

*Village of Crooksville*

**ORDINANCE No. 2680**

**ORDINANCE AMENDING ORDINANCE NO. 2618 DECLARING  
CERTAIN REAL PROPERTY  
NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE  
AND AUTHORIZING ITS ADVERTISEMENT FOR SALE**

**Whereas**, on April 16, 2018, the Village of Crooksville did pass Ordinance 2618, Declaring Certain Real Property No Longer Needed for Any Municipal Purpose and Authorizing Its Advertisement for Sale;

**Whereas**, said Ordinance 2618 referred to property the Village commonly refers to and identifies as Reservoirs 1 and 2, and attached a legal description to particularly describe the property the Village declared surplus and intended to sell;

**Whereas**, the legal description attached to Ordinance 2618 failed to except from its description an approximate 6.2723 acre parcel that had been conveyed by the Village of Crooksville to Joseph D. Wise, Dean M. Wise, and Beth M. Wise, on or about November 20, 2007;

**Whereas**, the Village of Crooksville now desires to amend Ordinance No. 2618 in order to properly identify and legally describe the actual acreage that the Village declares is no longer needed for any municipal purpose and in order that its authorization to advertise such property for sale will set forth an advertisement of the true amount of acreage available for sale;

**Whereas**, as set forth in Ordinance 2618, Ohio Revised Code § 721.01 provides municipal corporations the special power to sell real estate belonging to the municipal corporation, when such real estate is not needed for any municipal purpose; and

**Whereas**, the Village of Crooksville owns certain real estate consisting of approximately 69.6277 Acres located in Section 23, York Township, Morgan County, Ohio, commonly referred to as "Reservoir 1" and "Reservoir 2" and more fully described as set forth in attached Exhibit A (75.90 Acres less 6.2723 Acres conveyed to Wise at Morgan County O.R. Book 188, Page 289); and

**Whereas**, "Reservoir 1" and "Reservoir 2" are no longer needed for any municipal purpose; and

**Whereas**, the Village of Crooksville wishes to place said real property for sale.

**NOW THEREFORE**, two thirds (2/3) of the members of the Council of the Village of Crooksville, Perry County, Ohio, concurring therein, **IT IS THEREFORE ORDAINED** that Ordinance 2618 is hereby AMENDED as follows:

**Section 1:** That the real property owned by the Village of Crooksville, consisting of approximately 69.6277 Acres located in Section 23, York Township, Morgan County, Ohio, commonly referred to as "Reservoir 1" and "Reservoir 2" and more fully described as set forth in attached Exhibit A (75.90 Acres less 6.2723 Acres conveyed to Wise at Morgan County O.R. Book 188, Page 289), is no longer needed for any municipal purpose and is therefore declared surplus real property.

**Section 2:** That in accordance with the provisions of Ohio Revised Code § 721.01 and § 721.03, the Council authorizes and directs the Village Administrator and/or Fiscal Officer to place said surplus real property for sale. The Village Administrator and/or Fiscal Officer shall advertise the sale of the real property, commonly known as "Reservoir 1" and "Reservoir 2", for advertisement once a week for five (5) consecutive weeks in a newspaper of general circulation within the Village of Crooksville. The advertisement for sale shall note that "the property shall be sold "AS IS" and subject to any/all requirements imposed by the Ohio Division of Natural Resources (ODNR)." Further, the advertisement for sale shall note that "the minimum bid that the Village of Crooksville will consider for the real property is \$150,000.00; the Village of Crooksville reserves the right to accept or reject any/all bids." Thereafter, the bids shall be brought before Council for acceptance or rejection of the bid made by the highest bidder; provided however, no bid less than \$150,000.00 shall be accepted. If a bid is accepted, Council shall direct the Village Solicitor to prepare a Contract for Sale and the same shall come on before Council for authorization and approval by two thirds (2/3) vote. If a bid is rejected, Council may authorize the Village Administrator and/or Fiscal Officer to re-advertise until such real estate is sold.

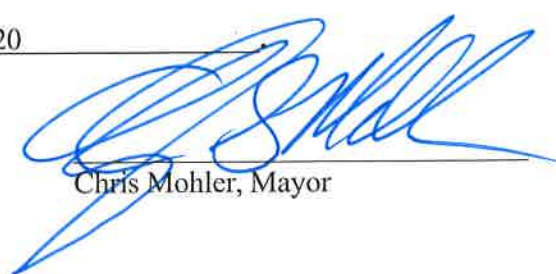
**Section 3:** That this Ordinance is effective at the earliest date allowed by law.

**1<sup>st</sup> Reading:** Waived on ¾ Vote

**2<sup>nd</sup> Reading:** Waived on ¾ Vote

**3<sup>rd</sup> Reading:** Passed September 8, 2020

**Passed:** September 8, 2020



Chris Mohler, Mayor

ATTESTED:

Marilyn L. Horner  
Marilyn Horner, Fiscal Officer

**Posting Certification**

This ordinance was posted at the five prescribed locations within the Village of Crooksville, Ohio, on the 16<sup>th</sup> day of October, 2020.

