

RECORD OF RESOLUTIONS

Resolution No. 1-25-2016-2

Passed January 25

20 16

**A RESOLUTION RECOGNIZING ENCROACHMENTS
INTO THE WEST HUNTWORK STREET RIGHT-OF-WAY AND NORTH MAIN
STREET (S.R. 158) RIGHT-OF-WAY, WAIVING THE VILLAGE'S RIGHT TO ABATE
SAID ENCROACHMENTS, AUTHORIZING SAID ENCROACHMENTS,
AND THE DECLARATION OF AN EMERGENCY**

WHEREAS, a portion of a frame garage, two-story frame house and covered concrete porch located at 721 North Main Street are located in the West Huntwork Street right-of-way and North Main Street (S.R. 158) right-of-way (see attached map); and,

WHEREAS, the Village is willing to waive the Village's right to abate the encroachments and authorize the encroachments, the property being Lot 199 in Original Town addition, Tax Parcel No. 0240162700, so that title can be cleared and the property conveyed; and,

WHEREAS, the Ohio Department of Transportation (ODOT) defers to the municipality on issues involving encroachments into the right-of-way of state highways, where the encroachments are located entirely within the corporation limits of the municipality; and,

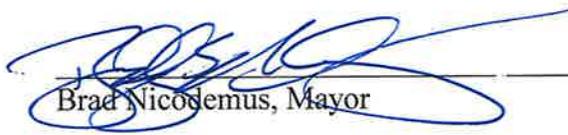
WHEREAS, the authorization of the encroachments will not have a detrimental effect on the Village or its residents; and,

WHEREAS, in order to have clear title to this real estate to close on the sale of this property in a timely fashion, the property owners are requesting that authorization of the encroachments be approved by the Village as soon as possible;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF
THE VILLAGE OF BALTIMORE, FAIRFIELD COUNTY, OHIO,
THREE-FOURTH'S (3/4'S) OF ITS MEMBERS CONCURRING:

SECTION 1: The Baltimore Village Council hereby authorizes the encroachments of Lot 199 in Original Town and located at 721 North Main Street in said Village of Baltimore, which authorization grants the property owners the right to use that portion of the Village's West Huntwork Street right-of-way and North Main Street (S.R. 158) right-of-way into which the current owners' frame garage, two-story frame house and covered concrete porch encroach. Said authorization shall run with the land. A copy of the surveyor's map showing the encroachment is attached hereto and incorporated herein.

SECTION 2: For the reasons noted in the preamble, this resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, morals, and welfare of the citizens of Baltimore, Ohio. This resolution shall become effective upon its passage by Council.


Brad Nicodemus, Mayor

DATE OF PASSAGE: 1-25-2016

EFFECTIVE DATE: 1-25-2016

ATTEST:


Kathryn E. Jenkins, Fiscal Officer

SPONSOR: Hochradel

APPROVED AS TO FORM:


Jeffrey Feyko, Village Solicitor

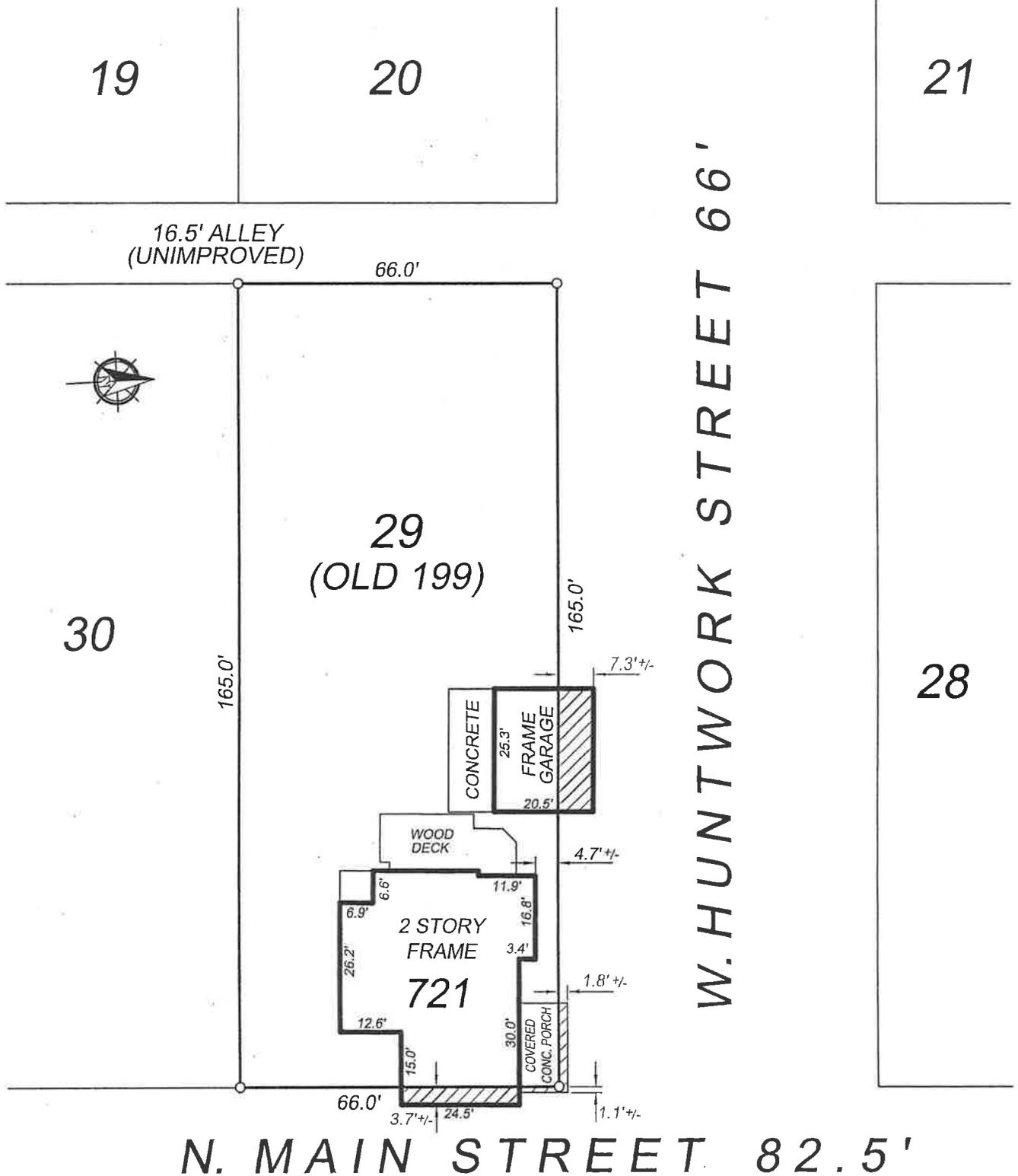
HOY LAND SURVEYING
 39 Village Green Drive
 Westerville, Ohio 43082
 Phone: 614-679-1186



JOB NUMBER #: 305-2015 S DATE OF DRAWING 12-23-15

TITLE AGENCY TALON TITLE AGENCY, LLC LENDER CONCORD MORTGAGE GROUP BUYER NOTESTONE
 LEGAL DESC. 29 ~ VILLAGE OF BALTIMORE ** PB. 1 PG. 19 COUNTY FAIRFIELD
 CITY/TWP. VILLAGE OF BALTIMORE DRN. SJH CK. SS DRAWING SCALE 1" = 20'
 FEMA INFORMATION: FLOOD ZONE X MAP PANEL INFO 39045C 0151G MAP DATE 01-06-12

** OLD LOT 199 ~ ROME ADDITION



We hereby certify that the foregoing MORTGAGE LOCATION SURVEY was prepared in accordance with Chapter 4733-38, Ohio Administrative Code, and is not a Boundary Survey pursuant to Chapter 4733-37, Ohio Administrative Code. This plat is prepared for mortgage loan and title purposes only and is not to be construed as having been prepared for the owner and is not to be used to erect fences or other structures. Easements shown on this plat were taken from the subdivision plat of record. Additional easements affecting this property may exist.

ENCROACHMENT INFORMATION

HOUSE ENCROACHES IN TO R.O.W OF N. MAIN STREET BY 3.7' +/- // FRAME GARAGE ENCROACHES IN TO R.O.W OF W. HUNTWORK STREET BY 7.3' +/- // COVERED CONC. PORCH ENCROACHES IN TO R.O.W. OF BOTH STREETS

By Steven J. Hoy

