

RESOLUTION NO. 1-2020

A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO AUTHORIZING THE ANNEXATION OF AN ADJACENT 0.459 ACRE TRACT OF REAL ESTATE LOCATED IN GOSHEN TOWNSHIP AS DESCRIBED IN THE ATTACHED EXHIBIT A, AND DECLARING AN EMERGENCY.

WHEREAS, a petition having been filed and approved by the Board of the Tuscarawas County Commissioners in accordance with O.R.C. 709.02 for annexation of the real estate into the City of New Philadelphia as further described in attached Exhibit A, and

WHEREAS, the Council of the City of New Philadelphia, Ohio desires to approve said annexation.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO:

SECTION 1. The City of New Philadelphia, Ohio does authorize and consent to the annexation of the 0.459 acre tract said real estate as further described in attached Exhibit A into the City of New Philadelphia and zones the same residential.

SECTION 2. Public utilities are available to be extended to the annexed real estate.

SECTION 3. This Resolution is hereby declared to be an emergency measure and its immediate passage is necessary in order to preserve, protect and maintain the health, safety and welfare of the citizens of the City of New Philadelphia, Ohio.

SECTION 4. This resolution shall take effect immediately upon its passage and approval.

PASSED: March 9, 2020



DONALD C. KEMP
PRESIDENT OF COUNCIL

ATTEST:



JULIE COURTRIGHT
CLERK OF COUNCIL

APPROVED:



JOEL B. DAY
MAYOR

SPONSORED BY: ZONING AND ANNEXATION COMMITTEE

TRANSFERRED
TRANSFER FEE 6.50
CONVEYANCE EXAMINED
SEC. 319-202 R.C. COMPLIED WITH

VOL 1517 PAGE 2388

201600011752
Filed for Record in
TUSCARAWAS COUNTY, OH
LORI L SMITH, RECORDER
11-09-2016 At 02:17 pm.
QUIT CLAIM 28.00
OR Volume 1517 Page 2388 - 2388

NOV - 9 2016

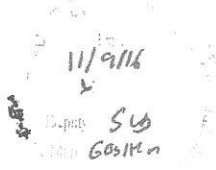
EXHIBIT A

AMT _____
LARRY LINDBERG
Tuscarawas County Auditor

Contiguous Parcel - No Plat Required
Not to be conveyed separately without review by
Tuscarawas County Regional Planning Commission.

Approved by Jill P. Douglas

Date Nov. 9, 2016



QUIT-CLAIM DEED

JOHN C. RIKER, legally separated, of Tuscarawas County, Ohio, for valuable consideration paid, grants to **JOHN C. RIKER**, legally separated, whose tax mailing address is 319 Minnich Avenue, NE, New Philadelphia, Ohio, 44663, the following real property:

Situated in the Township of Goshen, County of Tuscarawas and State of Ohio:

Being located in the First Quarter, T-8, R-2 of the United States Military Lands and being **part** of a 23.276 acre tract (A.P.#25-01319.000) as conveyed to John C. Riker by Official Record Volume 1272 at Page 689 of the Tuscarawas County Deed Records, being more fully described as follows;

Commencing at a 5/8" iron pin (found) at the intersection of "Hillandale Road & Winkler Road" in A.E. Winkler Estates First Allotment (Plat Book 14 - Page 24);

Thence with the centerline of said "Hillandale Road", South 5 deg. 18 min. 20 sec. West, 30.00 feet to a point;

Thence leaving said centerline, North 84 deg. 41 min. 35 sec. West, 130.00 feet to a 5/8" iron pin (set) on the south line of "Donahey Avenue NE" and at the **TRUE PLACE OF BEGINNING** of the tract herein to be described;

Thence from said beginning and through the 23.276 acre tract the following 2 courses and distances;

- 1) South 5 deg. 18 min. 14 sec. West, 199.83 feet to a 5/8" iron pin (set);
- 2) North 84 deg. 42 min. 28 sec. West, 100.00 feet to a 5/8" iron pin capped "Civil Design" (found) at the southeast corner of Lot 563 in "A.E. Winkler Estates First Allotment" (Plat Book 14, Page 24);

Thence with the east line of said lot, North 5 deg. 18 min. 14 sec. East, 199.86 feet to a 5/8" iron pin capped "Civil Design" (found) at the northeast corner of Lot 563 and on the south line of "Donahey Avenue NE";

Thence with the south line of said "Donahey Avenue NE", South 84 deg. 41 min. 35 sec. East, 100.00 feet to the **TRUE PLACE OF BEGINNING** containing 0.459 acres more or less but subject to all legal highways, right-of-ways, easements, leases and restrictions of record or otherwise legally established.

Exhibit A

Bearings are oriented to the centerline of Hillandale Road as shown on a Civil Design survey plat dated June 7, 1996 and iron pins indicated (set) are 5/8" x 30" iron rebars with an orange plastic cap stamped "EMLER 7760".

Survey and description by Randall A. Emler, Professional Surveyor #7760 in July, 2016.


Prior Instrument Reference: Volume 1272, Page 689, Tuscarawas County Deed Records.

Parcel No. 25-01319.001

WITNESS hand this 4th day of November, 2016.

