

ORDINANCE 01-16

An Ordinance Accepting The Annexation Petition
Presented By Lawrence Economic Development Corporation
And Declaring An Emergency

Whereas, the Lawrence Economic Development Corporation filed a petition to annex certain real property to the Village of South Point, Ohio; and

Whereas, the Council of the Village of South Point, Ohio, believes that said annexation is in the best interests of the citizens of the Village of South Point, Ohio, and

Whereas, the Board of County Commissioners of Lawrence County, Ohio, has approved the petition for annexation;

Now Therefore Be It Ordained by the Village of South Point as follows:

Section 1. The proposed annexation as applied for in the petition of the Lawrence Economic Development Corporation, approved for annexation to the Village of South Point by the Board of County Commissioners on May 3, 2001, is hereby accepted. The territory to be annexed is described in the attached exhibit "A". The certified transcript of 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 County Commissioners, are on file with the Clerk of the Village and have been for more than sixty days.

Section 2. The Village Clerk is directed to make three copies of this ordinance, to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof. The Clerk shall then forthwith deliver one copy to the County Auditor, County Recorder, Secretary of State and shall file notice of this annexation with the Board of Elections within thirty days after it becomes effective.

Section 3. This ordinance is declared to be an emergency measure and shall go into effect the earliest time allowed by law.

Adopted This 7th Day of August, 2001


William A. Gaskin, Mayor

Attest: 
Scott Thomas, Clerk

PAUL H. HERRELL
President

JASON C. STEPHENS, CFP
Vice President

GEORGE R. PATTERSON
Member



KATHLEEN R. FRALEY
Administrator
TAMI GOODY
Assistant Administrator

VETERANS SQUARE • IRONTON, OHIO 45638
(740) 533-4300 • FAX: (740) 533-4370
E-mail: lawco@zoomnet.net

May 4, 2001

Mayor William Gaskins
Village of South Point
408 2nd Street W
South Point, Ohio 45680

This is to certify that the following action was taken by the Board of Lawrence County Commissioners at their regular scheduled meeting held on May 3, 2001 and recorded in the Commissioner's Journal 73, Page 409.

Motion by Mr. Herrell

Second by Mr. Stephens

To approve the annexation of a portion of property into the Village of South Point in compliance with ORC procedures.

Roll Call: Mr. Herrell—yes

Mr. Patterson—yes

Mr. Stephens—yes

ATTEST: *Kathleen R. Fraley* Administrator
Board of Lawrence County Commissioners

NOTICE OF FILING OF ANNEXATION PETITION

TO: Mr. Scott Thomas,
Clerk of the Village of South Point, Ohio
408 Second Street West
South Point, Ohio 45680

Take notice that a certain petitioner, being the Lawrence Economic Development Corporation, is seeking the annexation of certain territory located in Perry Township, County of Lawrence and State of Ohio, to the Village of South Point, County of Lawrence and State of Ohio, filed a petition for the annexation in the Office of the Board of County Commissioners of Lawrence County, Ohio on February 20, 2001.

The Board of County Commissioners having met on Thursday, February 22, 2001, and having set a date for public hearing at 11:00 a.m. on Thursday, April 26, 2001, in the Office of the Board of County Commissioners, Lawrence County Courthouse, Ironton, Ohio.

This notice is given pursuant to Ohio Revised Code Section 709.31.

The Petition, a complete copy of which is attached hereto, contains a full description of the territory sought to be annexed and other matters required by law and is signed by a majority of the owners of real estate in such territory.

Lawrence Economic Development Corporation

By *R. L. Haley*
Roger L. Haley, Industrial Park Manager
P.O. Box 488
South Point, Ohio 45680

LAWRENCE COUNTY, OHIO
RECORDED AT:

01 SEP -5 AM 9:16

Plat 10 PAGE 55
SUE ANNIS, RECORDER

007869

129.20

Transferred
9-5-2001
Ray T. Deter
LAWRENCE COUNTY AUDITOR

PETITION FOR ANNEXATION

TO: BOARD OF COUNTY COMMISSIONERS OF LAWRENCE COUNTY, OHIO
LAWRENCE COUNTY COURTHOUSE
IRONTON, OHIO 45638

On behalf of the undersigned corporation, being the sole owner of real estate in the territory by virtues of deeds recorded in Official Record 82, at Pages 69, 82, and 87, Office of the Recorder, Lawrence County, Ohio, hereby petitions for the annexation of the following territory to the Village of South Point, Lawrence County, Ohio:

SEE EXHIBIT "A" ATTACHED FOR LEGAL DESCRIPTION

The territory is adjacent and contiguous with the Village of South Point.

Attached is an accurate plat showing the boundaries of the territory sought to be annexed, marked "Plat of Territory to be Annexed to the Village of South Point".

SEE EXHIBIT "B" ATTACHED

The Lawrence Economic Development Corporation is the sole owner of real estate in the territory sought to be annexed.