Marilyn Horner  
Marilyn Horner, Fiscal Officer

# KEVIN CANNON SURVEYING

7945 TWP. RD. 114 NE  
New Lexington, Ohio 43764  
(740) 342-2835

Bearings shown herein are to an assumed meridian and are used to denote angles only.  
Data References: USGS maps, tax maps, deed descriptions and existing monumentation.  
This survey is subject to any facts that may be disclosed by a full and accurate title search.

Scale 1" = 400'

0' 400' 800'



Gail Harker  
OR 18 Pg. 547

Robert Bramley et al  
Vol. 175 Pg. 615

Helen M. Conway et al  
OR 14 Pg. 542

75.90 Acres Total  
Village of Crooksville  
Vol. Pg.  
77 436  
77 437  
87 314  
96 458  
98 34  
81 44

Being all of Subdivisions  
2, 16, 17, 21, 20  
22, 19, 15, 23, 24

Bernard Anderson  
Vol. 130 Pg. 125

Bernard Anderson  
Vol. 130 Pg. 125

S/W Corner of the  
N/E Qtr. of Section 23



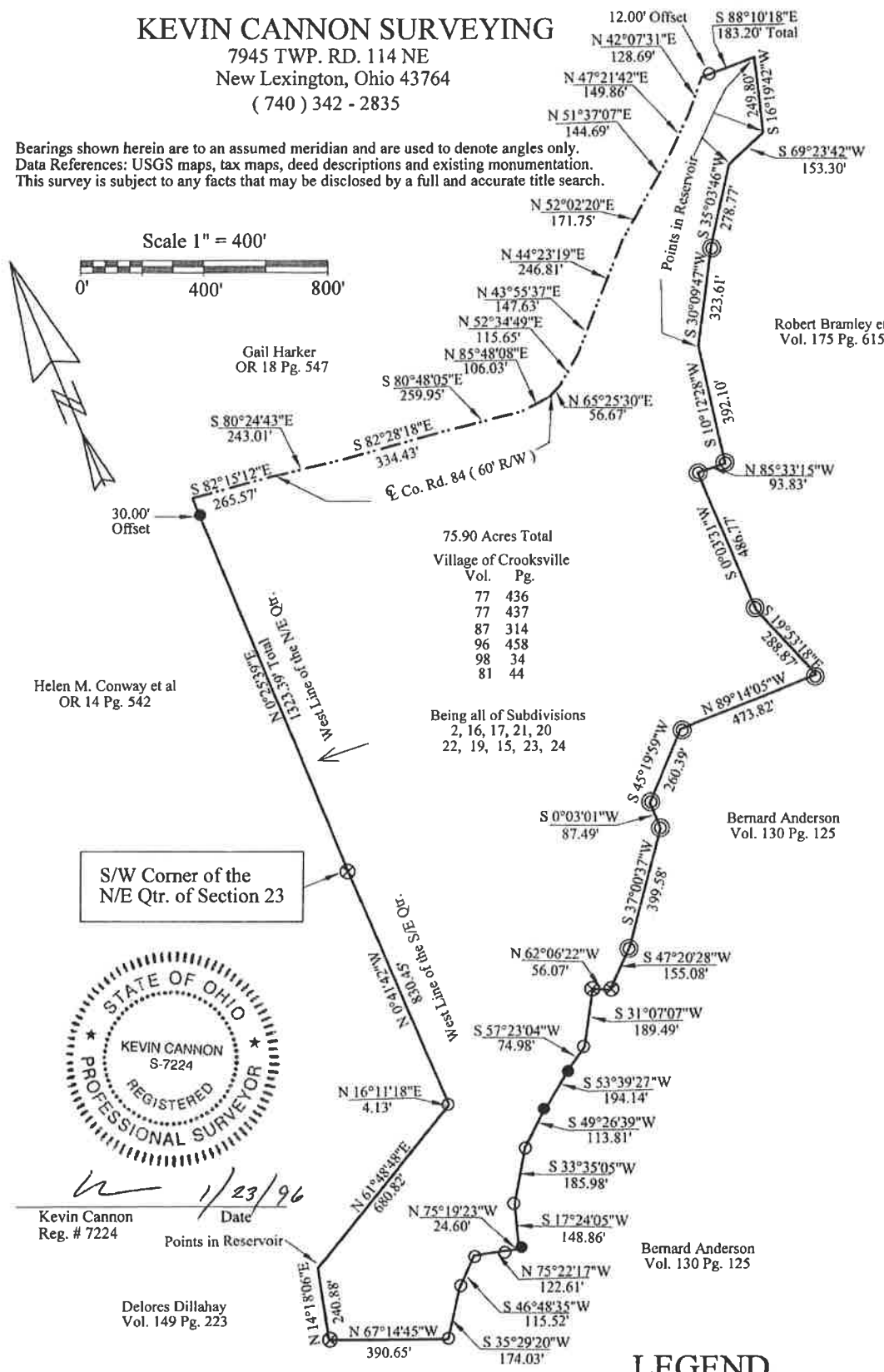
Kevin Cannon  
Reg. # 7224  
Date 1/23/96

