

SR 730 (Buckley)

ORDINANCE NO. 3554

ACCEPTING APPLICATION FOR ANNEXATION OF 212.021 ACRES OF LAND, MORE OR LESS

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILMINGTON, STATE OF OHIO:

Section 1. That the proposed annexation as applied for in the Petition by Frederick J. Buckley, et al., Petitioners, approved for annexation to the City of Wilmington, Ohio, by the Board of County Commissioners of Clinton County, Ohio, on November 30, 1994, is hereby accepted. The territory to be annexed is described as follows:

SEE ATTACHED "EXHIBIT A" FOR REAL ESTATE DESCRIPTION

The certified transcript for the proceedings for annexation, with an accurate map of the territory, together with the Petition for Annexation and other papers relating to the proceedings of the Board of County Commissioners of Clinton County, Ohio, are on file with the Clerk of Council of this City and have been for more than sixty (60) days.

Section 2. The Clerk of Council of the City of Wilmington is directed to make three copies of this ordinance, to each of which shall be attached a copy of the Petition for Annexation, the map or plat accompanying the Petition, a transcript of the proceedings of the Board of County Commissioners of Clinton County, Ohio, and resolutions and ordinances in relation to the annexation, with a certificate to each copy that it is correct. The said Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder, and one copy to the Secretary of State, and shall file notice of this annexation with the Board of Elections within thirty (30) days after it becomes effective.

Section 3. That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Passed this 2nd day of March, 1995.

Det. E. Carey
President of Council Pro Tem

ATTEST:

Linda S. Fisher
Clerk of Council

Approved by me this 2nd day of March, 1995.

David W. King
Mayor

O-1204

ENGINEERS
MAP DEPARTMENT
RECEIVED

4/95

BUCKLEY ANNEXATION

TRACT I: PARCEL I: Situate in the State of Ohio, County of Clinton, Township of Union, being a part of Military Survey No. 2471, and further bounded and described as follows: Beginning at a point in the center of State Highway No. 730, S. $57^{\circ} 0' W.$, 125.80 feet from the corner of Jeanette H. Cohn, et al., thence with the line of Karl and Elsie F. Buckley, S. $19^{\circ} 49' E.$, passing an iron pin at 35.00 feet, 409.85 feet to an iron pin; thence with another of Karl and Elsie F. Buckley's lines, S. $87^{\circ} 48' W.$, 121.65 feet to an iron pin; thence with another of Karl and Elsie F. Buckley's lines, N. $18^{\circ} 58' W.$, passing an iron pin at 302.12 feet, 347.12 feet to a point in the center of State Highway No. 730; thence with the center of said state highway, N. $57^{\circ} 0' E.$, 113.69 feet to the place of beginning, containing 0.98 acre of land, more or less.

(Being a portion of the same premises conveyed to the Grantors herein by deed dated June 23, 1936, and recorded in Volume 113, at Page 14, of the Deed Records of Clinton County, Ohio)

Prior Instrument Reference: Volume 149, Page 18, Deed Records of Clinton County, Ohio.

PARCEL II: Situate in the State of Ohio, County of Clinton, Union Township, being a part of Military Survey No. 2471, and further bounded and described as follows: Beginning at a point in the center of State Route No. 730 and northeast corner of the land of James J. and Nancy F. Buckley; thence with the center of State Route No. 730, N. $57^{\circ} 0 \text{ min. E.}$, 136.53 feet to a point in the center thereof, corner of the land of Ralston Homes, Inc., and in the Wilmington Corporation Line; thence with the corporation line and the lines of Ralston Homes, Inc., S. $24^{\circ} 51 \text{ min. E.}$, passing an iron pin at 30.80 feet, a distance of 423.68 feet to an iron pin corner of the land of Karl E. and Elsie F. Buckley; thence with their line, S. $58^{\circ} 25 \text{ min. W.}$, 142.45 feet to an iron pin; thence with another line of Karl E. and Elsie F. Buckley, S. $87^{\circ} 48 \text{ min. W.}$, 32.07 feet to an iron pin corner of the land of James J. and Nancy F. Buckley; thence with their line, N. $19^{\circ} 49 \text{ min. W.}$, passing an iron pin at 374.85 feet, a distance of 409.85 feet to the place of beginning, containing 1.48 acres of land, more or less.

Prior Instrument Reference: Volume 191, Page 395, Deed Records of Clinton County, Ohio.

PARCEL III: Situate in Union Township and partly within the City of Wilmington, Clinton County, Ohio, and being a part of Military Survey No. 2471 and bounded and described as follows: Beginning at a nail in the center of Truesdell Street (State Route 730) at the Northwesterly corner of James J. and Nancy F. Buckley's 0.98 Acre Tract as recorded in Volume 10, Page 248, of the Clinton County Surveyor's Record. Running thence, from said point of beginning, with the Westerly line of said 0.98 Acre Tract, S. $18^{\circ} 56' 45'' E.$, (passing an iron pin at 35.00 feet) a distance of 347.12 feet to an iron pin; thence, by new division lines, on the following courses: (1) S. $88^{\circ} 24' 45'' W.$, 99.00 feet to an iron pin; (2) N. $15^{\circ} 50' 45'' W.$, (passing an iron pin at 262.95 feet) a distance of 298.36 feet to a nail; thence

with the center of Truesdell Street, N. 56° 58' 15" E., 80.78 feet to the point of beginning, containing Six Hundred Forty-One Thousandths (0.641) of an Acre. Subject to all legal highways and easements of record. In the above described 0.641 Acre Tract, there being 0.047 of an Acre, more or less, in the City of Wilmington.

