

2/9/79 -- mjw

ORDINANCE NO. 26-79

An ordinance to accept the application for the annexation of certain territory containing 62.114 acres in Plain Township to the City of North Canton, Ohio.

WHEREAS, A petition for the annexation of certain territory in Plain Township was duly filed by property owners through their agent, John G. Haas, on February 1, 1978; and

WHEREAS, as required by law, a public hearing on said annexation was held April 25, 1978; and

WHEREAS, a continuation of the public hearing was held on April 27, 1978; and

WHEREAS, the Board of County Commissioners of Stark County denied the annexation of the territory to the City of North Canton as hereinafter described on July 20, 1978; and

WHEREAS, the Court of Common Pleas of Stark County, Ohio, ordered that the decision of the Board of County Commissioners be reversed; and further ordered that judgment be granted in favor of the petitioner herein, and that the petition for annexation of the property described in said petition be granted; and;

WHEREAS, the Board of County Commissioners certified the transcript of the proceedings in connection with the annexation with the map and petition required in connection therewith to the Clerk of Council who received same on November 27, 1978; and

WHEREAS, sixty days from the date of the filing have now elapsed in accordance with the provisions of the OHIO REVISED CODE 709.04, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:

Section 1. That the proposed annexation as applied for in the petition of John G. Haas, as agent, and a majority owners of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Stark County, Ohio, on February 1, 1978, and which the petition prayed for annexation to the City of North Canton, Ohio, of certain territory adjacent thereto as hereinafter described and which the petition was denied by the Board of Stark County Commissioners on July 20, 1978, and whereas, the Court of Common Pleas of Stark County, Ohio, ordered that the decision be reversed on November 14, 1978; and further ordered that judgment be granted in favor of the petitioners herein, and that the petition be granted, be, and the same is hereby accepted. The territory is described as follows:

Situated in the Township of Plain, County of Stark, and State of Ohio, and being part of the Northwest Quarter of Section 16, (T-11, R-8), more fully bounded and described as follows, to-wit:

Beginning at a standard county monument found at the southeast corner of said Northwest Quarter of Section 16, said monument being the true place of beginning for the tract of land herein described;

Thence N85°32'00"W along the quarter section line and the center line of Schneider Street, a distance of 40.00 feet to a point; thence N04°28'00"E a distance of 330.00 feet to a point; thence N85°32'00"W a distance of 1488.87 feet to a point; thence N04°44'38"E a distance of 1007.51 feet to a 3/4 inch iron pipe found; thence N85°46'34"W a distance of 1160.61 feet to a 1/2 inch iron bar found; thence N04°44'00"E along the section line, a distance of 664.72 feet to a 1 inch iron bar found; thence S86°00'44"E along the existing North Canton Corporation Line and its projection, a distance of 652.33 feet to a 3/8 inch iron bar found; thence N04°44'55"E continuing along the existing North Canton Corporation Line, a distance of 263.15 feet to a 1 inch iron bar found; thence S86°01'52"E continuing along the existing North Canton Corporation Line, a distance of 390.88 feet to a 1 inch iron bar found; thence N04°47'14"E continuing along the existing North Canton Corporation Line, a distance of 404.71 feet to a point; thence S86°01'00"E along the section line and the centerline of Easton Street, a distance of 259.00 feet to a point; thence S05°04'49"W a distance of 1338.19 feet to a point witnessed by a 1 1/4 inch iron pipe found 0.4 feet too far east; thence S85°46'34"E a distance of 1404.59 feet to a 1/2 inch iron bar found; thence S05°05'00"W along the section line, a distance of 1344.09 feet to a standard county monument found and the true place of beginning.

The above described tract of land contains 62.114 acres as surveyed by Hammontree & Associates, Ltd. Engineers and Surveyors of North Canton, Ohio in December of 1977.

The certified transcript of the proceedings for annexation with an accurate map of the territory, together with the petition for its annexation, and other papers relating to the proceedings thereto of the County Commissioners are all on file with the Clerk of Council of this City and have been for more than sixty days.

Section 2.

That the Clerk of Council, be, and she is hereby authorized and 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 relating thereto and a certificate as to the correctness thereof. The Clerk of Council 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

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Elections within thirty days after it becomes effective, and the Clerk shall do all other things required by law.

Section 3. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

RACERASE BOND  
SOUTHWORTH CO. U.S.A.  
25% COTTON FIBER

North Canton, Ohio  
Adopted: February 12, 1979

*Dennis Grady*  
MAYOR  
SIGNED: *February 13*, 1979

ATTEST:

*Marion J. Wilson*  
CLERK OF COUNCIL

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CLERK OF COUNCIL