Roger L Haley, Industrial Park Manager, is appointed agent for the Petitioner as required by O.R.C. 709.2, with full power to amend, increase or decrease the area, to do any and all things essential thereto and to take any action necessary for obtaining the granting of this Petition, without further expressed consent of the Petitioner.

Lawrence Economic Development Corporation

By *Roger L. Haley*
Roger L. Haley, Industrial Park Manager
P.O. Box 488
South Point, Ohio 45680

73 in 330
R 2/28

EXHIBIT A

**Description of Territory to be Annexed to
Village of South Point, Ohio**

TRACT NO. 1

A tract of land situated in Perry Township, Lawrence County, Ohio and being part of Sections 29 and 32 of T-2, R-17 of the Ohio River Survey and being more particularly described as follows:

Beginning at a cut cross in the centerline of County Road No. 1, said cut cross marking the corner of Sections 29, 30, 31 and 32 of T-2, R-17 of the Ohio River Survey;

thence, with the centerline of County Road No. 1 and the west line of Section 29, North 5° 37' 00" East, passing a "P.K." nail at 1049.92 feet, in all 2764.63 feet to a "P.K." nail;

thence, leaving the aforesaid Section line and continuing with the said centerline, 256.67 feet, on a curve to the left having a radius of 11,459.16 feet the chord of which bears North 4° 58' 30" East 256.66 feet, to a "P.K." nail;

thence, with the aforesaid centerline, North 4° 20' 00" East 218.24 feet to a railroad spike;

thence, leaving said centerline and with the line of the tract of land conveyed to James King by deed recorded in Deed Volume. 236, Pg. 273, South 84° 55' 20" East, passing a concrete monument at 80.01 feet, in all a distance of 306.08 feet to a concrete monument on the west line of Lot No. 24 of the Ohio Valley Truck Farms, Plat Book 2, Page 214;

thence, with the line of the Ohio Valley Truck Farms the six following courses and distances:

- 1) South 5° 43' 13" West 162.65 feet to a concrete monument at the southwest corner of Lot No. 25;
- 2) South 84° 05' 04" East 598.89 feet to a concrete monument at the southeast corner of Lot No. 37;
- 3) North 5° 43' 40" East 80.75 feet to a concrete monument at the corner of Lots 36, 37, 48 and 49;
- 4) South 84° 05' 14" East 599.58 feet to a concrete monument at the corner of Lots 60, 61, 72 and 73;
- 5) South 5° 47' 33" West 83.19 feet to a concrete monument at the southwest corner of Lot No. 73;
- 6) South 84° 39' 26" East 237.77 feet to a concrete monument on the south line of Lot No. 73;

thence, leaving the line of the Ohio Valley Truck Farm, South 27° 43' 37" East 67.98 feet to an iron pin in the west right of way line of County Road 60;

thence South 27° 43' 37" East 114.01 feet to a point on the east right of way line of County Road 60;

thence, with said right of way the following courses and distances:

- 1) South 27° 43' 37" East 983.78 feet to a concrete monument;
- 2) 68.46 feet, on a curve to the left having a radius of 165.99 feet the chord of which bears South 39° 32' 37" East 67.98 feet, to an iron pin;
- 3) North 38° 38' 23" East 2.14 feet to a concrete monument located 120 feet right of centerline Station 967 + 08.85 of U. S. Route 52;

thence, with the west right of way line of U.S. Route 52 the nine following courses and distances:

- 1) South 21° 49' 21" East, passing an iron pin on the west right of way line of County Road 60 at 123.40 feet, 161.49 feet in all to a concrete fence post located 119.99 feet right of centerline Station 968 + 70.34,
- 2) South 21° 49' 14" East 1329.66 feet to a concrete fence post located 120 feet right of centerline Station 982 + 00,
- 3) South 1° 31' 00" East 158.50 feet to a concrete monument located 175 feet right of centerline Station 983 + 48.65,
- 4) South 21° 49' 15" East 560.15 feet to a point located 175 feet right of centerline Station 989 + 08.80,
- 5) South 29° 11' 13" East 117.00 feet to an iron post located 160 feet right of centerline Station 990 + 24.83,
- 6) South 21° 49' 15" East 275.17 feet to a concrete monument located 160 feet right of centerline Station 993 + 00,
- 7) South 20° 52' 34" East 909.61 feet to an iron post located 175 feet right of centerline Station 1001 + 67,
- 8) South 21° 49' 15" East 483.00 feet to a concrete monument located 175 feet right of centerline Station 1006 + 50,
- 9) South 33° 53' 39" East 286.73 feet to a concrete monument located 115 feet right of centerline Station 1009 + 30.38, said monument being on the Village of South Point Corporation Line;

thence, along said Corporation Line, South 86° 15' 07" West 3879.06 feet to a point on the centerline of the former "Ohio River Road";

thence North 12° 27' 47" West 6.60 feet to a "P.K." nail on the centerline of County Road No.;

thence North 15° 53' 25" West 1267.10 feet to a "P.K." nail on the centerline of County Road No. 1;

thence 536.64 feet, on a curve to the right having a radius of 1429.61 feet the chord of which bears North 5° 08' 14" West 533.49 feet, to a "P.K." nail;

thence North 5° 37' 00" East, passing a "P.K." nail at 302.00 feet, in all 651.88 feet to the cut cross at the point of beginning containing a gross area of 370.158 acres, of which 189.436 acres are within Section 29 and 180.722 acres are within Section 32, and having all bearings based on the magnetic meridian of 1941.

