

TEMPORARY ORDINANCE NO. 37-13

PERMANENT ORDINANCE NO. _____

AN ORDINANCE TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO ACCEPT FIVE (5) ACRES, MORE OR LESS, OF PROPERTY SITUATED IN SECTION 28, TOWNSHIP 14 NORTH, RANGE 18 FROM BERNE TOWNSHIP, AND TO DECLARE AN EMERGENCY

WHEREAS, the City previously deeded property in Section 28, Township 14 North, Range 18 West, said property being in Berne Township, to Berne Township for the purpose of constructing a firehouse pursuant to Ordinances 6-2001 and 18-2001, and;

WHEREAS, the Berne Township Board of Trustees has chosen another location for a firehouse and wishes to abandon the property and exercise the reversion clause in the deed to deed the property back to the City;

BE IT ORDAINED by the Council of the City of Lancaster, Fairfield County, State of Ohio

SECTION 1. That the Service-Safety Director is authorized to accept five (5) acres, more or less, from the Berne Township Board of Trustees situated in Section 28, Township 14 North, Range 18 West. The property to be accepted shall be five (5) acres, more or less, taken from along the east line of Sugar Grove Road and the City's northerly property line, said property line also being the south line of the William H. Alten Subdivision as found in Plat Book 10, Page 80 of the records of the Fairfield County Recorder.

SECTION 2. As a condition of this acceptance, Berne Township shall pay all costs associated with the acceptance of this property. This shall include, but shall not be limited to, costs for preparing a deed of conveyance, costs for preparing all documents such as a sale contract, costs of closing, and all property transfer fees.

SECTION 3. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective in order to begin gas line construction, wherefore this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Approved: _____

President of Council

Attest: _____

Mayor

Offered by: _____

Second by: _____

Requested by Law Committee

TOBIN-McFARLAND SURVEYING, INC.

Professional Land Surveyors



111 West Wheeling Street
Lancaster, Ohio 43130
Phone (740) 687-1710
Fax. (740) 687-0877

Description of 5.010 Acres

Situated in the State of Ohio, County of Fairfield, Township of Berne, Township 14, Range 18, Section 28.

Being part of the property described in deed volume 619, page 861, and being more fully described as follows:

Beginning at a 5/8 inch rebar set on the south line of the William H. Alten Subdivision, recorded in plat book 10, page 80, said point is South 89 degrees 39' 23" West a distance of 1164.68 feet from a 3/4 inch iron pipe found at the southeast corner of the said William H. Alten Subdivision and the east line of section 28;

thence South 00 degrees 37' 53" West a distance of 443.03 feet to a 5/8 inch rebar set;

thence South 89 degrees 39' 23" West a distance of 146.80 feet to a 5/8 inch rebar set;

thence North 84 degrees 13' 28" West, passing a 5/8 inch rebar set at 306.80 feet, a total distance of 331.80 feet to a point in Sugar Grove Road;

thence North 10 degrees 12' 40" West a distance of 248.54 feet to a railroad spike found in said road;

thence North 03 degrees 30' 15" East a distance of 163.10 feet to a iron pin found in said road;

thence North 89 degrees 39' 23" East, passing a 5/8 inch rebar set at 25.00 feet, a total distance of 515.90 feet to the point of beginning, containing **5.010 Acres**, and being subject to all legal easements, restrictions and rights-of-way of record.

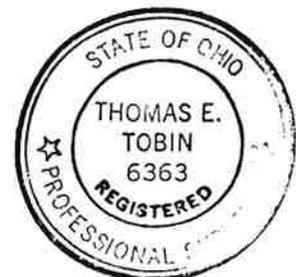
Bearings are based on an assumed meridian and are used to denote angles only. Rebars set are 5/8 inch by 36 inches and have a yellow plastic identification cap stamped "Tobin-McFarland". For additional information see plat of survey made in conjunction with and considered an integral part of this description.