This description is the result of a new survey made by CLINCO Engineers & Surveyors, Wilmington, Ohio, in November, 1976 as recorded in Volume 14, Plat No. 183 of the Clinton County Engineers Record of Land Division.

Prior Instrument Reference: Volume 254, Page 132, Deed Records of Clinton County, Ohio and Volume 254, Page 565, Deed Records of Clinton County, Ohio.

TRACT 2: Situate in Union Township and partly within the City of Wilmington, Clinton County, Ohio, and being a part of Military Survey No. 2471, and bounded and described as follows: Beginning at a nail in the center of Truesdell Street (S.R. 730) at the Northwesterly corner of James J. Buckley and Nancy F. Buckley's 0.98 Acre Tract as recorded in Volume 10, Page 248 of the Clinton County Surveyor's Record; thence with the center of Truesdell Street, S. 56° 58' 15" W., 80.78 feet to a nail at the real point of beginning for this conveyance; running thence, from said point of beginning, by new division lines on the following courses: (1) S. 15° 50' 45" E., passing an iron pin at 35.41 feet, a distance of 298.36 feet to an iron pin; (2) S. 23° 49' 40" W., 93.00 feet to an iron pin; (3) S. 75° 04' 20" W., 149.58 feet to an iron pin; (4) N. 14° 55' 40" W., 304.48 feet to a nail; thence with the center of Truesdell Street, N. 56° 58' 15" E., 213.59 feet to the real point of beginning, containing One and Five Hundred Fifty Thousandths (1.550) acres. Subject to all legal highways and subject to a driveway easement, 15 feet in width, to come evenly off of the westerly side of the above described 1.550 acre tract, hereby reserved to the herein Grantors, their heirs and assigns, and subject to all other easements of record. The herein Grantors also convey to the herein Grantees, their heirs and assigns, a permanent and perpetual but non-exclusive driveway easement, 35 feet in width, on and over the west side of the adjacent to the westerly line of the above described 1.550 acre tract.

In the above described 1.550 Acre Tract, there being 0.123 of an acre, more or less, in the City of Wilmington. This description is the result of a new survey made by CLINCO Engineers & Surveyors, Wilmington, Ohio, in November, 1976, as recorded in Volume 14, Plat No. 183, of the Clinton County Engineers Record of Land Division.

Prior Instrument Reference: Volume 254, Page 563, Deed Records of Clinton County, Ohio.

TRACT 3: PARCEL I: Situate in Union Township, Clinton County, Ohio, and being a part of Military Survey No. 2471 and bounded and described as follows: Beginning at a nail in the center of Truesdell Street (S.R. 730) at the Northwesterly corner of James J. Buckley and Nancy F. Buckley's 0.98 Acre Tract as recorded in Volume 10, Page 248 of the Clinton County Surveyor's Record; thence with the center of Truesdell Street, S. 56° 58' 15" W., 294.37 feet to a nail; thence S. 14° 55' 40" E., 304.48 feet to an iron pin at the real point of beginning for this conveyance: Running thence, from said point of beginning by new division lines, on the following courses: (1) N. 75° 04' 20" E., 149.58 feet to an iron pin; (2) S. 14° 55' 40" E., 143.33 feet to an iron pin; (3) S. 75° 04' 20" W., 149.58 feet to an iron pin; (4)

N. 14° 55' 40" W., 143.33 feet to the real point of beginning, containing Four Hundred Ninety-Two Thousandths (0.492) of an acre. Subject to a driveway easement, 15 feet in width, to come evenly off of the westerly side of the above described 0.492 acre tract, and subject to all other easements of record.

This description is the result of a new survey made by CLINCO Engineers & Surveyors, Wilmington, Ohio, in November, 1976, as recorded in Volume 14, Plat No. 183, of the Clinton County Engineers Record of Land Division.

Prior Instrument Reference: Volume 2, Page 122, Official Records of Clinton County, Ohio.

PARCEL II: Situate in the Union Township, Clinton County, Ohio, and being a part of Military Survey No. 2471 and bounded and described as follows: Beginning at an ½" iron pin (found) at the Southwesterly corner of a 0.492 Acre Tract as recorded in Volume 14, Plat No. 183, of the Clinton County Engineers Record of Land Division; Running thence, from said point of beginning, with the line of said 0.492 Acre Tract, on the following course: (1) N. 75° 04' 20" E., 149.58 feet to a point; (2) N. 14° 55' 40" W., 143.55 feet to a ½" iron pin (found); thence with a line of a 1.550 Acre Tract also recorded in Volume 14, plat No. 183 of said Record of Land Division, N. 23° 49' 40" E., 93.00 feet to a ½" iron pin (found); thence, by new division lines, on the following courses: (1) S. 14° 55' 40" E., 286.24 feet to a point; (2) S. 75° 04' 20" W., 207.80 feet to a point; (3) N. 14° 55' 40" W., 70.39 feet to the point of beginning, containing Five Hundred Seventy-Six Thousandths (0.576) of an Acre. Subject to all easements of record.