THERE IS EXCEPTED from the aforesaid described tract of land the seven following tracts of land, which were conveyed to Biomass Group, LLC by deed recorded in Official Record Volume 25, Page 425:

EXCEPTION NUMBER 1

A tract of land in Sections 29 and 32, Township 2, Range 17:

Commencing at a point on the line between Section 29 and 32 which bears South 84° 19' 07" East 1628.52 feet from the west corner thereof; thence, leaving the Section line, North 5° 37' 48" East 273.87 feet to a one-inch iron pipe; thence South 84° 22' 12" East 361.00 feet to a

one-inch iron pipe; thence North 5° 37' 48" East 36.56 feet to a one-inch iron pipe; thence South 84° 22' 12" East 70.50 feet to a one-inch iron pipe; thence South 5° 37' 48" West 36.56 feet to a one-inch iron pipe; thence South 84° 22' 12" East 1129.50 feet to a one-inch iron pipe; thence South 5° 37' 48" West 2023.44 feet, and passing the line between Sections 29 and 32 at 275.27 feet to a one-inch iron pipe; thence North 84° 22' 12" West, passing a one-inch iron pipe at 1200.00 feet, a total distance of 1220.00 feet to a one-inch iron pipe; thence North 5° 37' 48" East 635.00 feet to a one-inch iron pipe; thence South 84° 22' 12" East 325.00 feet to a one-inch iron pipe, from which a one-inch iron pipe bears South 5° 37' 48" West 20.00 feet; thence North 5° 37' 48" East 919.31 feet to a one-inch iron pipe; thence North 84° 22' 12" West 666.00 feet to a one-inch iron pipe; thence North 5° 37' 48" East 195.26 feet to the point of beginning, containing 53.544 acres, of which 9.899 acres are within Section 29 and are listed as Permanent Tax Parcel No. 15-123-0201 and 15-123-0200.002 on the 1998 Auditors Duplicate and 43.645 acres are within Section 32 and are listed as Permanent Tax Parcel No. 15-145-1501 and 15-145-1500.001 on the 1998 Auditors Duplicate.

EXCEPTION NUMBER 2

A tract of land located in Section 29, Township 2, Range 17:

Commencing at the southwest corner of Section 29; thence, with the south line of Section 29, South 84° 19' 07" East 903.53 feet to a point; thence, leaving the line of Section 29, North 5° 37' 48" East 273.22 feet to a one-inch iron pipe being the true point of beginning of this description; thence North 84° 22' 12" West 19.01 feet to a one-inch iron pipe; thence North 5° 37' 48" East 346.46 feet to a one-inch iron pipe; thence South 84° 22' 12" East, passing a one-inch iron pipe at 19.01 feet, a total distance of 234.21 feet to a one-inch iron pipe; thence South 5° 37' 48" West 346.46 feet to a one-inch iron pipe; thence North 84° 22' 12" West 215.20 feet to the point of beginning, containing 1.863 acres, which are listed as Permanent Tax Parcel No. 15-123-0203 and 15-123-0200.003 on the 1998 Auditors Duplicate.

EXCEPTION NUMBER 3

A tract of land located in Section 32, Township 2, Range 17:

Commencing at the northwest corner of Section 32 thence, with the north line of Section 32 South 84° 19' 07" East 739.52 feet to a point; thence, leaving the line of Section 32 South 5° 37' 48" West 702.48 feet to a one-inch iron pipe being the true point of beginning of this description; thence South 84° 22' 12" East 106.00 feet to a one-inch iron pipe; thence South 5° 37' 48" West 214.40 feet to a one-inch iron pipe; thence North 84° 22' 12" West 106.00 feet to a one-inch iron pipe; thence North 5° 37' 48" East 214.40 to the point of beginning, containing 0.522 acres, which are listed as Permanent Tax Parcel No. 15-145-1504 on the 1998 Auditors Duplicate.

