio Revised Code Section 723.06. Said consent is attached hereto and made a part hereof.

NOW, THEREFORE:

SECTION ONE: That the following portion of an alley, heretofore dedicated to public use, be and the same hereby is vacated. See Exhibit "A" attached hereto and made a part hereof.

SECTION TWO: That the Village reserves the future control and use of any utility right-of-way which exists in said alley.

SECTION THREE: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: Nov 13, 1995 after 1 reading.

Vote: Yeas 5 Nays: 0

Approved:

Mayor

President of Council

Attest:

Clerk

JOHN H. HANKINSON
Perry County Auditor
Date: 12/4/95
By: [illegible]

TO THE RECORDER: PLEASE CROSS REFERENCE TO Vol. 238, Page 715; & OR Vol. 85, Page 195

CONSENT TO VACATION OF A PORTION OF AN ALLEY IN THE VILLAGE OF THORNVILLE

The undersigned, being the owners of the property abutting a certain alley sought to be vacated (see complete description of the alley sought to be vacated attached hereto) hereby consent to the vacation of said alley to waive notice of said vacation under authority of Ohio Revised Code Section 723.06.

Donald E. Leavitt 11-10-95
Donald E. Leavitt

Yvonne E. Leavitt 11-10-95
Yvonne E. Leavitt

Theresa L. White 11-10-95
Tereasa L. White





DPH SURVEYING INC.
CONSULTING ENGINEERS & SURVEYORS
P.O. BOX 429 THORNVILLE, OHIO 43076
OHIO PHONE: 1-800-648-8151 FAX NO. 1-800-648-8150

DEED DESCRIPTION
TRACT 1
0.0227 ACRES +/- OR 990 Sq. Ft.

BEING A SURVEY OF AN ALLEY TWELVE (12) FOOT WIDE, SAID ALLEY LYING BETWEEN THE NORTH RIGHT-OF-WAY LINE OF WEST COLUMBUS STREET (STATE ROUTE 204) AND THE SOUTH RIGHT-OF-WAY LINE OF A SIXTEEN (16) FOOT WIDE ALLEY IN THE VILLAGE OF THORNVILLE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SITUATED IN THE TOWNSHIP OF THORN, COUNTY OF PERRY, STATE OF OHIO, SECTION 9, TOWNSHIP-18, RANGE-17, AND BEING IN THE VILLAGE OF THORNVILLE, AND BEING A PART OF FOSTER'S ADDITION, AS RECORDED IN PLAT BOOK 2 PAGE 128, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, FOR REFERENCE, AT AN IRON PIN FOUND MARKING THE SOUTHEAST CORNER OF LOT 1 IN FOSTER'S ADDITION, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF WEST COLUMBUS STREET (STATE ROUTE 204), THENCE WITH SAID RIGHT-OF-WAY LINE S 86°15'00" W 198.00 FEET TO AN IRON PIN SET, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 3 IN FOSTER'S ADDITION, AND BEING THE SOUTHEAST CORNER AND THE PRINCIPLE PLACE OF BEGINNING OF THE TRACT HEREIN TO BE DESCRIBED:

THENCE, CONTINUING WITH SAID RIGHT-OF-WAY LINE S 86°15'00" W 6.01 FEET TO A POINT, SAID POINT BEING THE CENTERLINE OF SAID TWELVE (12) FOOT WIDE ALLEY AND BEING THE SOUTHWEST CORNER OF THE PARCEL HEREIN TO BE DESCRIBED:

THENCE, WITH THE CENTERLINE OF SAID ALLEY N 01°03'16" W 165.00 FEET TO A POINT IN THE SOUTH RIGHT-OF-WAY LINE OF A SIXTEEN (16) FOOT ALLEY, AND BEING THE NORTHWEST CORNER OF THE PARCEL HEREIN TO BE DESCRIBED:

THENCE, WITH THE SOUTH LINE OF SAID ALLEY, N 86°17'47" E 6.01 FEET TO AN IRON PIN SET MARKING THE NORTHWEST CORNER OF LOT 3, AND BEING THE PARCEL CONVEYED TO DONALD AND YVONNE LEAVITT AS RECORDED IN DEED VOLUME 238 PAGE 715, AND BEING THE NORTHEAST CORNER OF THE PARCEL HEREIN TO BE DESCRIBED:

THENCE, WITH THE WEST LINE OF LOT 3 S 01°03'16" E 165.00 FEET TO THE PLACE OF BEGINNING, PASSING OVER IRON PINS SET AT 59.11 FEET AND 118.22 FEET. THE PARCEL AS SURVEYED CONTAINS 0.0227 ACRES OR 990 SQUARE FEET MORE OR LESS. SUBJECT TO ALL LEGAL EASEMENTS OF RECORD.

THE BEARINGS OF THE ABOVE DESCRIBED PARCEL ARE BASED ON THE NORTH RIGHT-OF-WAY LINE OF WEST COLUMBUS STREET AS BEING S 86°15'00" W AS RECORDED IN PLAT BOOK 2 PAGE 128.

ALL IRON PINS SET ARE 5/8" O.D. REINFORCING BARS WITH YELLOW CAPS LABELED "DENNIS P. HAGAN, #6917".

THE ABOVE DESCRIPTION IS BASED ON A FIELD SURVEY DONE UNDER THE SUPERVISION OF DENNIS P. HAGAN, P.E., P.S., OHIO REGISTERED SURVEYOR #6917 ON MAY 4, 1995.

STATE OF OHIO DENNIS P. HAGAN 6917 REGISTERED PROFESSIONAL SURVEYOR

Description Meets Minimum, Survey Standards, Approval for transfer is up to the Auditors Office.
Perry County Engineers Ofc.

DATED 10/20/95 (1409087)

DENNIS P. HAGAN, P.E., P.S.
OHIO REGISTERED SURVEYOR #6917



DPH SURVEYING INC.
CONSULTING ENGINEERS & SURVEYORS
P.O. BOX 429 THORNVILLE, OHIO 43076
OHIO PHONE: 1-800-648-8151 FAX NO. 1-800-648-8150

DEED DESCRIPTION
TRACT 2
0.0227 ACRES +/- OR 990 Sq. Ft.

BEING A SURVEY OF THE WEST HALF OF AN ALLEY TWELVE (12) FOOT WIDE, SAID ALLEY, LYING BETWEEN THE NORTH RIGHT-OF-WAY LINE OF WEST COLUMBUS STREET (STATE ROUTE 204) AND THE SOUTH RIGHT-OF-WAY LINE OF A SIXTEEN (16) FOOT WIDE ALLEY IN THE VILLAGE OF THORNVILLE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SITUATED IN THE TOWNSHIP OF THORN, COUNTY OF PERRY, STATE OF OHIO, SECTION 9, TOWNSHIP-18, RANGE-17, AND BEING IN THE VILLAGE OF THORNVILLE, AND BEING A PART OF FOSTER'S ADDITION, AS RECORDED IN PLAT BOOK 2 PAGE 128, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, FOR REFERENCE, AT AN IRON PIN FOUND MARKING THE SOUTHEAST CORNER OF LOT 1 IN FOSTER'S ADDITION, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF WEST COLUMBUS STREET (STATE ROUTE 204), THENCE WITH SAID RIGHT-OF-WAY LINE S 86°15'00" W 204.01 FEET TO A POINT, SAID POINT BEING IN THE CENTERLINE OF SAID TWELVE (12) FOOT WIDE ALLEY, AND BEING THE SOUTHEAST CORNER AND THE PRINCIPLE PLACE OF BEGINNING OF THE TRACT HEREIN TO BE DESCRIBED:

THENCE, CONTINUING WITH SAID RIGHT-OF-WAY LINE S 86°15'00" W 6.01 FEET TO A POINT, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 4 AND THE PARCEL CONVEYED TO TERESA L. WHITE AS RECORDED IN OFFICIAL RECORD 85 PAGE 195, AND BEING THE SOUTHWEST CORNER OF THE PARCEL HEREIN TO BE DESCRIBED:

THENCE, WITH THE EAST LINE OF LOT 4, N 01°03'16" W 165.01 FEET TO A POINT MARKING THE NORTHEAST CORNER OF LOT 4, AND BEING THE NORTHWEST CORNER OF THE PARCEL HEREIN TO BE DESCRIBED:

THENCE, WITH THE SOUTH RIGHT-OF-WAY LINE OF A SIXTEEN (16) FOOT WIDE ALLEY, N 86°17'47" E 6.01 FEET TO A POINT MARKING THE CENTERLINE OF SAID TWELVE (12) FOOT WIDE ALLEY, AND BEING THE NORTHEAST CORNER OF THE PARCEL HEREIN TO BE DESCRIBED:

THENCE, WITH THE CENTERLINE OF SAID ALLEY, S 01°03'16" E 165.00 FEET TO THE PLACE OF BEGINNING. THE PARCEL AS SURVEYED CONTAINS 0.0227 ACRES OR 990 SQUARE FEET MORE OR LESS. SUBJECT TO ALL LEGAL EASEMENTS OF RECORD.

THE BEARINGS OF THE ABOVE DESCRIBED PARCEL ARE BASED ON THE NORTH RIGHT-OF-WAY LINE OF WEST COLUMBUS STREET AS BEING S 86°15'00" W AS RECORDED IN PLAT BOOK 2 PAGE 128.

ALL IRON PINS SET ARE 5/8" O.D. REINFORCING BARS WITH YELLOW CAPS LABELED "DENNIS P. HAGAN, #6917".

THE ABOVE DESCRIPTION IS BASED ON A FIELD SURVEY DONE UNDER THE SUPERVISION OF DENNIS P. HAGAN, P.E., P.S., OHIO REGISTERED SURVEYOR #6917 ON MAY 4, 1995.

STATE OF OHIO DENNIS P. HAGAN 6917 REGISTERED PROFESSIONAL SURVEYOR

Description Meets Minimum, Survey Standards, Approval for transfer is up to the Auditors Office.
Perry County Engineers Ofc.

DATED 10/20/95 (1409087)