This description is the result of a new survey made under the direction of Richard D. Roll, Registered Surveyor No. 4957, by CLINCO Engineers & Surveyors, Wilmington, Ohio, in September, 1985, as recorded in Volume 18, Plat No. 82, of the Clinton County Engineers Record of Land Division. The bearings in this description were derived from the survey of the aforesaid 0.492 Acre Tract.

Prior Instrument Reference: Volume 2, Page 124 and Volume 2, Page 126, Official Records of Clinton County, Ohio.

TRACT 4: Situated in Union Township, Clinton County, Ohio, and being a part of Military Survey No. 2471 and bounded and described as follows: Beginning at the Southeasterly corner of Lot No. 1 in Warren Woods Subdivision, said corner being in the Northerly margin of Truesdell Street and in the present corporation line of the City of Wilmington: Running thence, from said point of beginning, with said present corporation line and with the lines of Warren Wood Subdivision and Warren Knolls Subdivision, on the following courses: (1) N. 7° 11' W., 756 feet, more or less, to a point; (2) N. 82° 02' W., 128 feet, more or less, to a point; (3) N. 84° 52' W., 201 feet, more or less, to a point; (4) N. 84° 20' W., 297 feet, more or less, to a point; (5) S. 73° 36' W., 219 feet, more or less, to a point; (6) N. 45° 24' W., 388 feet, more or less, to a point, thence, with the present corporation line and with the lines of a 9.269 Acre Tract (former railroad right-of-way) as conveyed to the City of Wilmington, on the following courses: (1) N. 1° 01' E., 7 feet, more or less, to a point; (2) on a 2000 foot radius curve to the left, whose chord bears N. 70° 53' E., 1377 feet, more or less, an arc distance of 1405 feet, more or less, to a point; (3) N. 48° 06' E., 497 feet, more or less, to a

point; (4) on a 1791 foot radius curve to the right, whose chord bears N. 52° 20' E., 132 feet, more or less, an arc distance of 132 feet, more or less, to a point; thence, with a present corporation line, S. 32° 29' E., 1394 feet, more or less, to a point; thence, with a present corporation line and with the Northerly margin of Truesdell Street, S. 61° 23' W., 1503 feet, more or less, to the point of beginning, containing 43.5 acres, more or less.

TRACT 5: Situated in Union Township, Clinton County, Ohio, and partially within the City of Wilmington, and being a part of Military Survey No. 2471 and bounded and described as follows: Beginning at a nail (found) in the center of Truesdell Street (State Route 730) at the northwesterly corner of a 1.550 Acre Tract as recorded in Volume 14, Plat No. 183, of the Clinton County Engineers Record of Land Division: Running thence, from said point of beginning, with a line of said 1.550 Acre Tract, a line of 0.492 Acre Tract as recorded in Volume 14, Plat No. 183, and a line of a 0.576 Acre Tract as recorded in Volume 18, Plat No. 82, of the aforesaid Record of Land Division, S. 14° 55' 40" E., 518.20 feet to a ½" iron pin (found); thence, with the lines of the aforesaid 0.576 Acre Tract, on the following courses: (1) N. 75° 04' 20" E., 207.80 feet to a point; (2) N. 14° 55' 40" W., 286.24 feet to a point in a tree; thence, with a line of a 0.641 Acre Tract as recorded in Volume 14, Plat No. 183, of the aforesaid Record of Land Division, a line of a 0.98 Acre Tract as recorded in Volume 10, Page 248, of the Clinton County Surveyors Record and a line of a 1.48 Acre Tract as recorded in Volume 11, Page 271, of said Surveyor's record, N. 88° 24' 45" E., 252.72 feet to a ½" iron pin (set); thence, with a line of said 1.48 Acre Tract, N. 56° 46' 43" E., 141.65 feet to a ½" iron pin (set); thence, with a line of a 5.0001 Acre Tract as recorded on Volume 15, Plat No. 136, of the aforesaid Record of Land Division, S. 26° 17' 02" E., 106.91 feet to a 5/8" iron pin (found); thence, with the lines of a survey as recorded in Volume 16, plat No. 128, of the aforesaid Record of Land Division, on the following courses: (1) S. 26° 15' 35" E., 509.21 feet to a bolt (found); (2) S. 84° 30' 12" E., 494.29 feet to a 5/8" pipe (found); thence, with the lines of Southridge Subdivision, Section Eight, on the following courses: (1) S. 84° 22' 41" E., 202.31 feet to a ½" iron pin (set); (2) S. 4° 14' 59" W., 290.55 feet to a 5/8" iron pin (found); thence, with the line of Southridge Subdivision, Section 10-A, S. 4° 11' 41" W., 838.45 feet to a ½" iron pin (found); thence, with a line of the herein Grantors' lands, S. 4° 14' 52" W., 707.29 feet to a 5/8" iron pin (found); thence, with the lines of a 310.59 Acre tract as recorded in Volume 11, Page 514, of the aforesaid Surveyors Record, on the following courses: (1) N. 86° 29' 48" W., 881.44 feet to a stone (found); (2) S. 4° 31' 34" W., 810.28 feet to a 5/8" iron pin (found); (3) N. 85° 27' 49" W., 1888.55 feet to a 1" iron pin (found); thence, with the lines of the herein Grantors' lands, on the following courses: (1) N. 5° 47' 05" W., 1273.44 feet to a 5/8" iron pin (found); (2) N. 56° 58' 15" E., 580.00 feet to a ½" iron pin (set); (3) N. 6° 00' 52" W., (passing a ½" iron pin (set) at 822.06 feet) a distance of 851.06 feet to a nail (set); (4) with the center of Truesdell Street, N. 56° 58' 15" E., 1306.33 feet to the point of beginning, containing One Hundred Sixty-Three and Eight Hundred Seventy-Four Thousandths (163.874) Acres. Subject to all legal highways and a driveway easement as recorded in Volume 254, Page 563, of the Clinton County Deed Records and Volume 2, Page 122, of the Official Records of Clinton County, and all other easements of record.

