

RESOLUTION NO. 99-1019

APPROVING THE PETITION AND DETACHING THE PROPERTY WITHIN CORPORATE LIMITS OF THE CITY OF WILMINGTON, OHIO, FROM UNION TOWNSHIP

WHEREAS, a Petition for the detachment of the property within the corporate limits of the City of Wilmington, Ohio, from Union Township, having been filed in the Office of the Board of County Commissioners on August 16, 1999, praying that certain property described in the Petition be detached from Union Township;

WHEREAS, in consideration thereof, the Board finds that the Clerk has caused said Petition to be entered upon the record of proceedings of this Board; and

WHEREAS, said Petition was accompanied by a full description of the territory sought to be detached;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CLINTON COUNTY, OHIO:

Section 1. That the prayer of the Petition, filed by Judy A. Gano, Director of Law for the City of Wilmington, Ohio, seeking detachment of the property within the corporate limits of the City of Wilmington, Ohio, from Union Township, be, and hereby is, granted. Said detachment is hereby approved by this Board of County Commissioners of Clinton County, Ohio.

Mr. Merritt moved the adoption of this resolution. Mr. Stanforth seconded the resolution and a roll call vote resulted as follows:

Mrs. Myers: yea Mr. Merritt: yea Mr. Stanforth: yea

Approved this 25th day of August, 1999.

Darleen M. Myers
Darleen M. Myers

David Merritt
David Merritt

Rick Stanforth
Rick Stanforth
C-08

IN THE MATTER OF THE CHANGE OF BOUNDARIES
OF UNION TOWNSHIP

PETITION

Comes now the City of Wilmington, Ohio, a municipal corporation, by and through its Director of Law, Judy A. Gano, and petitions the Board of County Commissioners of Clinton County, Ohio, pursuant to Section 503.07 of the Ohio Revised Code for an Order detaching the following described territory lying within the corporate limits of the City of Wilmington from Union Township and changing the legal boundaries of Union Township to exclude all of the said territory lying within the corporate limits of the said City, to-wit:

PARCEL ONE:

Situated in Union Township, Clinton County, Ohio and being parts Military Surveys No. 2471, No. 2693 and No. 2694 and bounded and described as follows:

Beginning at the intersection of the Southeasterly right-of-way line of the Baltimore and Ohio Railroad with the Southwesterly right-of-way line of State Route 134, said point being in a present corporation line of the City of Wilmington:

Running thence, from said point of beginning, with the Southeasterly right-of-way line of said railroad and with a present corporation line of the City of Wilmington, crossing State Route 134, N 28 deg 30' E 68 feet, more or less, to a point; thence, generally with the Northeasterly right-of-way lines of State Route 134, on the following courses: (1) S 33 deg 00' E 4060 feet, more or less, to a point; (2) partially with a present corporation line of the City of Wilmington, S 21 deg 30' E 1660 feet, more or less, to a point; thence, with a line of the lands of Clarence J. Schalk, S 57 deg 00' W 2285 feet, more or less, to a point; thence, on the following courses: (1) N 35 deg 00' W 650 feet, more or less, to a point; (2) N 66 deg 30' W crossing Cuba Road, 2100 feet, more or less, to a point; thence, with the present corporation lines of the City of Wilmington, on the following courses: (1) with the Westerly right-of-way line of Cuba Road, N 13 deg 00' E 1090 feet, more or less, to a point; (2) N 84 deg 00' E 3310 feet, more or less, to a point; (3) generally with the Southwesterly right-of-way line of State Route 134, N 33 deg 00' W 4000 feet, more or less, to the point of beginning, containing 174 Acres, more or less.

PARCEL TWO:

TRACT ONE: Situated in Union Township, Clinton County, Ohio and being a part of Military Survey No. 2690 and bounded and described as follows:

Beginning at a 1/2" iron pin (found) in the Northwesterly margin of Davids Drive at the Easterly corner of a 15.000 Acre Tract as recorded

in Volume 18, Plat No. 234 of the Clinton County Engineers Record of Land Division: Running thence, from said point of beginning, with the lines of the said 15.000 Acre Tract, on the following courses: (1) N. 41 deg. 43' 06" W., 847.69 feet to a point; (2) S. 48 deg. 16' 54" W., 800.00 feet to a 1/2" iron pin (found); thence with the Northeasterly margin of Olinger Drive, on the following courses: (1) N. 41 deg. 43' 06" W., 375.10 feet to a point; (2) N. 3 deg. 36' 07" E., 90.00 feet to a point; (3) N. 41 deg. 43' 06" W., 104.00 feet to a point; (4) S. 48 deg. 16' 54" W., 80.00 feet to a 1/2" iron pin (found); thence, with a line of a 23.179 Acre Tract as recorded in Volume 16, Plat No. 143 of the Clinton County Engineers Record of Land Division, N. 41 deg. 43' 06" W., 73.21 feet to a 1/2" iron pin (set); thence, by a new division line, N. 44 deg. 56' 17" E., (passing a 1/2" iron pin (set) at 1279.99 feet) a distance of 1312.99 feet to a nail (set); thence, with the general center of Fife Avenue, on the following courses: (1) S. 48 deg. 29' 29" E., 555.87 feet to a nail (found); (2) S. 48 deg. 38' 27" E., 594.86 feet to a nail (found); (3) S. 48 deg. 38' 27" E., 594.86 feet to a nail (set); thence S. 41 deg. 30' 10" W., 40.00 feet to a 1/2" iron pin (set); thence, with the margin of Davids Drive, on a 185.00 radius curve to the right, whose chord bears S. 26 deg. 46' 17" E. 136.96 feet, an arc distance of 140.30 feet to a 1/2" iron pin (set); thence, with a line of Parcel "A" in Wilmington Industrial Park West-Section One, S. 37 deg. 47' 49" W., 336.31 feet to a point, thence with the Northwesterly margin of Davids Drive, S. 52 deg. 37' 27" W., 252.93 feet to the point of beginning, containing **Thirty-One and Eight Hundred Sixty-Six Thousandths (31.866) Acres.** Subject to all legal highways, a 20 foot wide utility easement at the Northerly corner of Olinger Drive as described on the recorded plat of Wilmington Industrial Park West-Section One, and all other 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 November, 1986, as recorded in Volume 19, Plat No. 23 of the Clinton County Engineers Record of Land Division. The bearings in this description were derived from the recorded plat of Wilmington Industrial Park West-Section One.

