

ORDINANCE NO. 42-15

**AN ORDINANCE AUTHORIZING THE ANNEXATION OF
CERTAIN TERRITORY TO THE CITY OF ASHLAND, OHIO AND
DECLARING AN EMERGENCY.**

Whereas, application, in proper form, for annexation of certain territory adjacent to the City of Ashland, Ohio has been made to the Board of County Commissioners of Ashland County; and

Whereas, the Board of County Commissioners of Ashland County thereafter, in accordance with law, adopted a Resolution granting said petition for annexation; and

Whereas, this Council desires to accept said application for annexation; and

Whereas, this Ordinance is declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health, safety and welfare, enabling safety protection and enforcement of City Ordinances at the earliest possible time and permitting a more suitable use of the territory in question to be made at the earliest possible time; now therefore,

Be It Ordained by the Council of the City of Ashland, State of Ohio, 5 members thereto concurring:

Section 1. That the annexation of the following described territory:

Situated in the State of Ohio, the County of Ashland and the Township of Montgomery:

(See Exhibit "A" attached hereto.)

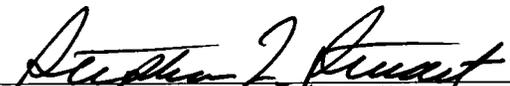
which territory is adjacent to the City of Ashland, be, and the same is hereby, authorized.

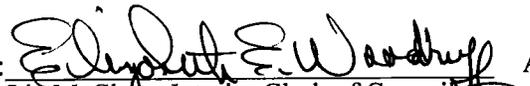
Section 2. That the Clerk of Council of the City of Ashland be and she is hereby authorized and directed to comply with the provisions of Revised Code Section 709.06 (proceeding when application allowed) in order to effectuate such annexation.

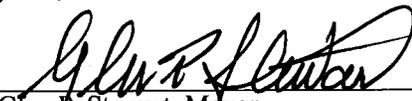
Section 3. For the reason that is necessary to annex said territory at the earliest possible time in order that the City of Ashland can provide safety protection and enforcement of City Ordinances on said territory and to permit a more suitable use of the territory to be made, this Ordinance is hereby declared to be emergency measure immediate preservation of the public peace, property, healthy, safety and welfare.

Section 4. That this Ordinance shall take effect and be in force from and after its passage by Council and approval pursuant to Section 12 of the Charter of the City of Ashland, Ohio.

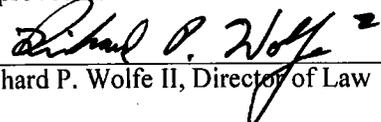
Passed: June 16, 2015


Stephen L. Stuart, President of Council

Attest: 
Liz McClung, Interim Clerk of Council

Approved: 
Glen P. Stewart, Mayor

Approved as to form and correctness:


Richard P. Wolfe II, Director of Law

Date: June 16, 2015

EXHIBIT A - 1

DESCRIPTION FOR ANNEXATION OF LAND
TO
THE CITY OF ASHLAND, OHIO

January 12, 2015

(Entire Area South of U.S. Route 250 RW)

Situated in the Township of Montgomery, County of Ashland, State of Ohio and being known as a part of the Southeast Quarter of Section No. 15 and a part of the Northeast Quarter of Section No. 22, Township 22 North, Range 16 West and more fully described as follows:

Commencing for boundary at an iron pin found at the Southwest corner of the Southeast Quarter of Section No. 15, said iron pin also being the Northwest corner of the Northeast Quarter of Section No. 22 and on the existing East Corporation line of the City of Ashland, Ohio, said iron pin also being the Southwest corner of land now or formerly owned by Tara SPK Hospitality LLC, as recorded in Official Records Volume 814, Page 736 of the Ashland County Deed Records;

Thence North 00° 56' 06" East, along the West line of the Southeast Quarter of Section No. 15, the existing East Corporation line of the City of Ashland, Ohio and the West line of said Tara SPK Hospitality LLC land, a distance of 385.53 feet to an iron pin found on the South right-of way line of U. S. Route 250;

Thence continuing North 00° 56' 06" East, along the West line of the Southeast Quarter of Section No. 15 and the existing right-of way line of U. S. Route 250 and the West line of said , Tara SPK Hospitality LLC, land, a distance of 22.28 feet to an iron pin set on the South right-of way line of U. S. Route 250 and the Southwest corner of land now or formerly owned by the State of Ohio, as recorded in Volume 507, Page 920 of the Ashland County Deed Records;