In the above described 163.874 Acre Tract there being 0.902 of an Acre, more or less, in the City of Wilmington.

This description is the result of a new survey made under the direction of Steven D. Webb, Registered Surveyor No. 7250, by CLINCO, Engineers & Surveyors, Wilmington, Ohio, in July, 1992, as recorded in Volume ____, Plat No. ____, of the Clinton County Engineers Record of Land Division. The bearings in this description were derived from the survey of the aforesaid 1.550 Acre Tract.

Prior Instrument Reference: Volume 254, Page 132, Volume 254, Page 222, Deed Records of Clinton County, Ohio and Volume 6, Page 409, Volume 17, Page 149, Volume 19, Page 509, Official Records of Clinton County, Ohio.

SAVE AND EXCEPT FROM THE ABOVE DESCRIBED PARCELS SO MUCH OF THE PROPERTY ALREADY PART OF THE CITY OF WILMINGTON

TRACTS 1, 2, 3 & 5

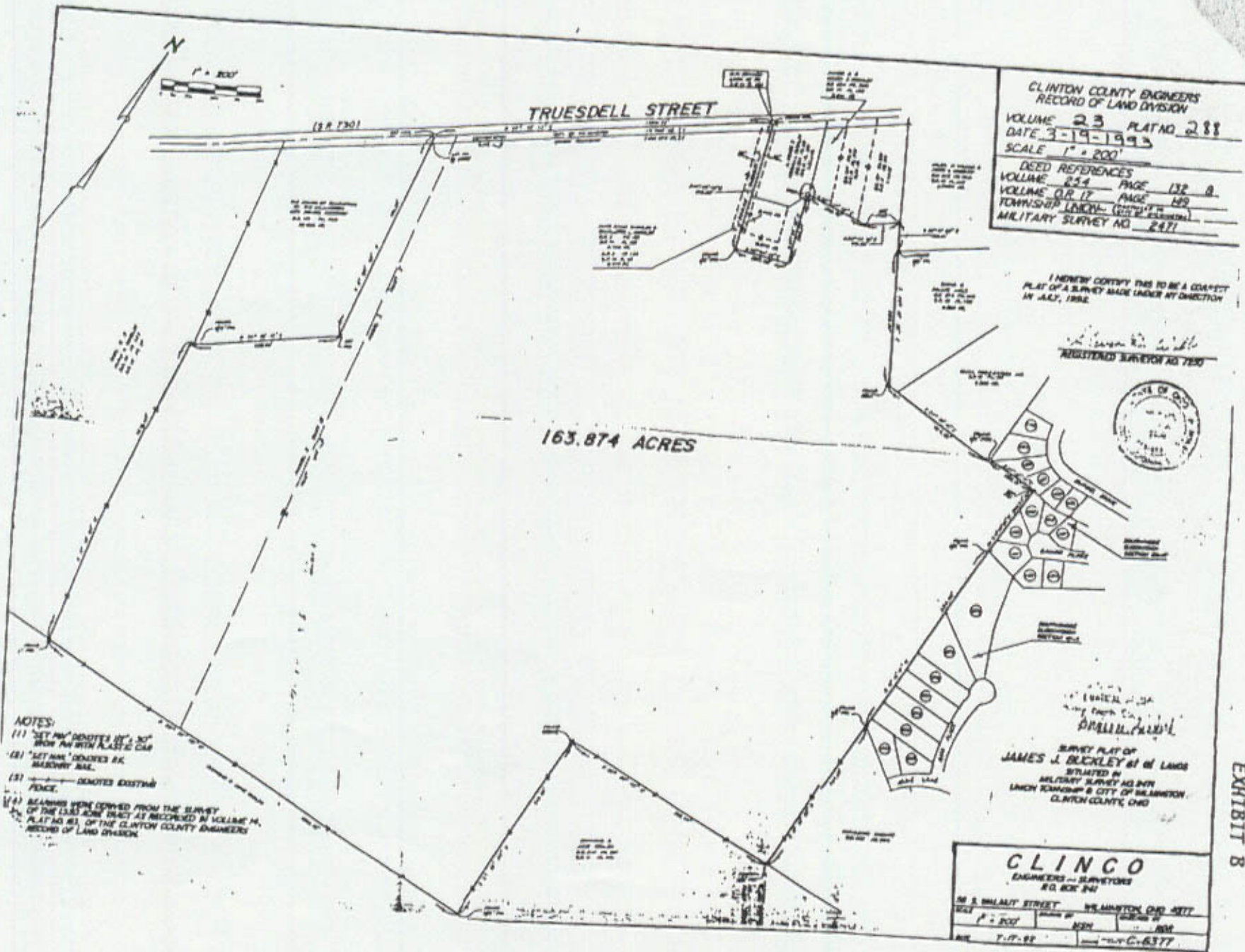


EXHIBIT B

Tract 4

SUGAR GROVE CEM

FOUNDER RAILROAD

W/177° 30' 15" E
241.52' ±
D/118° 00' 00" E 135' ±

CITY OF WILMINGTON

- DENOTES PRESENT
V LINE.

PRESENT CORPORATION LINES

UNION TOWNSHIP

J. DOUGLAS B
L. ELIZABETH FGD

TEXTRON CO.