EXCEPTION NUMBER 4

A tract of land located in Section 29, Township 2, Range 17:

Commencing at the southwest corner of Section 29 thence, with the south line of Section 29, South 84° 19' 07" East 808.52 feet to a point; thence, leaving the line of Section 29, North 5°

37' 48" East 119.70 feet to a one-inch iron pipe being the true point of beginning of this description; thence North 5° 37' 48" East 100.00 feet to a one-inch iron pipe; thence South 84° 22' 12" East 54.00 feet to a one-inch iron pipe; thence South 5° 37' 48" West 100.00 feet to a one-inch iron pipe; thence North 84° 22' 12" West 54.00 feet to the point of beginning, containing 0.124 acres, which are listed as Permanent Tax Parcel No. 15-123-0204 on the 1998 Auditors Duplicate.

EXCEPTION NUMBER 5

A tract of land located in Section 32, Township 2, Range 17:

Commencing at the northwest corner of Section 32, thence with the north line of Section 32 South 84° 19' 07" East 1832.02 feet to a point; thence, leaving the north line of Section 32, South 5° 37' 48" West 523.89 feet to a one-inch iron pipe being the true point of beginning of this description; thence South 84° 22' 12" East, passing a one-inch iron pipe at 103.89 feet, a total distance of 120.00 feet to a point; thence South 5° 37' 48" East 127.00 feet to a point; thence North 84° 22' 12" West, passing a one-inch iron pipe at 16.11 feet, a total distance of 120.00 feet to a one-inch iron pipe; thence North 5° 37' 48" East 127.00 feet to the point of beginning, containing 0.350 acres, which are listed as Permanent Tax Parcel No. 15-145-1502 on the 1998 Auditors Duplicate.

EXCEPTION NUMBER 6

A tract of land located in Section 32, Township 2, Range 17;

Commencing at the northwest corner of Section 32 thence South 84° 19' 07" East 1554.29 feet to a point; thence South 5° 37' 48" West 495.81 feet to a one-inch iron pipe being the true point of beginning of this description; thence South 84° 22' 12" East 162.66 feet to a one-inch iron pipe; thence South 5° 37' 48" West 150.83 feet to a one-inch iron pipe; thence North 84° 22' 12" West 162.66 feet to a one-inch iron pipe; thence North 5° 37' 48" East 150.83 feet to the point of beginning, containing 0.563 acres, which are listed as Permanent Tax Parcel No. 15-145-1503 and 15-145-1500.002 on the 1998 Auditors Duplicate.

EXCEPTION NUMBER 7

A tract of land located in Section 29, Township 2, Range 17;

Commencing at the southwest corner of Section 29 thence with the west line of Section 29 North 5° 37' East 2284.55 feet to a point; thence, leaving the west line of Section 29, South 84° 22' 18" East 1270.75 feet to a one-inch iron pipe being the true point of beginning for this description, thence North 39° 10' 57" East 163.60 feet to a one-inch iron pipe; thence South 69°21'29" East 91.60 feet to a one-inch iron pipe; thence South 54°20'13" East 243.16 feet to a one-inch iron pipe; thence South 75°29'43" East 212.19 feet to a one-inch iron pipe; thence North 74°40'16" East 209.54 feet to a one-inch iron pipe; thence South 25°41'39" East 310.46 feet to a one-inch iron pipe; thence South 40°11'17" East 195.47 feet to a one-inch iron pipe; thence South 41°25'46" East 201.11 feet to a one-inch iron pipe; thence South 26°29'22" West 110.14 feet to a one-inch iron pipe; thence South 10°07'31" East 143.88 feet to a one-inch iron pipe; thence South 34°13'08" West 73.08 feet to a one-inch iron pipe; thence South 55°25'15"

West 173.30 feet to a one-inch iron pipe; thence North 62°04'25" West 244.00 feet to a one-inch iron pipe; thence North 36°43'27" West 179.26 feet to a one-inch iron pipe; thence North 58°40'17" West 318.09 feet to a one-inch iron pipe; thence North 69°19'36" West 149.66 feet to a one-inch iron pipe; thence North 79°48'28" West 215.49 feet to a one-inch iron pipe; thence North 3° 18'59" West 103.78 feet to a one-inch iron pipe; thence North 78°25'10" East 219.27 feet to a one-inch iron pipe; thence North 21°54'01" East 273.16 feet to a one-inch iron pipe; thence North 14°38'19" West 349.50 feet to the point of beginning, containing 23.688 acres, which are listed as Permanent Tax Parcel No. 15-123-0202 on the 1998 Auditors Duplicate.

