

*Village of Crooksville*

RESOLUTION No. 2018-24

**RESOLUTION AUTHORIZING A REQUEST FOR DONATION OF PROPERTY FROM  
THE STATE OF OHIO AND APPROVING PLAT, LEGAL DESCRIPTION AND  
SPECIAL CONVEYANCE COVENANTS  
And Declaring an Emergency**

**Whereas**, the Village of Crooksville is a political subdivision of the State of Ohio and is duly organized and existing pursuant to the Constitution and the laws of the State of Ohio;

**Whereas**, pursuant to applicable law, the governing body of the Village of Crooksville ("Council") is authorized to acquire and dispose of real property and to incur obligations relative thereto for the Village of Crooksville, including, without limitation, rights and interests in real property necessary to the functions or operations of the Village of Crooksville;

**Whereas**, the Council hereby finds and determines that the acquisition of certain real property located on Walnut Street within the Village of Crooksville and owned by the State of Ohio, for the purpose of constructing improvements that will be utilized in the operation of the Village's fire and emergency medical services department is appropriate and necessary to the functions and operations of the Village of Crooksville, and its Fire and EMS Department.

**Whereas**, subsequent to inquiring of the feasibility of acquisition from the State of Ohio, and receiving plat and legal description from the Village's engineer, the State of Ohio has provided indication of its willingness to make the donation of that certain real estate for the Village's purposes, subject to certain fair, reasonable and appropriate covenants in favor of the State of Ohio.

**NOW THEREFORE**, a majority of the members of the Village of Crooksville, Perry County, Ohio, concurring therein, **BE IT, THEREFORE, RESOLVED**:

§ 1. The Village Mayor AND/OR the Village Administrator AND/OR the Village Solicitor (each an authorized representative) acting on behalf of the Village of Crooksville, is hereby authorized and directed to submit this Resolution to the State of Ohio in evidence of the Village's desire to acquire at no cost certain real property located on Walnut Street within the Village of Crooksville, owned by the State of Ohio, platted and more particularly described as set forth on attached Exhibit A, necessary for the purpose of constructing improvements that will be utilized in the operation of the Village's fire and emergency medical services department.

§2. The Village of Crooksville respectfully requests donation of the property by the State of Ohio to the Village of Crooksville. The Village of Crooksville is a small community with limited resources and the State of Ohio's donation would assist greatly in reducing the overall costs of the planned project to construct the Village's fire and emergency medical

services department.

§3. Should the State of Ohio convey to the Village of Crooksville that certain real property platted and more particularly described as set forth on attached Exhibit A, the Village of Crooksville shall accept such conveyance subject to the following covenants, which the Village hereby recognizes as fair, reasonable and appropriate consideration for the donation of the property:


- a. The Village shall maintain drainage of the ditch or swale (water) that runs through the property;
- b. The Village shall maintain and/or allow others to maintain the existing alley over a small portion of the property;
- c. All mineral rights shall be reserved to the State of Ohio;
- d. Should the property no longer be utilized for a fire and emergency medical services department or other public purpose by the Village of Crooksville, the property shall revert to the State of Ohio.

§4. The plat and legal description prepared by the Village's engineer, Jobes Henderson, A Hull Company, as set forth on attached Exhibit A, is hereby APPROVED and ACCEPTED by the Village of Crooksville and a deed of conveyance thereof by the State of Ohio, subject to the covenants set forth above in §3 of this Resolution is ACCEPTED and APPROVED for the Village of Crooksville.


§5. This Resolution is declared an emergency for the reason that the Resolution, Plat and Legal Description may be submitted to the State of Ohio for the Village's donation request and in order that the property may be timely secured in the name of the Village of Crooksville so that closing may take place and property necessary to the construction of the improvements for the fire and emergency medical services department may be acquired at the earliest possible time.

1<sup>st</sup> Reading: March 19, 2018 ;  
2<sup>nd</sup> Reading: Waived on ¾ Vote ;  
3<sup>rd</sup> Reading: Waived on ¾ Vote ;

Passed as an Emergency: March 19, 2018 .