CITY OF WILMINGTON 18169 ±

FREDERICK J. B
JOSEPHINE K. BLACKLEY

DANIEL J. B
ANNE K. BLACKLEY

43.5 AC. ±

JAMES H. B
KATHLEEN S. HAYES

FREDERICK J. B
JOSEPHINE K. BLACKLEY

STREET

JENNIFER S. B
PAULINE E. BLACKLEY

TRUESDELL

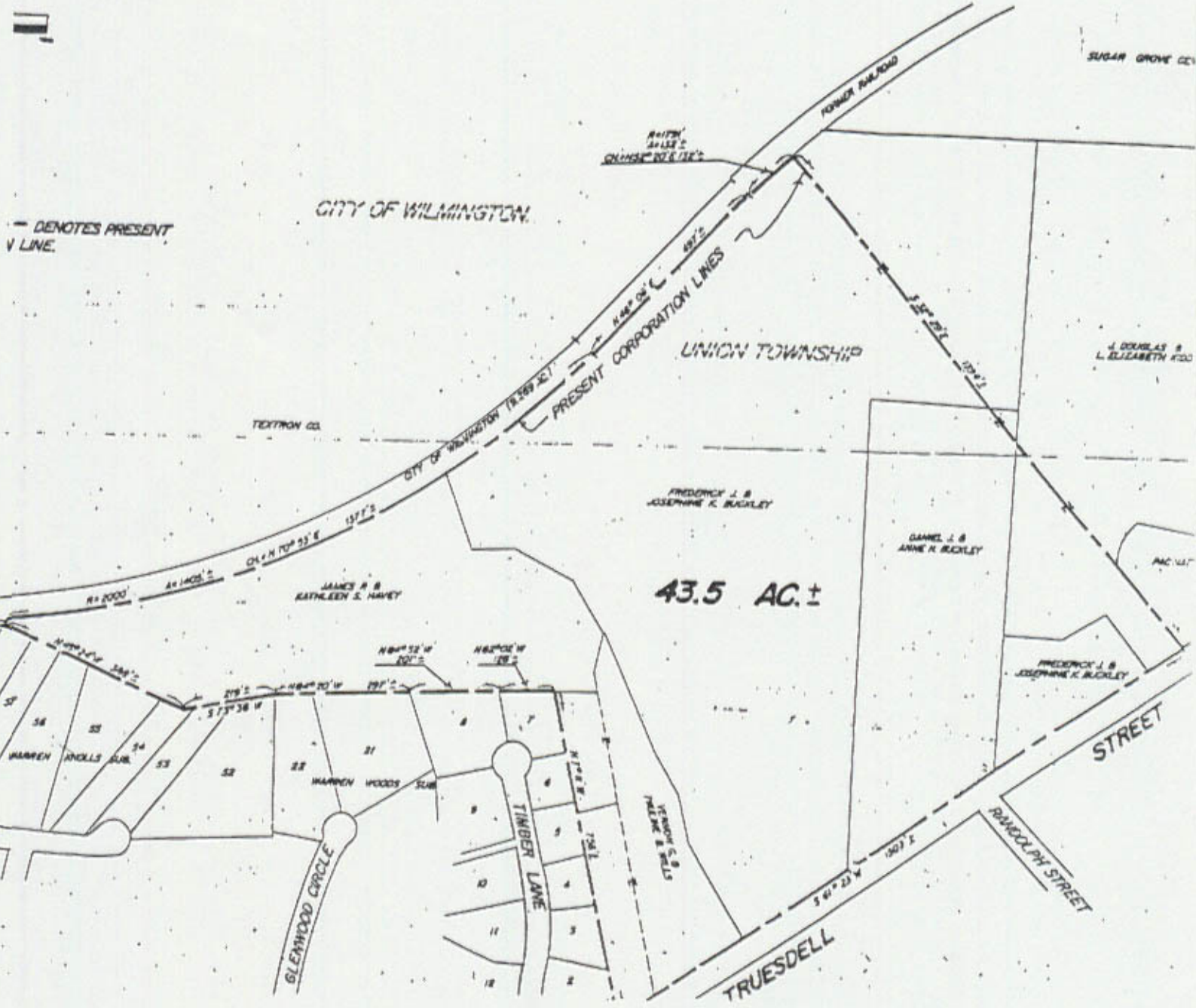
RANDOLPH STREET

GLENWOOD CIRCLE

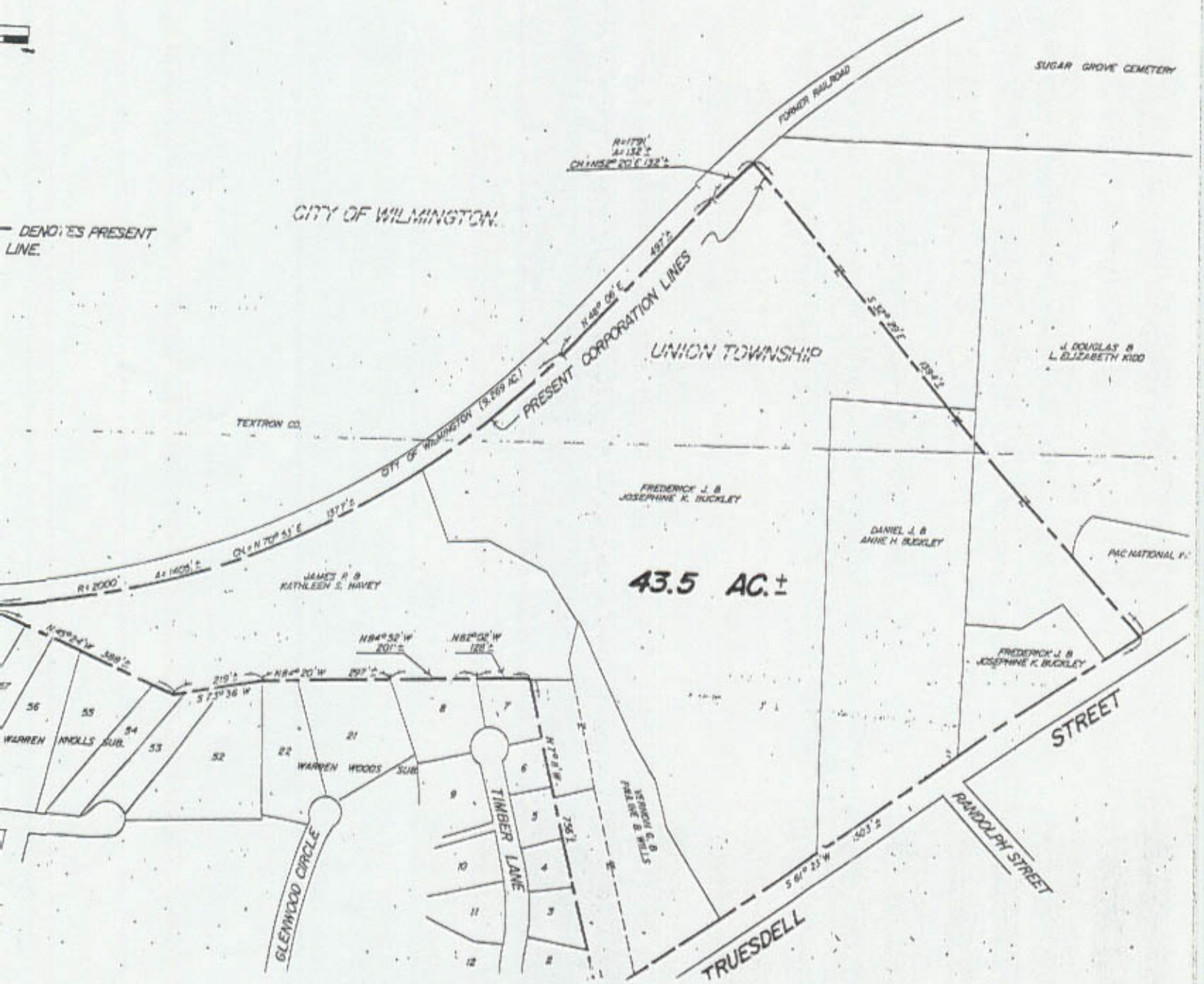
TIMBER LAKE

WARREN KNOLLS SUB.
51
52
53
54
55
56

WARREN WOODS SUB.
1
2
3
4
5
6
7
8
9
10
11
12



Tract 4



- DENOTES PRESENT LINE.

CITY OF WILMINGTON.

UNION TOWNSHIP

SUGAR GROVE CEMETERY

R=1791'
A=152'
CH=NSIP 20' E 132'

TEXTRON CO.

PRESENT CORPORATION LINES

J. DOUGLAS & L. ELIZABETH KIDD

FREDERICK J. & JOSEPHINE K. BUCKLEY

DANIEL J. & ANNE H. BUCKLEY

PAC NATIONAL P.

43.5 AC. ±

JAMES R. & KATHLEEN S. HAYES

FREDERICK J. & JOSEPHINE K. BUCKLEY

WARREN HILLS SUB.

WARREN WOODS SUB.