Signed and acknowledged in the presence of:





John C. Riker

STATE OF OHIO, COUNTY OF TUSCARAWAS: SS

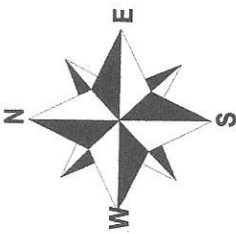
Be It Remembered, That before me, the subscriber, a Notary Public in and for said County, personally came, John C. Riker, the Grantors in the foregoing Deed, and acknowledged the signing thereof to be voluntary act and deed.

In Testimony Whereof, I have hereunto set my hand and official seal at New Philadelphia, Ohio, this 4th day of November, 2016.


Notary Public
David F. Schaffner
No expiration
Atty at Law

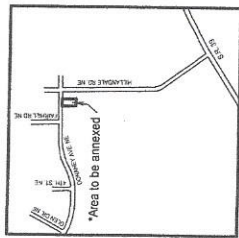
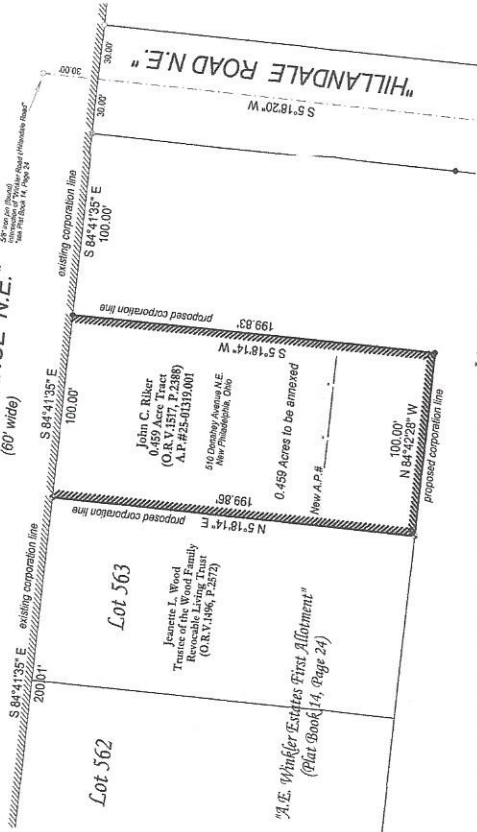
This Instrument Prepared By:
Schaffner Law Offices, Co., LPA
New Philadelphia, Ohio.

PLAT OF ANNEXATION TO THE CITY OF NEW PHILADELPHIA, OHIO



City of New Philadelphia Annexation Approval = Resolution (275-87) A.P.#43-08609-000

"DONAHEY AVENUE N.E." (60' wide)



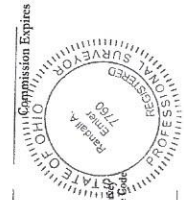
Denotes proposed corporation line
 Denotes existing corporation line

Known by all men by these presents, the land owner as shown on this plat does hereby acknowledge the making of this annexation plat to be at their request and approval

Owner _____ Witness _____
 Owner _____ Witness _____
 Owner _____ Witness _____
 Owner _____ Witness _____

STATE OF OHIO
COUNTY OF TUSCARAWAS

Before me a Notary Public in and for said county and state, personally appeared the above signed owner(s) of the land shown on this plat, who acknowledged that he / she did sign the foregoing instrument and that the same is their free act and will according to law. IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at _____, Ohio, this _____ day of _____, 2019.



Notary Public _____
 I, the undersigned, do hereby state that this plat was prepared from a field and office survey by myself pursuant to Chapter 633.37 of the Ohio Administrative Code and state the same is a true and correct copy of the original plat at the proposed annexation to the City of New Philadelphia, Ohio.
 Notary Public _____ June 24, 2019
 Professional Surveyor #7760

The proceedings approving and authorizing the annexation of this plat and described land was passed by the council of the City of New Philadelphia, Ohio as Ordinance this _____ day of _____, 20____ on _____

Clerk of Council _____ Mayor _____

The proceedings approving and authorizing the annexation of this plat and described land was passed and entered as Resolution _____ day of _____, 20____

Clerk of Township Trustees _____

The proceedings approving and authorizing the annexation of this plat and described land was passed by the Tuscarawas County Commissioners on this _____ day of _____, 20____ and entered in Commissioners Journal _____, Page _____

Clerk of County Commissioners _____

Approved this _____ day of _____, 20____

Tuscarawas County Map Office _____

Approved for transfer this _____ day of _____, 20____

Tuscarawas County Auditor _____

Recorded for record this _____ day of _____ at _____

Plat Book _____, Page _____ of the Tuscarawas County Plat Records.

Tuscarawas County Recorder _____

Fee: _____



Plat of Survey:

Chris Riker	
Located in the First Quarter, T-8, R-2, U.S.M.L. Goshen Township, Tuscarawas County, Ohio	
Scale:	1" = 50'
Date Prepared:	June, 2019
File ID:	RIKER06may19.pcs
Prepared By: WARD & ELLER SURVEYING, INC. 1000 S. State St. New Philadelphia, Ohio 44663 Phone: (330) 364-5866 Fax: (330) 364-1187 E-mail: wesurvey@fomer.com	

Hearings are obtained to the centerline of Hillendale Road as shown on a 5/16/19 Design survey plat June 7, 1996 and iron pins indicated (see) are 5/8" x 3/4" iron rebar with an orange plastic cap stamped "EMLER 7760"

Documents used were plat of local surveys, deed volumes and pages as shown hereon.