  
\_\_\_\_\_  
Fred Redfern, Mayor

ATTESTED:

  
\_\_\_\_\_  
Brittany Ross, Fiscal Officer

APPROVED:



Christopher T. Rice, President, Council

ABSENT

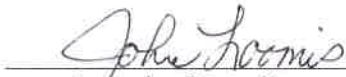
Bill Dennis, Councilman



Billie Smith, Councilwoman



Bill Hampton, Councilman



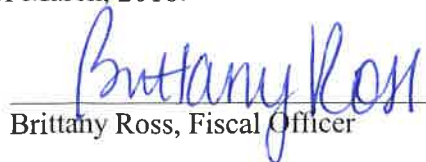
John Loomis, Councilman



R. Scott Locke, Councilman

**Posting Certification**

This ordinance was posted at the five prescribed locations within the Village of Crooksville, Ohio, on the 20th day of March, 2018.

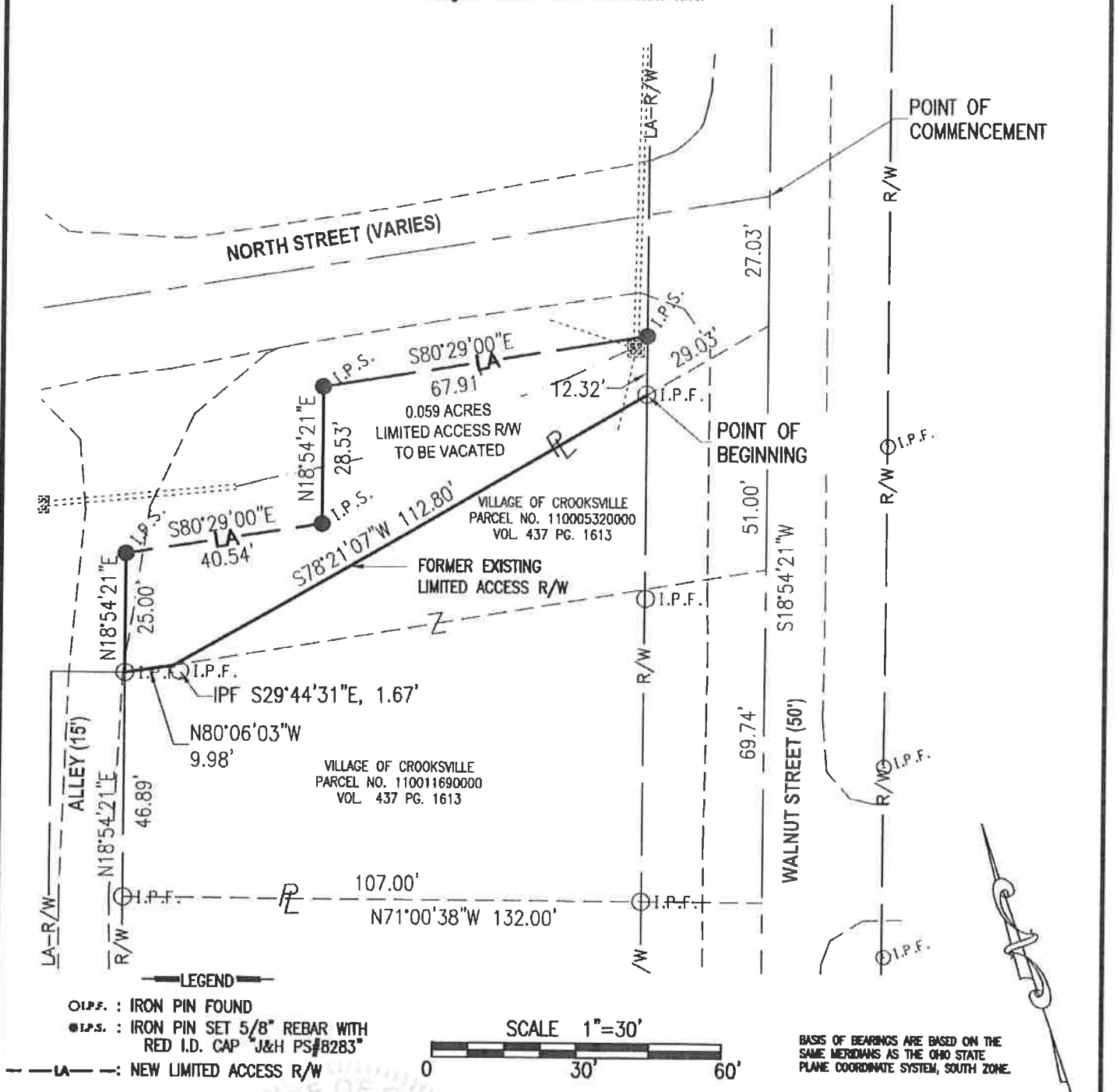
  
Brittany Ross, Fiscal Officer


# EXHIBIT A

## PARCEL ADDITION

0.059 ACRES

Situated in the State of Ohio, County of Perry, Village of Crooksville,  
in the Southeast Quarter of Section 17, Township 14, Range 14,  
Congress Lands East of the Scioto River