TIMBER LANE

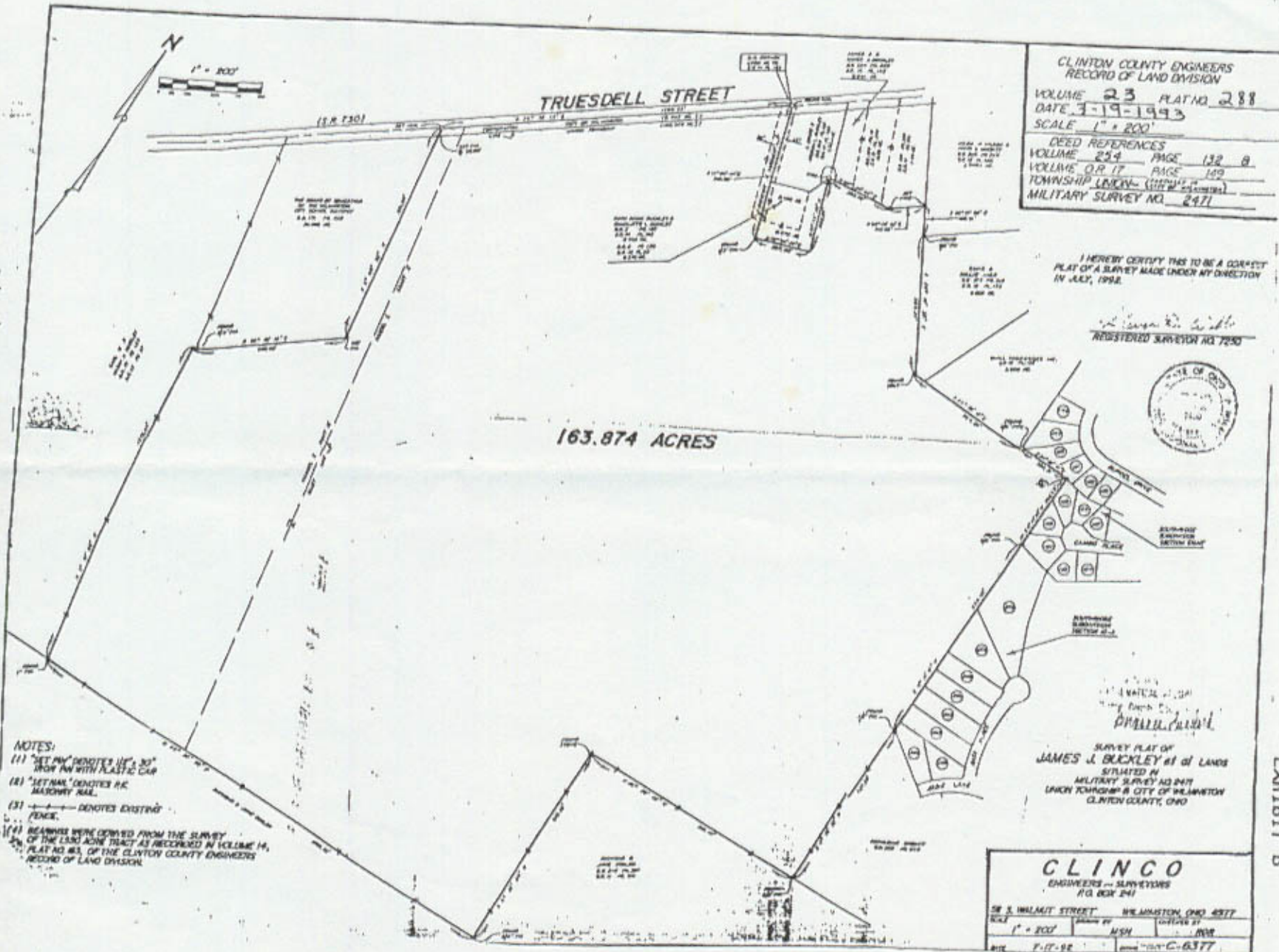
GLENWOOD CIRCLE

JENNIFER S. & PAUL M. B. HILLS

TRUESDELL STREET

RANDOLPH STREET

TRACTS 1, 2, 3 & 5



CLINTON COUNTY ENGINEERS
RECORD OF LAND DIVISION

VOLUME 23 PLAT NO. 288
DATE 3-19-1993
SCALE 1" = 200'

DEED REFERENCES
VOLUME 224 PAGE 132 B
VOLUME 224 PAGE 149
TOWNSHIP LEXINGTON (TOWNSHIP 17 NORTH, RANGE 10 WEST)
MILITARY SURVEY NO. 2477

I HEREBY CERTIFY THIS TO BE A CORRECT
PLAT OF A SURVEY MADE UNDER MY DIRECTION
IN JULY, 1992.

