

ORDINANCE NO. 2013- 03

AN ORDINANCE TO GRANT AN EASEMENT TO OWNERS OF 96 E. HOUCK STREET AND TO DECLARE AN EMERGENCY

WHEREAS, Donovan Durbin, Gary Durbin and Donna Benge ("Sellers") are in contract to sell a residential property, known as 96 E. Houck Street, Centerburg, Ohio (Knox County Auditor's parcel nos. 18-00185 through 18-00189) ("the Property").

WHEREAS, to complete the sale and obtain title insurance, Seller needs an easement from the Village of Centerburg to allow a portion of a barn, approximately a few feet, to encroach into Walnut Alley, an unimproved, right of way;

WHEREAS, Village Solicitor is working with counsel for Seller to prepare an Easement permitting the current encroachment evidenced by the survey attached hereto as Exhibit A and the Village agrees that the encroachment into the right of way will not harm the Village's interests so long as it not expanded further;

NOW, THEREFORE, be it ordained by the Council of the Village of Centerburg, Ohio as follows:

Section 1. That Council authorizes the Village Administrator to execute on behalf of the Village, an Easement, approved by the Village Solicitor in final form to permit the granting of an easement authorizing the existing encroachment of the barn in the Village right of way by Sellers.

Section 2. Council declares this to be an emergency, immediately necessary for the public health, safety, welfare and maintenance to maintain the productive transfer of Village property by Seller and future sellers.

WHEREFORE, this Ordinance shall take effect and be in force immediately from and after its passage and approval.

DATE PASSED 3-4-13

ATTEST [Signature]
CLERK OF COUNCIL

[Signature]
PRESIDENT OF COUNCIL

[Signature]
MAYOR

DATE APPROVED 3-4-13

APPROVED AS TO FORM. [Signature]