Thence South 71° 39' 14" East, along the South line of said State of Ohio land and the South right-of way line of U. S. Route 250 and land now or formerly owned by the State of Ohio, as recorded in Volume 507, Page 718 and Volume 507, Page 778 of the Ashland County Deed Records and the North line of the aforesaid Tara SPK Hospitality LLC, land and the North line of land now or formerly owned by Ashland Hotel Partners, Inc. as recorded in Official Records Volume 796, Page 988 of the Ashland County Deed Records, a distance of 393.18 feet to a P.K. nail set;

Thence South 68° 50' 30" East, along the South line of said State of Ohio land and the South right-of way line of U. S. Route 250 and lands now or formerly owned by the State of Ohio, as recorded in Volume 515, Page 306, Volume 515, Page 316, Volume 510, Page 71 and Volume 509, Page 647 and the North line of the aforesaid Ashland Hotel Partners, Inc. land and the North line of land now or formerly owned by F.E.R.S.T., Inc. as recorded in Volume 577, Page 584 of the Ashland County Deed Records and the North line of land now or formerly owned by Zimmerman Land Co., LTD as recorded in Volume 592, Page 653 of the Ashland County Deed Records, a distance of 607.84 feet to an iron pin set;

Thence North 03° 44' 45" East, along the East line of said State of Ohio land and the West line of said Zimmerman Land Co., LTD land, a distance of 33.57 feet to an iron pin set on the South right-of way line of U. S. Route 250;

Thence South 77° 13' 38" East, along the South right-of way line of U. S. Route 250, a distance of 240.83 feet to an iron pin set at the Northwest corner of land now or formerly owned by Board of Education Of Montgomery Local School as recorded in Volume 268, Page 311 of the Ashland County Deed Records;

EXHIBIT A - 2

DESCRIPTION FOR ANNEXATION OF LAND TO THE CITY OF ASHLAND, OHIO

January 12, 2015

(Entire Area South of U.S. Route 250 R/W)

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Thence South 71° 30' 34" East, along the South right-of-way line of U. S. Route No. 250 and the North line of said Board of Education Of Montgomery Local School land, a distance of 228.15 feet to an iron pin found on the South line of the Southeast Quarter of Section No. 15 and the North line of the Northeast Quarter of Section No. 22;

Thence Southeasterly, along the South right-of-way line of U. S. Route No. 250 and the North line of said Board of Education Of Montgomery Local School land, and on a curve to the left, (R = 746.48 feet, $\Delta = 16^\circ 18' 08"$, L = 212.40 feet) a chord bearing of South 80° 43' 40" East and a chord distance of 211.68 feet to an iron pin found;

Thence South 88° 52' 31" East, along the North line of said Board of Education Of Montgomery Local School land, a distance of 1.17.80 feet to a point on the centerline of County Road No. 1575, said point also being on the West line of land now or formerly owned by HPT TA Properties Trust as recorded in Official Records Volume 546, Page 657 of the Ashland County Deed Records;

Thence continuing South 88° 52' 31" East, along the South right-of-way line of U. S. Route No. 250, a distance of 25.38 feet to a point;

Thence South 08° 50' 28" East, along the East right-of-way line of County Road No. 1575, a distance of 22.90 feet to a point;

Thence North 87° 58' 18" East, along the South right-of-way line of U. S. Route No. 250, a distance of 100.37 feet to a point;

Thence South 80° 44' 48" East, along the South right-of-way line of U. S. Route No. 250, a distance of 304.17 feet to an iron pin found on the East line of the aforesaid HPT TA Properties Trust; land, said iron pin also being on the West line of land now or formerly owned by Esther L. Bush, Sue Bush Stevenson and Philip A. Bush, Co-Successor Trustees of the Robert C. Bush Revocable Trust; dated July 20, 1999 as recorded in Official Records Volume 229, Page 906 of the Ashland County Deed Records and by Timothy L. Schar and Ann Beckert Schar, Trustees of the Schar Revocable Living Trust dated December 20, 2012 as recorded in Official Records Volume 752, Page 399 of the Ashland County Deed Records;