EXCEPTION NUMBER 8

THERE IS ALSO EXCEPTED from the aforesaid described tract of land the following tract of land in Section 29, Township 2, Range 17, which was conveyed to Ray Curtis Bailey and Raymond Bailey by deed recorded in Deed Volume 493, Page 530:

Beginning at a PK nail, on the line between Sections 29 and 30 and in the centerline of County Road 1, which bears North 5° 37' East 651.80 feet from the cut cross at the common corner of Sections 29, 30, 31 and 32; thence, with the centerline of County Road 1 and the common line of Sections 29 and 30, North 5° 37' East 775.92 feet to a PK nail; thence, leaving the section line and the centerline of County Road 1, South 84° 22' 52" East, passing at 80.00 feet an iron pipe set on the east right-of-way line of County Road 1, a total distance of 748.58 feet to a set iron pipe; thence, South 5° 37' 48" West 246.92 feet to a set iron pipe; thence North 84° 22' 52" West 316.52 feet to a set iron pipe; thence South 5° 37' 08" West 529.00 feet to a set iron pipe; thence North 84° 22' 52" West passing at 352.01 feet an iron pipe set on the east right-of-way line of County Road 1, a total distance of 432.01 feet to the point of beginning containing 9.49 acres of which 1.43 acres are within the right-of-way for County Road 1 as surveyed and described by Laurence R. Wells, Registered Surveyor No. 6471, said tract of land having been initially listed as Permanent Tax Parcel No. 15-123-0200.001 on the Auditors Duplicate.

The aforesaid exceptions contain 90.144 acres of which 45.064 acres are within Section 29 and 45.080 acres are within Section 32, which results in a net area of the territory to be annexed containing 280.014 acres of which 144.372 acres are within Section 29 and 135.642 acres are within Section 32. Said 144.372 acres includes all of Permanent Tax Parcel No. 15-123-0200, which is listed as containing 136.97 acres on the 1998 Auditors Duplicate, and includes 5.97 acres (within the right-of-ways of County Road No. 1 and County Road No. 60) which are unlisted on the 1998 Auditors Duplicate. Said 135.642 acres includes all of Permanent Tax Parcel No. 15-145-1500, which is listed as containing 131.14 acres on the 1998 Auditors Duplicate, and includes 4.51 acres (within the right-of-way of County Road No. 1) which are unlisted on the 1998 Auditors Duplicate.

TRACT NO. 2

A tract of land situated in Perry Township, Lawrence County, Ohio and being part of Fractional Sections 30 and 31 of T-2, R-17 of the Ohio River Survey and being more particularly described as follows:

Beginning at a cut cross in the centerline of County Road No. 1, said cut cross marking the corner of Sections 29, 30, 31 and 32, T-2, R-17 of the Ohio River Survey:

thence, with the centerline of County Road No. 1 and the east line of Section 31, South 5° 37' 00" West 349.88 feet to a "P.K." nail in the centerline of County Road No. 1;

thence, leaving the centerline of County Road No. 1 and with the line of Ashland Inc., Vol. 566, Pg. 353, the five following courses and distances,

- 1) North 84° 23' 29" West, passing as a witness a concrete monument at 50.00 feet, a distance of 270.90 feet to a concrete monument,
- 2) South 54° 01' 19" West 68.22 feet to an iron pin (reset),
- 3) South 45° 04' 04" West 113.70 feet to a stone,
- 4) South 48° 53' 49" West 258.45 feet to an iron pipe,
- 5) South 58° 12' 42" West 67.19 feet to an iron pin on the east right of way line of the Norfolk & Western Railroad;

thence, leaving the line of Ferguson and with the east right of way line of the Norfolk & Western Railroad 2002.81 feet on a curve to the right having a radius of 21,544.9 feet the three following chords,

- 1) North 12° 07' 17" West 748.06 feet to a point, on the line between Section 30 and Section 31, from which a monument bears North 84° 20' West 1.21 feet,
- 2) North 10° 59' 38" West 100.63 feet to a point,
- 3) North 9° 19' 30" West 1153.94 feet to a concrete monument (former car axle) corner to Andrew J. Dolin, Vol. 372, Pg. 289;

thence, leaving said right of way line and with the line of Andrew J. Dolin, Kenneth McFann, et al (Volume. 312, Page 394), Gladys Dills (Volume 398, Page 92 and Volume 343, Page 381), and Robert B. and Anna J. Holbrook (Volume 301, Page 54 and Volume 207, Page 546), South 84° 44' 48" East, passing a stone at 534.32 feet and 880.56 feet, in all 918.54 feet to a stone corner to William B. and Anna J. Sherer (Volume 402, Page 403);

thence, with the lines of Sherer, South 5° 36' 49" West 169.62 feet to a stone; thence South 84° 43' 50" East, and passing a stone at 230.36 feet, a total distance of 260.36 feet to a "P.K." nail on the centerline of County Road Number One;

thence, with said centerline (also being the east line of Section 30) South 5° 37' West 1049.92 feet to the point of beginning containing 35.953 acres, of which 27.514 acres are within Section 30 and 8.439 acres are within Section 31, and having all bearings based on the magnetic meridian of 1941.