Delores Dillahay  
Vol. 149 Pg. 223

Survey For: Village of Crooksville  
State: Ohio  
County: Morgan  
Township: York  
T - 14, R - 14  
Section: 23  
City or Village: N/A

## LEGEND

- Iron Pin Set 5/8" Sucker Rod, 30" Long With Plastic ID Cap CLS # 7224
- Iron Pin Found
- ⊙ Concrete Monument Fd.
- ⊗ Post
- x-x- Fence
- Basis of Bearings



**EXCEPTING THE FOLLOWING DESCRIBED PROPERTY  
CONVEYED TO WISE AND RECORDED AT  
MORGAN COUNTY O.R. BOOK 188, PAGE 289, DECEMBER 27, 2007**

*Situated in the State of Ohio, in the County of Morgan, in the Township of York, being a part of the Southwest Quarter of Section 23, Township 14 North, Range 14 West, and bounded and described as follows:*

*Beginning at an iron pin set on the East line of said Southwest quarter, a stone marking the Northeast corner of said Southwest quarter bears North 0 degrees 29 minutes West 826.91 feet; thence on said East line of said Southwest quarter, South 0 degrees 29 minutes 30 seconds East 520.81 feet to a stake; thence North 75 degrees 29 minutes 30 seconds West 122.46 feet; thence South 46 degrees 31 minutes 30 seconds West 115.47 feet; thence South 34 degrees 58 minutes 30 seconds West 174.46 feet; thence North 66 degrees 42 minutes 30 seconds West 393.56 feet; thence North 13 degrees 42 minutes 30 seconds East 240.40 feet; thence North 62 degrees 01 minutes 30 seconds East 680.81 feet; thence North 16 degrees 24 minutes East 4.13 feet to the place of beginning, containing 6.2723 acres, more or less.*

*EXCEPTING therefrom all the coal in, on, and underlying the same.*

*Also EXCEPTING and reserving all the oil and gas in, on, and under the above described premises, with the rights and privileges necessary and incidental to drilling for, producing and marketing the same. Said oil and gas is presently encumbered by a lease to The Ohio Fuel Gas Company, dated September 8, 1941, and recorded in Volume 16, Page 366 of the Record of Leases of Morgan County, Ohio, and the oil rights incident to which were subsequently assigned to The Preston Oil Company in instrument, dated October 1, 1941, and recorded in Volume 17, Page 6, of the Records of Leases of Morgan County, Ohio.*

*Parcel Number:*

***IT IS THE EXPRESS INTENTION OF THIS INSTRUMENT TO CREATE A SURVIVORSHIP TENANCY IN THE GRANTEEES PURSUANT TO SECTION 5302.17 OHIO REVISED CODE.***

**Village of Crooksville**

**Ordinance No. 2680**

**Ordinance Declaring Certain Real Property No Longer Needed  
For Any Municipal Purpose and Authorizing Its Advertisement For Sale**

Commonly known as "Reservoir 1" and "Reservoir 2" located in York Township, Morgan County, Ohio, and consisting of approximately **69.6277 acres** (75.90 acres, more or less, excepting 6.273 acres, more or less). "The property shall be sold **"AS IS"** and subject to any/all requirements imposed by the Ohio Division of Natural Resources (ODNR)". "The **minimum** bid that the Village of Crooksville will consider for the real property is **\$150,000.00**. The Village of Crooksville reserves the right to accept or reject any/all bids.

Sealed bids will be received by the **Village Administrator** at the office of 98 S. Buckeye Street, Crooksville, Ohio 43731 **Bids will be received until 10:00 am** \_\_\_\_\_.

**Bid Date:** \_\_\_\_\_

**Bid Time: 10:00 am local time**

**Bids will be thereafter publicly opened and read aloud.**

Thereafter, the bids shall be brought before Village Council for acceptance or rejection of the bid by the highest bidder; provided however, no bid less than \$150,000.00 shall be accepted.

For further information, you may contact the Village Administrator at 740-982-2712

Notes:

Advertise once a week for five (5) consecutive weeks.

Weeks of: \_\_\_\_\_.