SAVE AND EXCEPT a 33 ft. wide right-of-way that is further described as follows: Beginning at a nail at the north corner of the tract and centerline of Fife Avenue, thence along the centerline of Fife Avenue, S. 48 deg. 29' 29" E., a distance of 555.87 feet to a nail in the centerline, thence, S. 48 deg. 38' 27" E., a distance of 594.86 feet to a nail in the centerline, thence S. 48 deg. 29' 50" E., a distance of 219.79 feet to a nail at the centerline and end of Fife Avenue and beginning Davids Drive. Thence S. 41 deg. 30' 10" W., a distance of 33 feet to a point being the west right-of-way of Fife Avenue. Thence following the west right-of-way line of Fife Avenue approximately N. 48 deg. 33' 17" W., a distance of 1372.5 feet to a pin at the northwest line of the tract and 33 feet from the centerline. Thence N. 44 deg. 56' 17" E., 33 feet to the place of beginning, containing **One and Thirty-Two Thousandths (1.032) Acres.**

TRACT TWO: Situated in Union Township, Clinton County, Ohio, being a part of Military Survey No. 2690 and bounded and described as follows: Beginning at a spike (found) at the intersection of the centerline of Olinger Drive with the centerline of Davids Drive; thence, with the centerline of Davids Drive N. 52 deg. 37' 27" E., 829.35 feet to a point; thence N. 37 deg. 22' 33" W., 40.00 feet to a 1/2" iron pin (set) at the real point of beginning, for the herein described tract: Running thence, from said real point of beginning, with the Northwesterly margin of Davids Drive, S. 52 deg. 37' 27" W., 755.96 feet to a 1/2" iron pin (found); thence, on a 50.00 foot radius curve to the right (whose chord bears N. 84 deg. 32' 50" W., 67.98 feet) an arc distance of 74.75 feet to a 1/2" iron pin (found); thence, with the Northwesterly margin of Olinger Drive, N. 41 deg. 43' 06" W., 740.59 feet to a 1/2" iron pin (set); thence, by new division lines on the following courses: (1) N. 48 deg. 16' 54" E. 800.00 feet to a 1/2" iron pin (set); (2) S. 41 deg. 43' 06" E., 847.69 feet to the real point of beginning, containing Fifteen (15.000) Acres. 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, July 1985, as recorded in Volume 18, Plat No. 234 of the Clinton County Engineers Record of Land Division. The bearings in this description were derived from the recorded plat of Wilmington Industrial Park West-Section One.

TRACT THREE: Parcel "A" in Wilmington Industrial Park West-Section One, as recorded in Plat Book 7, Envelope 17A.

PARCEL THREE:

Situated in Union Township, Clinton County, Ohio and being a part of Military Survey No. 1170 and bounded and described as follows:


Beginning at a point in the present corporation line of the City of Wilmington in the centerline of State Route 73, said point bears S 39 deg 54' E. 43.8 feet, more or less, from the intersection of the centerline of State Route 73 with the centerline of Rombach Avenue (S.R. 3/U.S. 22):

Running thence, from said point of beginning, with the said present corporation line in Rombach Avenue, N 74 deg. 15' E 1111 feet, more or less, to a point; thence, with the lines of the lands of B. Elliott Incorporated, on the following courses: (1) S 15 deg. 44' E 236 feet, more or less, to a point; (2) S 74 deg. 11' W 48 feet, more or less, to a point; (3) S 15 deg. 52' E 133 feet, more or less, to a point; (4) S 74 deg. 09' W 404 feet, more or less, to a point; (5) S 50 deg. 04' W 400 feet, more or less, to a point; thence, with the Northeasterly right-of-way line of State Route 73, N 39 deg. 54' W 151 feet, more or less, to a point; thence, S 50 deg. 06' W 50 feet, more or less, to a point; thence, with the centerline of State Route 73, N 39 deg. 54' W 456 feet,

more or less, to the point of beginning, containing 9.44
Acres, more or less.

This Petition is filed on the authority of City of
Wilmington Ordinance No. 3952 which was passed on the 15th
day of July, 1999.

Respectfully submitted,



Judy A. Gano
Director of Law
C-07

RESOLUTION

99-1019