THERE IS EXCEPTED from the aforesaid described tract of land the following tract of land in Section 31, Township 2, Range 17, which was conveyed to Biomass Group, LLC by deed recorded in Official Record Volume 25, Page 425:

Commencing at the northeast corner of Section 31 thence, with the north line of Section 31, North 84° 20' 37" West 425.37 feet to a point; thence, leaving the line of Section 31, South 5° 29' 33" West 82.93 feet to a one-inch iron pipe being the true point of beginning of this description; thence South 6° 20' 16" West 72.56 feet to a one-inch iron pipe; thence North 84° 22' 05" West 54.06 feet to a one-inch iron pipe; thence North 5° 23' 05" East 73.48 feet to a one-inch iron pipe; thence South 83° 24' 27" East 55.28 feet to the point of beginning, containing 0.092 acres, which are listed as Permanent Tax Parcel No. 15-145-1601 on the 1998 Auditors Duplicate.

THERE IS ALSO EXCEPTED from the aforesaid described tract of land the following tract of land in Fractional Section 30, Township 2, Range 17, which was conveyed to South Point Board of Education by deed recorded in Deed Volume 496, Page 477:

Beginning at a point on the east line of Section 30 which bears North 5° 37' East 564.12 feet from the southeast corner thereof; thence North 87° 46' 14" West, and passing a one-inch iron pipe at 60.11 feet, a total distance of 670.76 feet to a "T"-Rail; thence North 15° 24' 18" West 325.01 feet to a 3/4" rebar; thence North 20° 53' 41" West 212.37 feet to a "T"-Rail; thence North 5° 14' 17" East 196.26 feet to a one-inch iron pipe set on the south line of an unrecorded subdivision; thence, with the south lines of those lands now or formerly owned by Andrew J. Dolin (Volume 372, Page 289), Kenneth McFann (Volume 312, Page 394), Gladys Dills (Volume 398, Page 92 and Volume 343, Page 381) and Robert B. and Anna J. Holbrook (Volume 301, Page 54 and Volume 207, Page 546), South 84° 44' 48" East 621.93 feet to a stone; thence, with the lines of William B. and Anna J. Sherer (Volume 402, Page 403), South 5° 36' 49" West 169.62 feet to a stone; thence South 84° 43' 50" East, and passing a stone at 230.36 feet, a total distance of 260.36 feet to a point on the east line of Section 30; thence, with the east line of Section 30 and the center line of County Road Number One, South 5° 37' West 485.82 feet to the point of beginning containing 11.41 acres of which 0.59 acres are within the right-of-way for County Road Number One, as surveyed and described by Laurence R. Wells, Registered Surveyor Number 6471, said tract of land being listed as Permanent Tax Parcel No. 15-139-0600.001 and 15-139-0600.002 on the 1998 Auditors Duplicate.

Less the exceptions, the aforesaid tract of land contains a net area of 24.451 acres to be annexed, of which 16.104 acres are within Section 30 and 8.347 acres are within Section 31. Said 16.104 acres includes part of Permanent Tax Parcel No. 15-139-0600, which is listed as containing 26.32 acres on the 1998 Auditors Duplicate, and includes 0.72 acres (within the right-of-way of County Road No. 1) which are unlisted on the 1998 Auditors Duplicate. Said 8.347 acres includes part of Permanent Tax Parcel No. 15-145-1600, which is listed as containing 28.27 acres on the 1998 Auditors Duplicate, and includes 0.40 acres (within the right-of-way of County Road No. 1) which are unlisted on the 1998 Auditors Duplicate.

TRACT NO. 3

Being a Tract of land situated in Perry Township, Lawrence County, Ohio and being part of Fractional Sections 30 and 31 of T-2, R-17 of the Ohio River Survey and being more particularly described as follows:

Beginning at a stone, on the west right of way line of the Norfolk & Western Railroad, which bears North 84° 44' 48" West 107.78 feet from the concrete monument marking the Northwest corner of Tract No. 2 herein, said stone being the common corner of the tract of land formerly owned by Ashland Oil & Refining Company, Vol. 206, Pg. 74, which has been conveyed by unrecorded deed to Marathon Ashland Petroleum LLC;

thence, with the west right of way line of the Norfolk & Western Railroad, 1152.98 feet on a curve to the left having a radius of 21,649.9 feet the chord of which bears South 9° 15' 07" East 1152.84 feet to an Iron pin;

thence North 84° 22' 39" West 5.22 feet to an iron pin;

thence 100.52 feet, on a curve to the left having a radius of 21,654.9 feet the chord of which bears South 10° 54' 27" East 100.52 feet to an iron pin on the south line of Section 30;

thence South 84° 20' 37" East 5.22 feet to an iron pin;

thence 1424.75 feet, on a curve to the left having a radius of 21,649.9 feet the following chords South 12° 06' 39" East 806.47 feet to a point, South 13° 59' 44" East 618.15 feet to an iron post from which a concrete monument bears North 14° 49' West 1.43 feet, said iron post being 65 feet left of Valuation Station 121 + 74.5 and marking the point of curvature of the aforesaid right of way;