James J. Buckley
REGISTERED SURVEYOR NO. 7250



163.874 ACRES

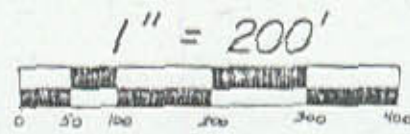
- NOTES:
- (1) "SET PIN" DENOTES 1/2" x 3/8" IRON PIN WITH PLASTIC CAP
 - (2) "SET NAIL" DENOTES #6 MATCHING NAIL
 - (3) --- DENOTES EXISTING FENCE
 - (4) BEARINGS WERE DERIVED FROM THE SURVEY OF THE LINDA ADAMS TRACT AS RECORDED IN VOLUME 19, PLAT NO. 463, OF THE CLINTON COUNTY ENGINEERS RECORD OF LAND DIVISION

SURVEY PLAT OF
JAMES J. BUCKLEY et al OF LANDS
SITUATED IN
MILITARY SURVEY NO. 2477
LEXINGTON TOWNSHIP & CITY OF WILMINGTON
CLINTON COUNTY, OHIO

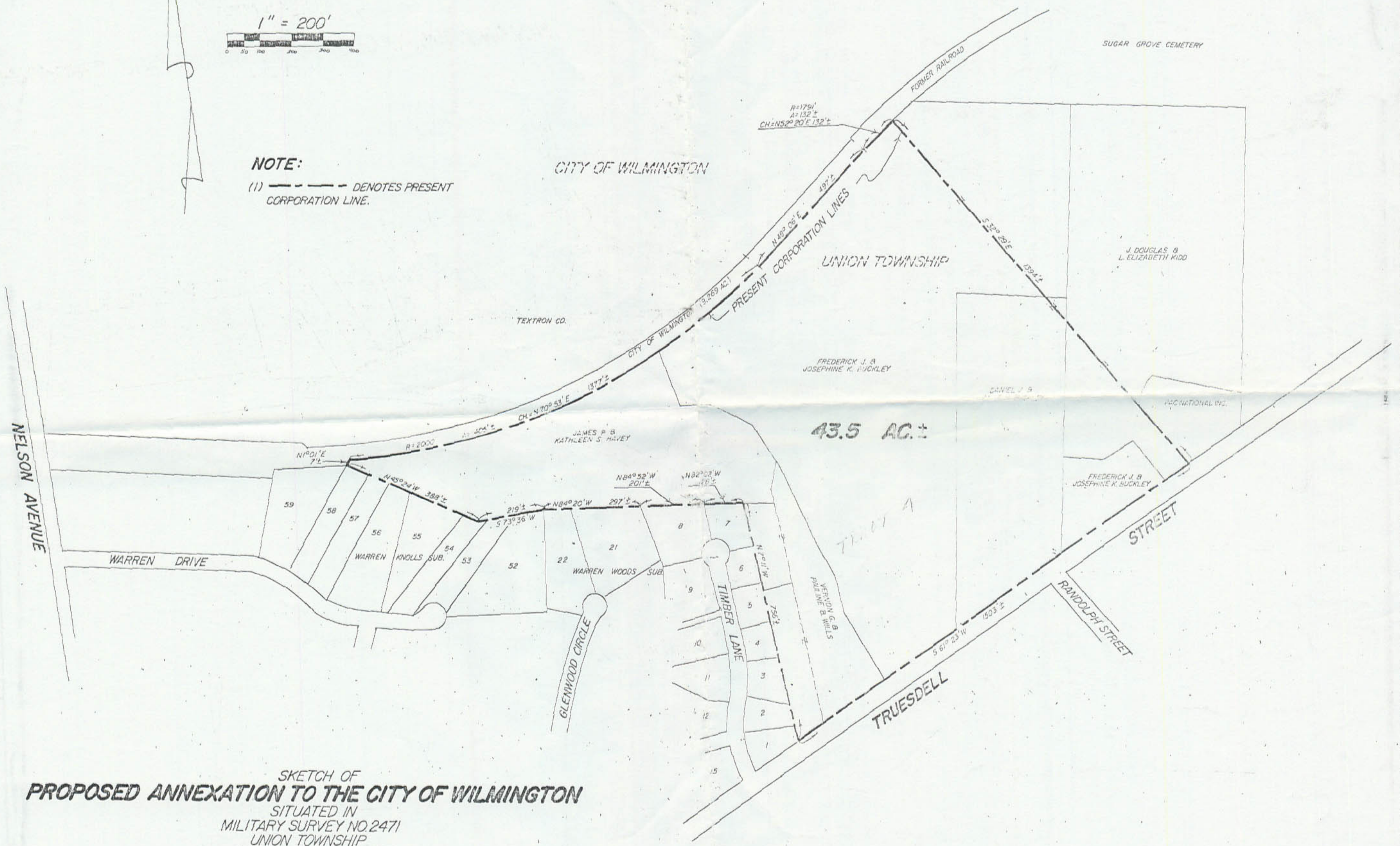
CLINCO
ENGINEERS - SURVEYORS
P.O. BOX 241
208 S. WALNUT STREET WILMINGTON, OHIO 45377

SCALE 1" = 200' DRAWN BY JSH DATE 3-19-93
REV. 7-17-92

EXHIBIT B



NOTE:
 (1) DENOTES PRESENT CORPORATION LINE.



SKETCH OF
PROPOSED ANNEXATION TO THE CITY OF WILMINGTON
 SITUATED IN
 MILITARY SURVEY NO. 2471
 UNION TOWNSHIP
 CLINTON COUNTY, OHIO

CLINGO SURVEYORS		
P.O. BOX 241 58 S. WALNUT STREET WILMINGTON, OHIO 45177		
SCALE 1" = 200'	DRAWN BY MSH	CHECKED BY RDR
DATE 2-4-94	DRWG C-6971	

ORDINANCE

3554