

Ordinance No. 15-09Passed February 5, 2009

1/30/09-gmk
(Comm. & Econ. Dev.)

Ordinance No. 15-09

An ordinance consenting to the proposed annexation of certain territory known as the Fosnaught Annexation containing 25.933 acres of land, more or less, in Jackson and Plain Township to the City of North Canton and declaring the same to be an emergency.

WHEREAS, a petition for the annexation of certain territory in Jackson and Plain Township was duly filed by the City of North Canton through their agent, Christopher J. Goldthorpe, on January 23, 2009; and,

WHEREAS, the petition meets all requirements set for in and was filed in the manner provided in OHIO REVISED CODE Section 709.023.

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 Christopher J. Goldthorpe, agent for the City of North Canton, and filed with the Board of Country Commissioners on January 23, 2009, and which petition prayed for the annexation to the City of North Canton, Ohio, of certain territory adjacent thereto as hereinafter described, be, and the same is hereby accepted. The territory is as follows:

Known as and being part of the Southeast Quarter of Section 13 (Jackson Township), and the Southwest and Northwest Quarter of Section 18 (Plain Township), Township 11, Range 8, Stark County, Ohio and being more fully bounded and described as follows;

Beginning for the same at a point marked by a monument box at the northeast corner of the Southeast Quarter Section 13, Jackson Township and the centerline of Whipple Avenue (County Road 214), thence North 88° 18' 47" West along the northerly line of the Southeast Quarter Section 13, Jackson Township a distance of 335.00 feet to the true place of beginning for the annexation to the City of North Canton, Ohio herein described;

Thence North 88° 24' 21" West along the northern line of said property now or formerly owned by the Dan J. Fosnaught as recorded in Official Image Record 200408060056807 of the Stark County Records, across the property now or formerly owned by said Metro Regional Transit Authority as recorded in Official Image Record 2000035339 of the Stark County Records and along the northern line of the Southeast Quarter Section 13 a distance of 833.65 feet to a point at the northwest corner of land now or formerly owned by Dan J. Fosnaught as recorded in Official Image Record 200408060056807 of the Stark County Records;

Thence along the western line of said Dan J. Fosnaught property South 1° 38' 22" West, a distance of 1230.50 feet to a point;

Thence along the southern line of said Dan J. Fosnaught property North 87° 19' 24" East, a distance of 977.50 feet to a point on the westerly property line of land now or formerly owned by the Metro Regional Transit Authority as recorded in Official Image Record 2000035339 of the Stark County Records;

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Thence North 63° 54' 15" East across the land now or formerly owned by Metro Regional Transit Authority a distance of 60.00 feet to a point on the westerly property line of land now or formerly owned by the Canton Asphalt Company;

Thence along the eastern line of said Metro Regional Transit Authority property North 26° 08' 26" West, a distance of 650.77 feet to a point of curvature;

Thence continuing along the eastern line of said Metro Regional Transit Authority property along the arc of a curve to the right in the northwesterly direction, said curve having a central angle of 2° 13' 13", a radius of 2894.93 feet, an arc length of 112.18 feet (last stated curve course has a chord bearing and distance of North 25° 01' 49" West - 112.18 feet) to a point at the southwest corner of property now or formerly owned by Dan J. Fosnaught as recorded in Official Image Record 200408060056807 of the Stark County Records;

Thence South 88° 24' 13" East along the southern line of said Dan J. Fosnaught property and property now or formerly owned by the Stark County Commissioners as recorded in Deed 4258, Page 64 of the Stark County Records and crossing into the Southwest Quarter Section 18 (Plain Township) a distance of 510.58 feet to a point the existing corporation line of the City of North Canton;

Thence along the existing corporation line of the City of North Canton, said line 15 feet to the east parallel to the centerline of Whipple Avenue (County Road 214) as recorded in Centerline Survey Plat 45, Page 104 of the Stark County Records and the westerly section line of the Southwest and Northwest Quarter Sections 18 (Plain Township) North 1° 28' 40" East a distance of 322.99 feet to a point;

Thence North 88° 18' 47" West along the northern line of said property now or formerly owned by the Stark County Commissioners and Dan J. Fosnaught a distance of 350.00 feet to a point;

Thence North 1° 33' 20" East along the eastern line of said property now or formerly owned by the Dan J. Fosnaught a distance of 130.00 feet to a point on the northern line of the Southeast Quarter Section 13 and being the True Place of Beginning and containing 25.933 Acres of land more or less.

Section 2. The Clerk of Council of the City of North Canton to which annexation is proposed shall file the ordinances adopted under this division with the Board of Stark County Commissioners within twenty days following the date that the petition is filed. The Board shall make these ordinances available for public inspection.

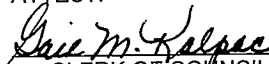
Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and peace of the City of North Canton and further necessary in order to comply with the timeline requirements of the OHIO REVISED CODE, specifically Section 709.023(D); wherefore, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor.

North Canton, OH
Passed: 2/5/09


MAYOR

SIGNED: 2/05, 2009

ATTEST:


CLERK OF COUNCIL