thence, continuing with said right of way, South 14° 48' 50" East 326.55 feet to an iron post from which a concrete monument bears South 86° 08' East 2.68 feet;

thence South 85° 42' 50" West 5.09 feet to an iron post from which a concrete monument bears South 88° 52' East 2.55 feet;

thence South 14° 48' 50" East 310.71 feet to an iron post from which a concrete monument bears South 89° 48' East 3.05 feet and another monument bears North 17° 59' West 8.81 feet;

thence, leaving the N & W right of way line and with the line of the tract of land formerly owned by Eastates Petroleum Company, Vol. 459, Pg. 593, which has been conveyed by unrecorded deed to Marathon Ashland Petroleum LLC, South 85° 42' 50" West 347.13 feet to a concrete monument on the top of the high bank of the Ohio River;

thence, down river and with a meander line along the top of the high bank the five following courses and distances,

1) North 14° 50' 06" West 310.73 feet to an iron pin,

2) North 13° 38' 00" West 772.39 feet to a concrete monument,

3) North 12° 43' 45" West 1041.02 feet to a concrete monument,

4) North 10° 24' 49" West 100.04 feet to a stone,

5) North 8° 25' 40" West 1146.28 feet to a stone on the line of the tract of land formerly owned by Ashland Oil & Refining Company, Vol. 206, Pg. 74;

thence, with said line South 84° 44' 48" East 343.76 feet to the point of beginning containing 25.965 acres above the meander line along the top of the high bank and having all

bearings based on the magnetic meridian of 1941, there is also included those lands between the high bank and the mean low water of the Ohio River being an additional 15.2 acres (of which 9.3 acres lie below the normal pool of the Greenup Locks and Dam) for a total of 41.2 acres, more or less;

There is excepted from the aforesaid described tract of land the following tract of land in Section 30, Township 2, Range 17:

Beginning at a stone on the North line of Tract No. 3 which bears North 84° 44' 48" West 343.76 feet from the northeast corner thereof; thence, with said north line, South 84° 44' 48" East 20.00 feet to an iron pin; thence South 8° 25' 40" East 20.00 feet to an iron pin; thence North 84° 44' 48" West 20.00 feet to an iron pin; thence North 8° 25' 40" West 20.00 feet to the point of beginning containing 0.009 acres, said tract of land being part of the land conveyed to Ashland Oil & Refining Company by the deed recorded in Vol. 190, Pg. 154, which is listed as part of Permanent Tax Parcel No. 15-139-0700 on the 1998 Auditors Duplicate.

Less the exception, the aforesaid tract of land contains a net area of 41.2 acres to be annexed, of which 16.1 acres are within Section 30 and 25.1 acres are within Section 31. Said 16.1 acres are part of Permanent Tax Parcel No. 15-139-0600, which is listed as containing 26.32 acres on the 1998 Auditors Duplicate, and includes 4.5 acres (below the normal pool of the Greenup Locks and Dam) which are unlisted on the 1998 Auditors Duplicate. Said 25.1 acres are part of Permanent Tax Parcel No. 15-145-1600, which is listed as containing 28.27 acres on the 1998 Auditors Duplicate, and includes 4.8 acres (below the normal pool of the Greenup Locks and Dam) which are unlisted on the 1998 Auditors Duplicate.

The aforesaid descriptions were prepared, by Laurence R. Wells, Registered Land Surveyor No. 6471, from deeds of record and the plat recorded in Plat Book 9 at page 101.

This instrument is intended to annex the following Permanent Tax Parcels.
15-123-0200, which is listed as containing 136.97 acres on the 1998 Auditors Duplicate
15-139-0600, which is listed as containing 26.32 acres on the 1998 Auditors Duplicate
15-145-1500, which is listed as containing 131.14 acres on the 1998 Auditors Duplicate
15-145-1600, which is listed as containing 28.27 acres on the 1998 Auditors Duplicate

DESCRIPTION APPROVED
LAWRENCE CO. ENGR.

Date: 9-5-2001
By: PAUL RUZADUE

This Conveyance has been examined
and the Grantor has complied with
Section 319.202 of the Revised Code.

FEE \$ _____

EXEMPT Y

RAY T. DUTEY, County Auditor

RECORD OF PROCEEDINGS

Minutes of

Regular

Page #1

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 1014B

Held Tuesday March 6, 2001

19

The regular meeting of the South Point Village Council was called to order at 7:30 PM. by Mayor William Gaskin with the pledge to the flag. Village Chaplain, Rev. Paul Miller, read scripture and led in prayer.

Roll Call: Present - Robert Armstrong Buel Collins
 Marlene Arthur Danny Smith
 David Classing Ron West

Mr. Collins made a motion to approve the minutes of the February 6, 2001 regular Council meeting. Mr. West seconded. Roll call -- yes by all.

Mr. Classing made a motion to approve payment of the approved invoices. Mr. Armstrong seconded. Roll call -- yes by all.