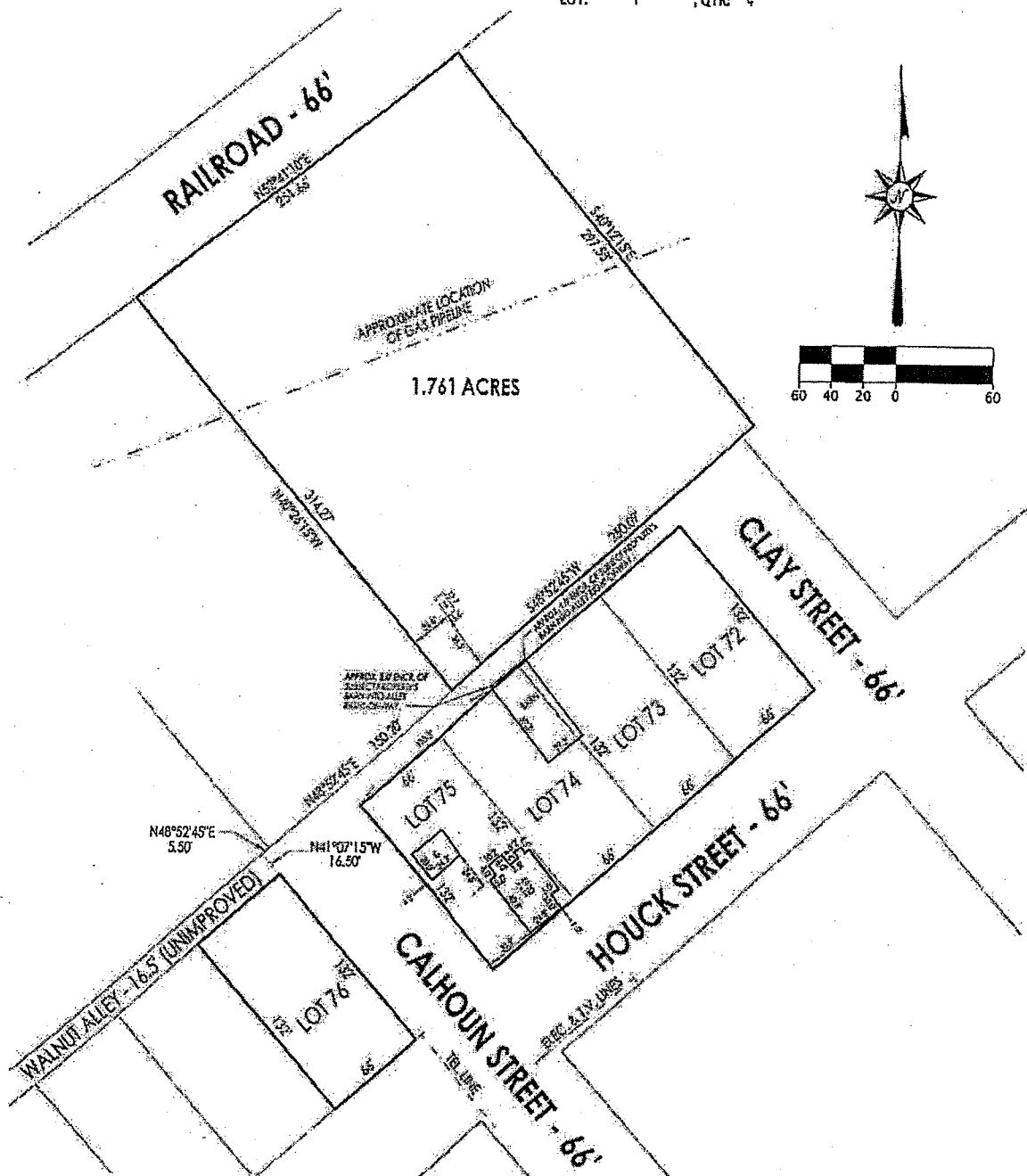
[Signature]
LEGAL COUNSEL

PLAT OF MORTGAGE LOCATION SURVEY
 TO: HEARTLAND TITLE AGENCY, LLC.

(C13-0230GFE)
 ORDER NO: X-13524
 DATE: FEB. 26, 2013

LENDER: FIRST KNOX NATIONAL BANK
 BORROWER: BARRY A. & LISA M. MAYBERRY
 ADDRESS: 96 EAST HOUCK STREET
 PLAT CABINET: A PAGE: 20
 SCALE: 1" = 60'

DESCRIPTION INFORMATION
 LOT(S) NO: 72, 73, 74, 75, & 76 (ORIGINAL TOWN PLAT)
 & 1.761 ACRES
 ALLOTMENT: U.S.M.L.
 CITY OR VILLAGE: CENTERBURG, OHIO
 COUNTY: KNOX
 TOWNSHIP: HILLIAR 5
 SECTION: (1/4)'S RANGE: 15
 LOT: 1, QTR: 4



NOTE: ALL BEARINGS AND DISTANCES ON PROPERTY LINES ARE PER RECORD AND NOT OBSERVED UNLESS INDICATED.

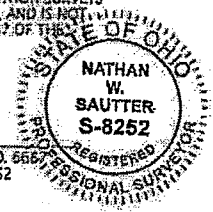
THIS SERVICE PROVIDED FOR TITLE COMPANY AND/OR LENDER ONLY, AND MUST NOT BE RELIED ON BY PROPERTY OWNER IN DETERMINING BOUNDARY LINES, SETBACK LINES OR FOR ANY OTHER PURPOSE.

I HEREBY CERTIFY THAT A MORTGAGE LOCATION SURVEY OF THE ABOVE PREMISES HAS BEEN MADE IN ACCORDANCE WITH CHAPTER 4733-38, (MINIMUM STANDARD FOR MORTGAGE LOCATION SURVEYS IN THE STATE OF OHIO) OHIO ADMINISTRATIVE CODE, AND IS NOT A BOUNDARY SURVEY PURSUANT TO CHAPTER 4733.37 OF THE OHIO ADMINISTRATIVE CODE.

SUBJECT STRUCTURE(S) IS IN ZONE 2 AS SHOWN ON THE FEDERAL INSURANCE AGENCY, FLOOD HAZARD BOUNDARY MAP NO. 39083C0287D

KG
 MWS

Nathan W. Sautter
 RAYMOND G. LENCZOWSKI, OHIO REG. SURVEYOR NO. 8557
 NATHAN W. SAUTTER, OHIO REG. SURVEYOR NO. 8252
 F.E. KROCKA & ASSOCIATES, INC. - SHELBY, OHIO



I hereby certify that the ordinance or a summary of the ordinance was published once a week for two consecutive weeks on _____, 20____ and _____, 20____ in the *Mount Vernon News* in conformance with the Ohio Revised Code.

CLERK-TREASURER