

North Canton City Council
Community and Economic Development Committee

Ordinance No. 43 - 2017

An ordinance accepting the application for the annexation of certain territory in Plain Township, known as the Walsh/Philzer Annexation, containing 0.8992 acres of land, more or less to the City of North Canton.

WHEREAS, a petition for the annexation of certain territory in Plain Township was duly filed by the property owners through their agent, Christopher J. Goldthorpe, on December 15, 2016; and,

WHEREAS, as required by law, a public hearing on such annexation was held by the Board of County Commissioners of Stark County on February 14, 2017, and all parties in attendance had an opportunity to testify; and

WHEREAS, the Board of County Commissioners of Stark County had an opportunity to examine the arguments both for and against said annexation; and,

WHEREAS, the Board of County Commissioners of Stark County on February 14, 2017, by a unanimous vote, granted the annexation.

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

Section 1. That the proposed annexation as applied for in the petition of Christopher J. Goldthorpe, agent for the property owners, and filed with the Board of County Commissioners of Stark County on December 9, 2016, and which petition prayed for 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 described as follows:

Known as and being part of Lots 102 and 103 in Clearview Allotment, as recorded in Plat Book 30; Page 118 of the Stark County Plat Records and as currently owned by Walsh University and recorded in Stark County Record's Instrument Numbers 2004/11180081989 and 2006/01060000945 respectively. Subject tract is located in the Northeast Quarter of Section 16, Township 11 North (Plain Township), Range 8, West, Stark County, Ohio, and being more particularly bounded and described as follows:

Beginning for the same point at the northwest corner of Lot 104 in said Clearview Allotment and being the True Place of Beginning for the tract of land herein to be described as follows:

(1) Thence S05°20'00"W, along the west line of said Lot 104, a distance of 166.00 feet, to a point on the north line of Philzer Street NW, a 50 foot wide public roadway as recorded in the Record Plat of said Clearview Allotment;

(2) Thence N85°34'00"W, along a portion of the north line of said Philzer Street NW, a distance of 236.00 feet, to a point at the southeast corner of previously stated Lot 101;

(3) Thence N05°20'00"E, along the east line of said Lot 101, a distance of 166.00 feet, to a point at the northeast corner of Lot 101;


(4) Thence S85°34'00"E, along the north line of Lots 102 and 103 in said Clearview Allotment, said line also being a portion of the present City of North Canton Corporation line, a distance of 236.00 feet to a point, terminating at the true place of beginning and containing a total area of 0.8992 acre of land more or less.

Section 2. That 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 and the Courts are all on file with the Clerk of Council of the City of North Canton.

Section 3. That the Clerk of Council, be, and 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 of 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 send one certified copy of this ordinance to the Board of County Commissioners of Stark County and shall file notice of this annexation with the Board of Elections within thirty days after it becomes effective and the Clerk shall do all other things required by law. No action of Council shall be enacted unless public notice has been fulfilled at least seven days before the final enactment of Council.


Section 4. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this 26th day of June 2017



David Held, Mayor

Signed: 6/30, 2017

ATTEST:


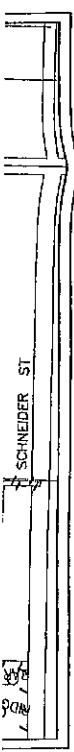
Mary Beth Bailey, Clerk of Council

DESCRIPTION

Known as and being all of Lots 102 and 103 in Clearview Allotment, as recorded in Plat Book 30; Page 118 of the Stark County Plat Records and as currently owned by Walsh University and recorded in Stark County Record's Instrument Numbers 2004/11180081989 and 2006/01060000945 respectively. Subject tract is located in the Northeast Quarter of Section 16, Township 11 North (Plain Township), Range 6 West, Stark County, Ohio and being more particularly bounded and described as follows:

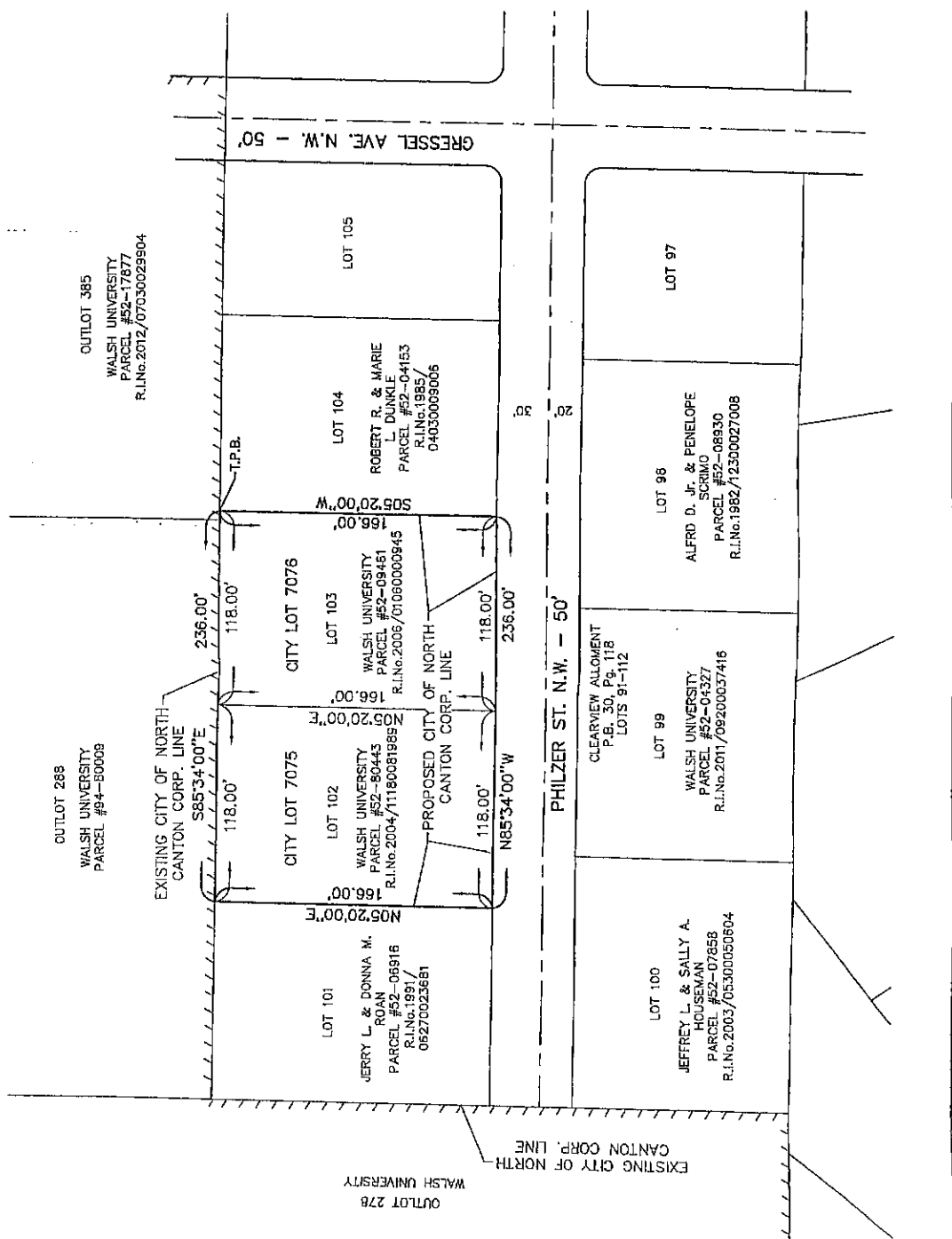
Beginning for the same at a point, at the northwest corner of Lot 104 in said Clearview Allotment and being the True Place of Beginning for the tract of land hereinafter to be described:

1. Thence S05°20'00"W, along the west line of said Lot 104, a distance of 166.00 feet, to a point on the north line of Philzer Street NW, a 50 foot wide public roadway recorded in the Record Plat of said Clearview Allotment;
2. Thence N85°34'00"W, along a portion of the north line of said Philzer Street NW, a distance of 236.00 feet, to a point at the southeast corner of previously stated LOT 101;
3. Thence N05°20'00"E, along the east line of said Lot 101, a distance of 166.00 feet, to a point at the northeast corner of Lot 101;
4. Thence S85°34'00"E, along the north line of Lots 102 and 103 in said Clearview Allotment, said line also being a portion of the present City of North Canton Corporation line, a distance of 236.00 feet to a point, terminating at the true place of beginning and containing a total area of 0.8992 acre of land more or less.



VICINITY MAP

AREA SUMMARY			
CITY LOT	LOT 7075	LOT 7076	TOTAL
AREA	0.4485 AC.	0.4486 AC.	0.8992 AC.