This Survey Prepared For: <b>VILLAGE OF CROOKVILLE, PARCEL ADDITION</b>	
 <b>JEREMY L. VAN OSTRAN</b> P.S. 8283	<b>RECEIVED</b> Foundation Survey      Final Survey Ord. No.                      Ord. No. Date:                              Date: Drawing: F:\... \VCR002.dwg \base.mape\ fire department \VCR002_RM001.dwg Version: 2015
	<b>Jobes Henderson</b> A HULL COMPANY 59 Grant Street Newark, Ohio 43055 PH: (740) 344-5451 www.jobeshenderson.com
DATE: 11-08-2017      ORDER NO. VCR002	REVISED      DRAWN: AB CHECKED: KTB F.B.

**FIRE DEPARTMENT ADDITIONAL PARCEL  
0.059 ACRE**

Situated in the State of Ohio, County of Perry, and Village of Crooksville, in the Southeast Quarter of Section 17, Township 14, Range 14, Congress Lands East of the Scioto River, and being a part of the limited access right of way acquired by the State of Ohio for PER-93-21.65, all references being to those of record in the Recorder's Office, Perry County, Ohio and being more particularly bounded and described as follows:

**Commencing** in the intersection of the centerlines of North Street and Walnut Street;

Thence along the centerline of Walnut Street, **South 18° 54' 21" West, 27.03 feet** to the northeasterly corner of a 0.07 acre tract as conveyed to Village of Crooksville by deed of record in Volume 437, Page 1613;

Thence along the northerly line of said 0.07 acre tract, **South 78°21'07" West, 29.03 feet** to an iron pin found on the westerly right of way line of Walnut Street and a limited access right of way line of State Route 93, and being the **Point of Beginning** for the parcel of land herein described;

Thence continuing along the northerly line of said 0.07 acre parcel and a former existing limited access right of way line, **South 78° 21' 07" West, 112.80 feet** to the southwesterly corner of said 0.07 acre parcel, witness an iron pin found South 29° 44' 31" East, 1.67 feet;

Thence, along the northerly line of a 0.25 acre parcel conveyed to the Village of Crooksville in Volume 437, Page 1613, and a former existing limited access right of way line, **North 80° 06' 03" West, 9.98 feet** to an iron pin found at the northwesterly corner of said 0.25 acre parcel and on the easterly right of way line of an alley;

Thence along new division lines, also being new limited access right of way lines, the following four (4) courses:

**North 18° 54' 21" East, 25.00 feet** to an iron pin set;

**South 80° 29' 00" East, 40.54 feet** to an iron pin set;

**0.059 ACRE PARCEL**

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**North 18° 54' 21" East, 28.53 feet to an iron pin set; and...**

**South 80° 29' 00" East, 67.91 feet to an iron pin set;**

Thence along the limited access right of way line and the westerly right of way line of Walnut Street, **South 18°54'21" West, 12.32 feet to the Point of Beginning** and containing **0.059 acre**, more or less, according to a survey performed by Jobes Henderson in July of 2017.

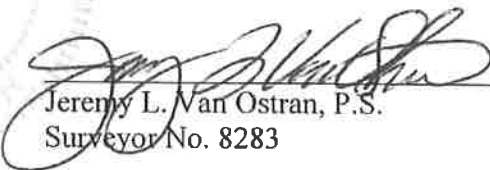
The bearings in the above description are based on the same meridians as the Ohio State Plane Coordinate System, South Zone.

All iron pins set are 5/8" in diameter rebar by 30" in length with red identification caps marked "J&H, PS 8283".

Subject to all valid and existing easements, restrictions and conditions of record.

February 22, 2018



  
Jeremy L. Van Ostran, P.S.  
Surveyor No. 8283