

VILLAGE OF CHAUNCEY
~~ORDINANCE NO. 2014 -~~ 6
Resolution

A Resolution
~~AN ORDINANCE~~ AUTHORIZING THE SOLICITOR TO ENTER INTO
AN AGREEMENT REGARDING THE PROPERTY LINES OF LANDS
OWNED BY WILLIAM AND PEARL HENRY AND THE VILLAGE AND
DECLARING AN EMERGENCY

WHEREAS, the Village owns the right of ways known as Elm Street and Converse Street in the Village; and,

WHEREAS, William and Pearl Henry own the building located on the north corner of the T intersection of Elm Street and Converse Street (aka Ohio Route 13) as shown in Deed recorded in the Athens Recorder's Office at O.R.Vol. 383Page1492; and,

WHEREAS, the Village by survey of Gerald W. Bayha dated October 11, 2011 is informed that a portion of the building located on said lot extends into the Elm Street right of way and into the Converse Street right of way as shown on the portion of the Bayha survey attached hereto as Exhibit 1; and,

WHEREAS, the Village is authorized by O.R.C. 5301.21 to enter into agreements to fix the common property line and corner of adjoining tracts of land; and,

WHEREAS, it is in the best interest of the Village that property within the Village be freely transferable and unencumbered by clouds on title;

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Chauncey, State of Ohio, as follows:

Section One: The Village Solicitor is authorized to negotiate an agreement with William and Pearl Henry regarding correcting the common property line between the Village right of ways of Elm Street and Converse Street so that the title thereto is free and clear of any claim of the Village.

Section Two: It is the determination of the Village Council that the tracts of land affected by this Ordinance are not of substantial value nor of any public need

of the Village and the action taken herein is to correct the record to reflect the historical conditions of the land and uses therein. The action taken herein does not interfere with nor hinder any functions of the Village, now and into the foreseeable future.

Section Three: The Mayor, the Village Administrator and Fiscal Officer are authorized to execute any land transfer documents necessary to effectuate the foregoing agreement.


Section Four: The cost of recordation of any instruments of transfer shall be borne by William and Pearl Henry.

Section Five: It appearing that William and Pearl Henry are elderly and that the clearing of the title is of great importance to them, and that having ownership of lands that are not clouded by questions of title, this Ordinance is declared to be an emergency measure necessary for the protection and welfare of the residents of the Village and shall take effect immediately upon passage.


PASSED this 17 day of September, 2014.



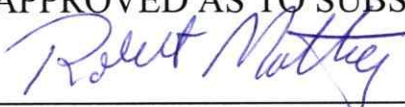
Joe Canter
Council President

ATTEST:


Connor Swartz
Fiscal Officer

APPROVED AS TO FORM:


Robert J. Shostak, Esq.
Solicitor

APPROVED AS TO SUBSTANCE


Robert Matthey
Mayor

First Reading: 17 June 2014

Second Reading: 19 August 2014

Third Reading: 17 Sept 2014

CERTIFICATION OF FISCAL OFFICER
AS TO POSTING OF ~~ORDINANCE~~ Resolution

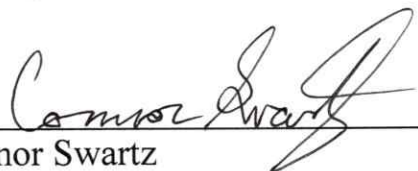
The foregoing is a true copy of the original ^{Resolution}~~Ordinance~~ No. 2014 - 6.

Publication of this Ordinance was made by posting a copy of the same in the following five locations within the Village, beginning on September 18th, 2014, and concluding on October 2nd, 2014 (at least 15 days later):

Location	Date Posted
<u>Town Hall</u>	<u>9/18/14</u>
<u>Post Office</u>	<u>9/18/14</u>
<u>Library</u>	<u>9/18/14</u>
<u>Cee Dee Mart</u>	<u>9/18/14</u>
<u>T's Quick Stop</u>	<u>9/18/14</u>

ATTEST:

Date: 9/18/14



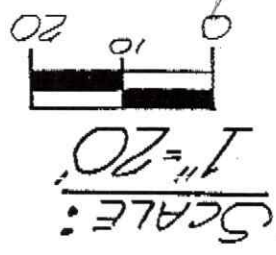
Connor Swartz
Fiscal Officer



RESARCH FIELD SUPERVISOR
 CALCULATIONS & DRAWING BY:
 GERALD W. DANNER, P.E.
 OHIO REGISTERED PROFESSIONAL ENGINEER
 115,120

- LEGEND
- △ 3/8" x 30" ROD SET w/ I.D. LAP
 - STAMPED: "DEYMOUR & ASSOC'S."
 - ROD PIPE FOUND(?)
 - POINT

Exhibit One



LOVERSE STREET
 (STATE ROUTE 16, 13)

SIDEWALK



ELM STREET
 (50.0' R/W)

573°29'18" W
 51.00'

116°30'42" W
 60.00'

607°33'59" W
 40.28'

185°24'00" E ~ 72.67'
 15.00'

ORIGINAL LOT 657 = 20.00'
 30.00'

EXISTING APPROX. CENTERLINE OF PAVEMENT AS TRAVELED TODAY

APPROX. PROPOSED LOCATION OF 666' R/W

LOT LINE # 6
 40.60' (V. LOT)

LOREA LYDIA HILTON
 (TR 10.16.00)

657

666

LOT LINE

ARIE LILA STADLEY

Wm. Henry et al
 (383/402)

(PARCEL Q1E)
 (15 TR.)

(PARCEL Q1E)
 (15 TR.)

EXIST. PRIVACY FENCE