DENNIS P. HAGAN, P.E., P.S.
OHIO REGISTERED SURVEYOR #6917



DPH SURVEYING, INC.
CONSULTING ENGINEERS AND SURVEYORS
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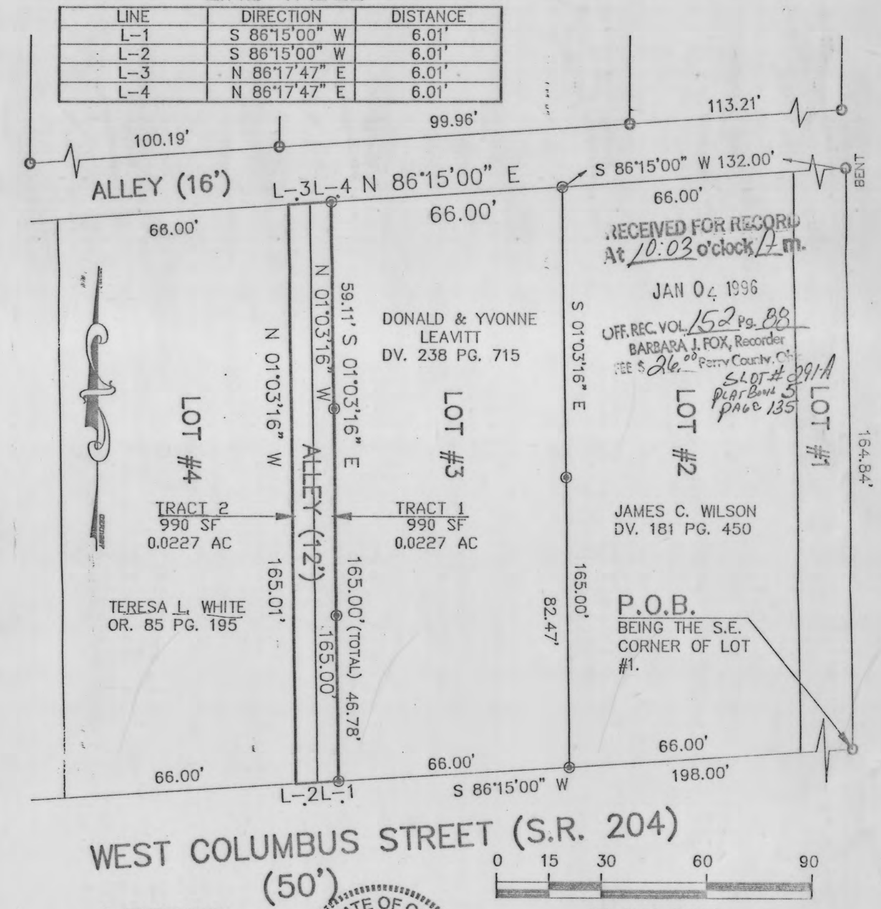
OHIO PHONE: 1-800-648-8151 FAX NO. 1-800-648-8150

PROPERTY LOCATION
SITUATED IN THE STATE OF OHIO, COUNTY OF PERRY, TOWNSHIP OF THORN, BEING A PART OF SECTION #9, TWP.-18, RNG.-17, AND BEING IN THE VILLAGE OF THORNVILLE, BEING LOT #3 IN FOSTER'S ADDITION TO THORNVILLE, AS FOUND IN PLAT BOOK 2 PAGE 128.

PREPARED FOR:
DONALD LEAVITT
86 W. COLUMBUS STREET
THORNVILLE, OHIO 43076
INVOICE NO. 95-05021
FILE NO. 95-981PE
F/W 5-4-95 LM/GH

LINE TABLE

| LINE | DIRECTION | DISTANCE |
|---|---|---|
| L-1 | S 86°15'00" W | 6.01' |
| L-2 | S 86°15'00" W | 6.01' |
| L-3 | N 86°17'47" E | 6.01' |
| L-4 | N 86°17'47" E | 6.01' |




RECEIVED FOR RECORD
At 10:03 o'clock A m.
JAN 04 1996
OFF. REC. VOL. 152 PG. 88
BARBARA J. FOX, Recorder
FEE $16.00 Perry County, O.
SLOT # 291A
Per Book 5 page 135

LEGEND
- O - IRON PIN FOUND
- ◉ - IRON PIN SET
- △ - RAILROAD SPIKE FOUND
- ▲ - RAILROAD SPIKE SET

NOTE: ALL PINS SET ARE 5/8" o.d. IRON REINFORCING BARS WITH YELLOW CAPS LABELED "DENNIS P. HAGAN #6917".

I HEREBY CERTIFY THAT AN ACTUAL SURVEY WAS MADE OF THE PREMISES AND THAT THIS PLAT IS CORRECT TO THE BEST OF MY KNOWLEDGE.

STATE OF OHIO DENNIS P. HAGAN 6917 REGISTERED PROFESSIONAL SURVEYOR

BEARINGS OF THIS PLAT ARE BASED ON THE NORTH RIGHT-OF-WAY LINE OF W. COLUMBUS STREET AS BEING S 86 15'00" W AS RECORDED IN PLAT BOOK 2 PAGE 128.

DATED 10/20/95 (1409087)

DENNIS P. HAGAN P.E., P.S.
OHIO REGISTERED SURVEYOR #6917