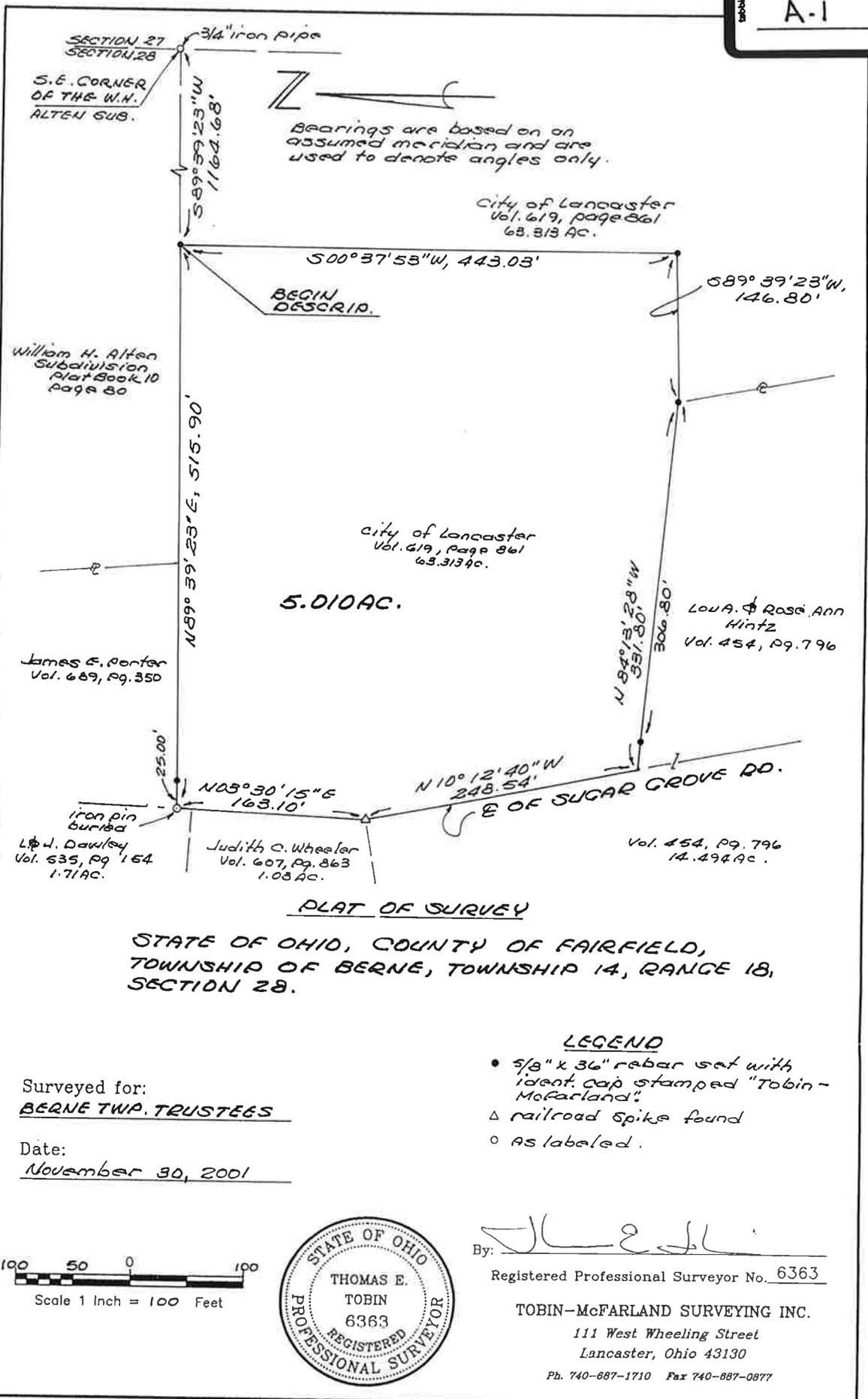
This description is based on a survey made in November of 2001 by Tobin-McFarland Surveying, Inc., and was prepared by Thomas E. Tobin, Registered Professional Surveyor No. 6363.

Thomas E. Tobin, P.S.
November 30, 2001

J-5 Berne twp. trust 1

APPROVED 9/13/05
David G. [Signature]





PLAT OF SURVEY

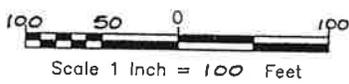
STATE OF OHIO, COUNTY OF FAIRFIELD,
TOWNSHIP OF BERNE, TOWNSHIP 14, RANGE 18,
SECTION 28.

Surveyed for:
BERNE TWP. TRUSTEES

Date:
November 30, 2001

LEGEND

- 5/8" x 36" rebar set with ident. cap stamped "Tobin-McFarland"
- △ railroad spike found
- as labeled.



By: [Signature]

Registered Professional Surveyor No. 6363

TOBIN-MCFARLAND SURVEYING INC.

111 West Wheeling Street
Lancaster, Ohio 43130

Ph. 740-887-1710 Fax 740-887-0877