**Bid Opening: \_\_\_\_\_ at 10:00 am Administrator's Office.**

EXHIBIT A



# CANNON LAND SURVEYING

7945 TWP RD. 114 NE  
NEW LEXINGTON, OHIO 43764  
614-342-2835

iron pin found; thence South 35 Degrees 29 Minutes 20 Seconds West 174.03 feet to an iron pin found; thence North 67 Degrees 14 Minutes 45 Seconds West 390.65 feet to a corner post; thence North 14 Degrees 18 Minutes 06 Seconds East 240.88 feet to a point in the reservoir; thence North 61 Degrees 48 Minutes 48 Seconds East 680.82 feet to a point; thence North 16 Degrees 11 Minutes 18 Seconds East 4.13 feet an iron pin found; thence North 00 Degrees 41 Minutes 42 Seconds West 830.45 feet to the place of beginning, containing 75.90 acres, more or less, subject to all legal highways and easements.

See plat attached.


Subject to Co. Rd. 84 R/W.

Iron pins set are 5/8 inch rebar with plastic identification caps.

Bearings are based on the West line of the Northeast Quarter of Section 23 as being North 00 Degrees 25 Minutes 39 Seconds East.

This description was written from a survey made January 23, 1996.

All of Subs. 2, 16, 17, 18, 21, 20, 22, 19, 15, 23, 24.

  
\_\_\_\_\_  
Kevin Cannon  
Reg. No. 7224

1/23/96  
Date



EXHIBIT A



# CANNON LAND SURVEYING

7945 TWP RD. 114 NE  
NEW LEXINGTON, OHIO 43764  
614-342-2835  
DEED DESCRIPTION

Situated in the State of Ohio, County of Morgan, Township of York, T-14, R-14, being a resurvey of Vol. 77 Pg. 436 & 437, Vol. 87 Pg. 314, Vol. 96 Pg. 458, Vol. 98 Pg. 34, Vol. 81 Pg. 44, being part of Section 23, and more particularly described as follows:

Beginning at a corner post found at the Southwest Corner of the Northeast Quarter of Section 23; thence North 00 Degrees 25 Minutes 39 Seconds East 1323.39 feet to a point in the centerline of Co. Rd. 84, passing an iron pin set at 1293.39 feet; thence along said centerline the next 13 courses to points: South 82 Degrees 15 Minutes 12 Seconds East 265.57 feet; thence South 80 Degrees 24 Minutes 43 Seconds East 243.01 feet; thence South 82 Degrees 28 Minutes 18 Seconds East 334.43 feet; thence South 80 Degrees 48 Minutes 05 Seconds East 259.95 feet; thence North 85 Degrees 48 Minutes 08 Seconds East 106.03 feet; thence North 65 Degrees 25 Minutes 30 Seconds East 56.67 feet; thence North 52 Degrees 34 Minutes 49 Seconds East 115.65 feet; thence North 43 Degrees 55 Minutes 37 Seconds East 147.63 feet; thence North 44 Degrees 23 Minutes 19 Seconds East 246.81 feet; thence North 52 Degrees 02 Minutes 20 Seconds East 171.75 feet; thence North 51 Degrees 37 Minutes 07 Seconds East 144.69 feet; thence North 47 Degrees 21 Minutes 42 Seconds East 149.86 feet; thence North 42 Degrees 07 Minutes 31 Seconds East 128.69 feet; thence leaving said road South 88 Degrees 10 Minutes 18 Seconds East 183.20 feet to a point in the Crooksville Reservoir, passing an iron pin found at 12.00 feet; thence South 16 Degrees 19 Minutes 42 Seconds West 249.80 feet to a point in said reservoir; thence South 69 Degrees 23 Minutes 42 Seconds West 153.30 feet to a point in said reservoir; thence South 35 Degrees 03 Minutes 46 Seconds West 278.77 feet to a concrete monument found; thence South 30 Degrees 09 Minutes 47 Seconds West 323.61 feet to a point in said reservoir; thence South 10 Degrees 12 Minutes 28 Seconds West 392.10 feet to a concrete monument found; thence North 85 Degrees 33 Minutes 15 Seconds West 93.83 feet to a concrete monument found; thence South 00 Degrees 03 Minutes 31 Seconds West 486.77 feet to a concrete monument found; thence South 19 Degrees 53 Minutes 18 Seconds East 288.87 feet to a concrete monument found; thence North 89 Degrees 14 Minutes 05 Seconds West 473.82 feet to a concrete monument found; thence South 45 Degrees 19 Minutes 59 Seconds West 260.39 feet to a concrete monument found; thence South 00 Degrees 03 Minutes 01 Seconds West 87.49 feet to a concrete monument found; thence South 37 Degrees 00 Minutes 37 Seconds West 399.58 feet to a concrete monument found; thence South 47 Degrees 20 Minutes 28 Seconds West 155.08 feet to a corner post; thence North 62 Degrees 06 Minutes 22 Seconds West 56.07 feet to a corner post; thence South 31 Degrees 07 Minutes