PERTINENT DOCUMENTS

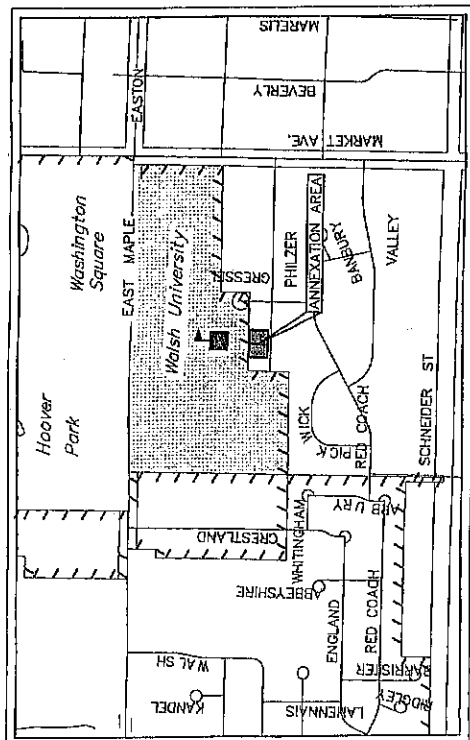
- R.I.No.2004/11180081988 - DEED OF RECORD
- OWNER: WALSH UNIVERSITY PARCEL #52-80443
- R.I.No.2006/01060000945 - DEED OF RECORD
- OWNER: WALSH UNIVERSITY PARCEL #52-09461
- R.I.No.2011/09200037416 - DEED OF RECORD
- OWNER: WALSH UNIVERSITY PARCEL #52-04327
- P.B. 30, Pg. 118
- P.B. 34, Pg. 213
- D.V. 4331, Pg. 574
- R.I.No.1997/050900025287
- R.I.No.2010/06250023982
- R.I.No.2012/070300029904
- R.I.No.1982/123000027008
- R.I.No.2003/053000050604
- R.I.No.1985/040300080006
- R.I.No.1981/06270023681

DESCRIPTION

Known as and being all of Lots 102 and 103 in Clearview Allotment, as recorded in Plat Book 30; Page 118 of the Stark County Plat Records and as currently owned by Walsh University and recorded in Stark County Record's Instrument Numbers 2004/11180081988 and 2006/01060000945 respectively. Subject tract is located in the Northeast Quarter of Section 16, Township 11 North (Plain Township), Range 8 West, Stark County, Ohio and being more particularly bounded and described as follows.

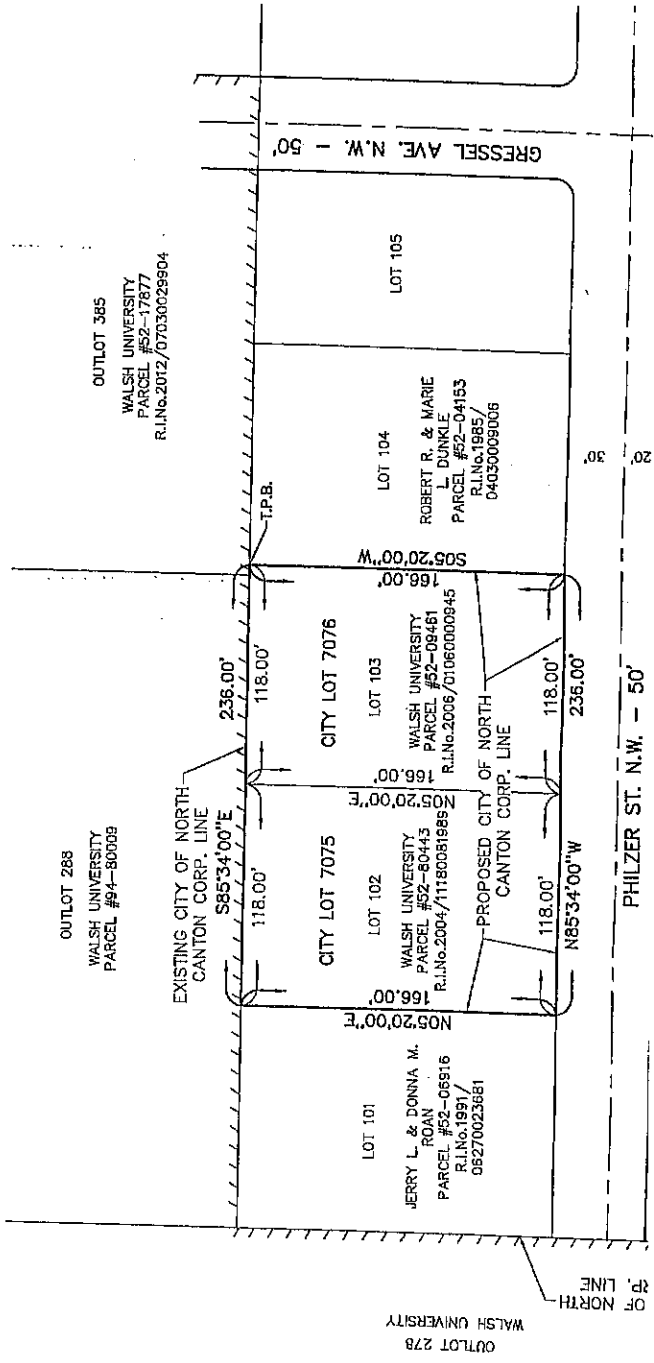
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2. Thence N85°34'00"E, along a portion of the north line of said Philzer Street NW, a distance of 236.00 feet, to a point at the southeast corner of previously stated Lot 101;
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VICINITY MAP

AREA SUMMARY			
CITY LOT	LOT 7075	LOT 7076	TOTAL
AREA	0.4498 AC.	0.4496 AC.	0.8992 AC.



OF NORTH