Mr. West made a motion to approve a Police Dept. requisition of \$237.00 to Dayton Legal Blank for traffic tickets. Mr. Classing seconded. Roll call -- yes by all.

Public: Six Solida Road residents were present to inquire about the Solida Road Sewer Extension Project. Wanda Ray, Gainer Ave. resident, said she had a petition signed by some of the residents protesting the \$25.50 per month user fee that is being charged. They think the fee is too high and inquired how the fee was set. Mayor explained to them that the user fee is set by Rural Development who made most of the loan and grant funds for the project. The fee is calculated by the number of potential customers and the amount of the bond payment the Village has to make for the loan. Every new sewer extension project has to bring in enough revenue to make the bond payment for the extension. She was told to send the petition to Rural Development as we cannot change the rate. Ms. Ray said the sewer line hasn't been ran up Gainer Ave. yet and inquired if it would be. She was told the line will be ran up that street very soon and would run all the way to the end of the street. Barbara Brammer inquired how the sewer plant is maintained if the monthly payments Solida customers were making is only to make the loan payments for the new line extension. She was told the entire sewer district runs and maintains the plant.

Police Chief, Carl Vance, said there have been many breaking and enterings in the Village lately and said he is shuffling the patrol schedules to try and catch who is doing it. He said residents need to be more careful and not leave valuable items in their cars.

We received a letter from Sheriff Tim Sexton requesting a contribution to the Lawrence Drug Task Force. Mayor said the task force has had a lot of success in the past three years fighting the drug problems and suggested making a contribution of \$1,000. Mr. West made a motion to approve payment of \$1,000. to the Lawrence Drug Task Force for 2001. Mr. Smith seconded. Roll call -- yes by all.

The Lawrence Economic Development Corporation has filed an annexation petition with the Lawrence County Commissioners on Feb. 20, 2001 for the annexation of the former Marathon Ashland property. The Village needs to adopt a resolution accepting the petition and stating the services to be provided by the Village. Mr. Armstrong made a motion to suspend the 3 reading rule on Resolution 01-1 a Resolution Accepting the Annexation Petition Presented by Lawrence Economic Development Corporation and Declaring an Emergency. Mr. Collins seconded. Roll call -- yes by all except Mrs. Arthur who voted no. Mr. Armstrong made a motion to adopt Resolution 01-1. Mr. Smith seconded. Roll call -- yes by all except Mrs. Arthur who voted no.

Held Tuesday March 6, 2001 19

Mr. Armstrong made a motion to approve the following transfer of funds for the month of March:

<u>From:</u>	<u>To:</u>	<u>Amount:</u>
Sewer Fund	1st Mtg. Sewer Bond	9,817.00
Sewer Fund	Step 3 Sewer Bond	403.00
Sewer Fund	Solida Sewer Bond	4,109.00
Sewer Fund	Sewer Reserve	1,000.00
Water Fund	Water Reserve	1,000.00
Water Fund	Sub Waterworks Bond	3,560.00
Street Fund	Street Repaving Bond	1,667.00
St. Permissive Tax	Street Repaving Bond	1,667.00
Sanitation Fund	Sewer Fund (Clerk sal.)	125.00
Fire Dept. Fund	Fire Truck Bond	5,755.00
General Fund	COPS Fast Fund	383.00
General Fund	Fire Department Fund	500.00

Mr. West seconded. Roll call -- yes by all.

Mr. Armstrong made a motion to approve the Clerk/Treasurer's Financial Report ending February 28, 2001. Mr. Smith seconded. Roll call -- yes by all.

Mayor Gaskin reported on the following:

- ✓ The contractor has finished installing the sewer lines on the Solida Sewer Extension Project but still has restoration work to finish when the weather permits. To date, 173 customers have signed up and paid on their tap fees and 76 customers are presently active on the system.
- ✓ Bids will be opened March 14th at 12:00 noon for the Park Improvement Project.
- ✓ Woolpert Consultants are preparing plans to upgrade the water system so we can apply for OPWC Issue 2 money.

Mr. Armstrong said the property close to him at 707 2nd St. E. owned by Dianna Proctor, has garbage collecting around it and needs to be cleaned up. There is no one living in the house on a permanent basis. We will send the owner a letter. Mrs. Arthur said there is a tire pile being started on the Mann property above the train bridge that needs to be cleaned up.

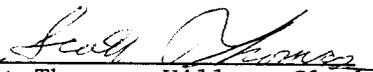
Mr. Classing made a motion to adjourn. Mrs. Arthur seconded. Roll call -- yes by all.


Clerk


Mayor

CERTIFICATE

I, Scott Thomas, Clerk of the Village of South Point, Ohio, do hereby certify that this is a true and correct copy of the original minutes of March 6, 2001 regular Council meeting minutes.


Scott Thomas, Village Clerk

