

**RESOLUTION NO. 2008-014**

**A RESOLUTION ACCEPTING THE ANNEXATION OF 18.883 ACRES OF  
CERTAIN TERRITORY TO THE VILLAGE OF WAYNESVILLE, OHIO  
(FEDERLE PROPERTY)**

**WHEREAS**, by Resolution No. 2007-026, the Village of Waynesville adopted a statement indicating services will be provided to the 18.883-acre territory conditioned upon certain deed restrictions being placed on the property; and

**WHEREAS**, the petition for annexation was duly considered and approved by the Board of County Commissioners of Warren County, Ohio, on February 12, 2008; and

**WHEREAS**, the Board of County Commissioners certified the transcript of the proceedings in connection with the annexation, with a map and petition required in connection therewith to the Clerk of Council, who received same immediately thereafter; and

**WHEREAS**, sixty (60) days from the date of the filing with the Clerk of Council have now elapsed in accordance with the provisions of Ohio Revised Code §709.04; and

**WHEREAS**, the required deed restriction has been provided demonstrating that the 18.883 acre parcel will be developed with no more than fifteen (15) single-family R-1 lots.

**NOW THEREFORE BE IT RESOLVED** by the Village Council of the Village of Waynesville, 7 members elected thereto concurring:

**Section 1.** That the proposed annexation as applied for in the petition of John and Sherry Federle, who are the owners of the real estate in the territory sought to be annexed and approved for annexation to the Village of Waynesville by the Board of County Commissioners on February 12, 2008, and the same is hereby accepted. The territory to be annexed is described in the attached Exhibit "A" which is incorporated herein by reference as part of this Resolution.

**Section 2.** That the exact language of the required deed restriction is hereby approved indicating that the 18.883 acre parcel shall be developed with no more than fifteen (15) single-family R-1 lots.

**Section 3.** That a 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 Village and have been for more than sixty (60) days.

first reading - 04/21/2008

second - 05/05/2008

04/04/2008

**Section 4.** That the Clerk of Council is hereby authorized and directed to make three sets of copies of the following documents: a) the petition, b) the map or plat accompanying the petition, c) the transcript of proceedings by the Warren County Commissioners relating to the petition, and d) a certified copy of this Resolution, and to deliver certified copies of the same to the Warren County Auditor, the Warren County Recorder, and the Ohio Secretary of State.

**Section 5.** That the Clerk of Council is further authorized and directed to file notice of the annexation with the Warren County Board of Elections, and make all other notices as required by law.

**Section 6.** That this Ordinance shall be effective from and after the earliest period allowed by law.

Adopted this 5<sup>th</sup> day of MAY 2008.

Attest

Staci Morris, Clerk of Council

Earl J. Isaacs, Mayor

**CERTIFICATE**

The undersigned, Clerk of Council of the Village of Waynesville, hereby certifies this to be a true and exact copy of Resolution No. 2008-\_\_\_\_\_, adopted by the Council of the Village of Waynesville on \_\_\_\_\_, 2008.

\_\_\_\_\_  
Clerk of Council

EXHIBIT "A"

## BLANKENSHIP & ASSOCIATES

CONSULTING ENGINEERS AND LAND SURVEYORS

115 W. MAIN STREET WILMINGTON, OHIO 45177

(937) 382-0704 (937) 382-0704 FAX

File: Federle  
Job No: 06-1201S

June 2007  
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### Legal Description 18.883

Situated and being in the Township of Wayne, County of Warren, and State of Ohio; being a part of Section 1, Town 3E, Range 5N and being part of a 6.070 Acre parcel one, 1.477 Acre parcel two, 1.469 Acre parcel three, 1.459 Acre parcel four, 1.450 parcel five, and 7.442 Acre parcel six conveyed to John and Sherry Federle (OR 4110, Page 644) of the Official Records of Warren County and shown in Survey Record 101, Plat 644 further described as follows:

Beginning at a point in the centerline of Lytle Road and being the southwestern corner of said 7.442 Acre tract and the northwestern corner of a 26.751 Acre tract conveyed to the Village of Waynesville (OR 1702, Page 675); thence with the southern line of said 7.442 Acre tract

S 79°04'24" E 30.96 feet to a point in the eastern margin of said Lytle Road being the Real Point of Beginning for the herein described Tract; thence continuing with the eastern margin of said Lytle Road and through the lands of said 6.070 Acre tract, 1.477 Acre tract, 1.469 Acre tract, 1.459 Acre tract, 1.450 Acre tract, and said 7.442 Acre tract for the next three calls

1. N 03°22'17" W 314.99 feet to a point; thence

2. N 00°30'33" W 224.06 feet to a point; thence

3. N 01°40'19" E 162.26 feet to a point being in the northern line of said 6.070 Acre tract and the southern line of a 32.0211 Acre tract conveyed to William and Linda Fenlon (OR 1244, Page 44); thence with a line thereof for the next four calls

1. S 77°36'59" E 1124.48 feet to a point; thence

2. S 29°10'50" E 223.63 feet to a point; thence

3. S 57°56'02" E 155.85 feet to a point; thence

4. S 22°37'30" E 95.33 feet to a point in the northern line of said 26.751 Acre tract and being the northern line of the Village of Waynesville; thence with a line thereof for the next five calls

1. S 47°41'42" W 191.04 feet to a point; thence

2. S 54°02'32" W 178.71 feet to a point; thence

3. S 83°07'14" W 190.99 feet to a point; thence

4. N 82°29'37" W 131.05 feet to a point; thence

5. N 79°04'24" W 768.76 feet to the beginning containing 18.883 Acres; subject to all other legal right-of-ways, restrictions and any other easements

File: Federle  
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Legal Description  
18.883

This description is NOT a result of a new field survey. This description was prepared from existing deeds of record by Blankenship & Associates, and under the direction of M. Ernie Blankenship, Registered Surveyor No. 8206, dated June 2007.

The bearings were based on the N 03°22'17" W from Official Record 4110, Page 646 of the Records of Land Division of Warren County, Ohio.