Thence South 88° 52' 31" East, along the South right-of-way line of U. S. Route 250, a distance of 501.39 feet to a point on the East line of the Northeast Quarter of Section No. 22;

Thence South 00° 04' 15" West, along the East line of the Northeast Quarter of Section No. 22 and passing thru an iron pin found at 1035.33 feet on the Southerly right-of-way line of Interstate Route I-71, a total distance of 1545.30 feet to an iron pin found, said iron pin also being on the North line of land now or formerly owned by Robert P. and Amanda M. McNaull, as recorded in Official Records Volume 740, Page 727 of the Ashland County Deed Records, said iron pin also being the Southeast corner of said Robert C. Bush Revocable Trust land and the Schar Revocable Living Trust land;

EXHIBIT A - 3

DESCRIPTION FOR ANNEXATION OF LAND TO THE CITY OF ASHLAND, OHIO

January 12, 2015

(Entire Area South of U.S. Route 250 RW)

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Thence North 89° 20' 11" West, along the North line of said McNaull land and the South line of said Robert C. Bush Revocable Trust land and the Schar Revocable Living Trust land and passing thru an iron pin found at 399.46 feet on the Easterly right-of-way line of County Road No. 1575 and a Mag Nail found at 453.15 feet on the centerline of County Road No. 1575, a total distance of 902.71 feet to an iron pin found on the West right-of-way line of Interstate Route I-71, said iron pin also being the Northeast corner of land now or formerly owned by Loral Investments, LLC as recorded in Official Records Volume 492, Page 639 of the Ashland County Deed Records and the Northeast corner of the City of Ashland, Ohio;

Thence continuing North 89° 20' 11" West, along the South line of said Robert C. Bush Revocable Trust land and the Schar Revocable Living Trust land and the North line of said Loral Investments, LLC land and the North Corporation line of the City of Ashland, Ohio, a distance of 1761.32 feet to an iron pin found on the West line of the Northeast Quarter of Section No. 22 and the existing East Corporation line of the City of Ashland, Ohio;

Thence North 00° 17' 04" East, along the West line of said Robert C. Bush Revocable Trust land and the Schar Revocable Living Trust land and West line of the Northeast Quarter of Section No. 22 and the existing East Corporation line of the City of Ashland, Ohio, a distance of 1656.71 feet to the place of beginning containing a total of 104.863 Acres more or less, but subject to all legal highways and easements of record. There being a total of 6.137 Acres in the Southeast Quarter of Section No. 15, consisting of 0.997 Acres in Tax Map Parcel "I", 0.682 Acres in Tax Map Parcel "I-1", 0.642 Acres in Tax Map Parcel "I-2", 0.602 Acres in Tax Map Parcel "I-3", 0.611 Acres in Tax Map Parcel "I-4", 1.084 Acres in Tax Map Parcel "I-5", 0.379 Acres in Tax Map Parcel "J", 0.231 Acres in Tax Map Parcel "J-1", 0.500 Acres in Tax Map Parcel "J-1-1", 0.231 Acres in Tax Map Parcel "J-1-3" and 0.178 Acres in Tax Map Parcel "K". Also, there being a total of 98.726 Acres in the Northeast Quarter of Section No. 22 consisting of 18.081 Acres in Tax Map Parcel "A", 5.009 Acres in Tax Map Parcel "A-1", 4.486 Acres in Tax Map Parcel "A-2", 1.000 Acres in Tax Map Parcel "A-3", 6.592 Acres in Tax Map Parcel "A-4", 1.335 Acres in Tax Map Parcel "A-5", 1.838 Acres in Tax Map Parcel "A-6", 1.659 Acres in Tax Map Parcel "A-7", 57.830 Acres in Tax Map Parcel "A-8" and 0.896 Acres in Tax Map Parcel "A-8-1".

SURVEYOR'S CERTIFICATION:

I hereby certify that this plat was prepared from the notes of a survey made February, 2005 and July, 2014 by the office of Grindle and Bender, Ashland, Ohio and Lowell E. Bender, Registered Surveyor No. 4978. All bearings are assumed and are for the determination of angles only. All distances are in feet and decimals thereof. All iron pins set are 5/8" x 30" with cap.

**APPROVED BY
CO. ENGINEER**

Lowell E. Bender
Registered Surveyor No.4978