

14-15

✓ AN ORDINANCE TO GRANT A DEED FOR PROPERTY KNOWN AS THE "WATER TOWER SITE" TO HENRY J. WICKHAM, JR., TRUSTEE, AND DECLARING AN EMERGENCY. ↗

WHEREAS, real property known as the "Water Tower Site," was conveyed to the village of Lithopolis by warranty deed in 1947, as recorded at Volume 227, Page 226, Records of the County Recorder of Fairfield County, Ohio, also known as Fairfield County Auditor Parcel Number 0080808000, all references to the Fairfield County Recorder's Office;

WHEREAS, a licensed surveyor working for the village surveyed this parcel in 2014 using new and more accurate surveying methods that more precisely describe this parcel, attached as Exhibit A and incorporated by reference;

WHEREAS, village council finds there is good cause to record the more precise survey and description of the parcel, and this must be accomplished through a trustee intermediary; and

✓ WHEREAS, attorney Henry J. Wickham, Jr., agrees to serve as the Trustee to accomplish this transfer, with the understanding that he will serve without claiming a fee or compensation, and will immediately convey this parcel back to the village by quitclaim deed, and such conveyance will not be detrimental to the general interest of the citizens of the village:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF LITHOPOLIS, OHIO:

✓ Section 1. That real property known as the "Water Tower Site," as described above, is hereby conveyed to Henry J. Wickham, Jr., Trustee, by quitclaim deed.

Section 2. That the Mayor, the Village Administrator, or the Clerk for the village is authorized to execute a deed of conveyance for said parcel to Henry J. Wickham, Jr., Trustee.

✓ Section 3. That the Village Administrator or Clerk of the village of Lithopolis is hereby directed to file a copy of this ordinance with the Fairfield County Recorder evidencing the authority granted by this council to grant a deed for the described parcel to Henry J. Wickham, Jr., Trustee.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reasons that the ~~acceptance of the vacation of the streets must be enacted to record the boundaries of the village's property and to facilitate the completion of utilities and infrastructure necessary for the citizens of the village.~~ ^{recording the new st.} This ordinance shall be in full force and effect at the earliest date permitted by law.

DATE PASSED: 3/10, 2015

ATTEST: Janita Harro SIGNED
CLERK

[Signature]
MAYOR

DATE: 3/10/15

DATE: 3/10/15

APPROVED AS TO FORM:

[Signature]
JON BROWNING
VILLAGE SOLICITOR

QUITCLAIM DEED

The Village of Lithopolis, Fairfield County, Ohio, being a village organized and existing by the laws of Ohio, grants, without consideration or payment, to Henry P. Wickham, Jr., as Trustee and Intermediary, its entire interest in the following real property:

Being a part of the South East Quarter of Section 7, Township 14 (Bloom), Range 20, of Fairfield County, Ohio, and being more fully bounded and described as follows:

Beginning at a point at the South West corner of the present Lithopolis Cemetery tract, which point is also 414.0 feet West from the Section line between Sections 7 and 8, Township and Range aforesaid; thence West 50 feet to an iron pin; thence North 629.89 feet to an iron pin in the South West Corporation line of the Village of Lithopolis; thence South 50 degrees 12 minutes East, 109.45 feet along the Corporation line of said Village to a point, which point is the South East corner of the Corporation of said Village; thence South 40 degrees, 13 minutes West, 53.3 feet along the North West line of the present Lithopolis Cemetery tract to a point; thence South 519.50 feet along the West line of the present Lithopolis Cemetery tract to the place of beginning and containing 69 one-hundredths (0.69) of an Acre, more or less.

Subject to all easements, rights of way, leases, conditions, restrictions, and legal highways, if any, of record.

Prior Instrument Reference: **Volume 227, Page 226**, Records of the County Recorder of Fairfield County, State of Ohio.

This parcel is also known as Fairfield County Auditor Parcel 0080808000.

The street address is 0 Cemetery Road, Lithopolis, OH 43136.

Grantee's Tax Mailing Address is 1285 Arlington Avenue, Columbus, OH 43212

THE PURPOSE OF THIS CONVEYANCE IS TO ESTABLISH HENRY WICKHAM, JR., TRUSTEE, AS AN INTERMEDIARY GRANTEE SO THAT A SUBSEQUENT QUITCLAIM DEED FROM HIM BACK TO THE VILLAGE OF LITHOPOLIS CAN

RECORD A NEW AND MORE ACCURATE DESCRIPTION OF THE PROPERTY AT ISSUE, THEREBY CORRECTING ANY DESCRIPTIVE ERRORS.

IN WITNESS WHEREOF, I, Eric Sandine, mayor, acting on behalf of the Village of Lithopolis, hereunto have set my hand this ____ day of _____ 2015.

Eric Sandine, Mayor of Lithopolis

State of Ohio
County of Fairfield, SS:

BE IT REMEMBERED, that on this ____ day of _____ 2015, before me, the subscriber, a notary public in and for said state, personally came, Eric Sandine, Mayor, on behalf of the Village of Lithopolis, the grantor in the foregoing deed, and acknowledged thereof to be his voluntary act and deed.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my notary seal on the day and last year aforesaid.

Notary Public, State of Ohio

This instrument was prepared by Jon M. Browning, 1271 Arlington Avenue, Columbus, OH 43212.