

*Record of Resolution*

Resolution No.: 2022-59

Passed: October 24, 2022

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**A RESOLUTION ACCEPTING AND ACQUIRING, BY DONATION FROM RIDGEWOOD WETLAND ASSOCIATION, INC. AN OHIO NON-PROFIT CORPORATION, PARCEL NUMBERS 020-16100098-09 & 018-00001440-16.**

**WHEREAS**, R.C. 715.21 permits a municipal corporation to acquire by gift real estate or any interest therein for use of the municipal corporation; and

**WHEREAS**, the Ridgewood Wetland Association, Inc, an Ohio non-profit corporation, ("RWA") by and through its board, has resolved to donate its interests in parcel nos. 020-16100098-09 and 018-00001440-16, (the "Wetlands") subject to all restrictions, easements, and covenants of record, to the Village of West Lafayette, Ohio (the "Village"); and

**WHEREAS**, the RWA, restricts the conveyance of its interests in the Wetlands upon the conditions, (the "Restrictions") that the land:

(a) continue to be named "Ridgewood Wetland";

(b) be maintained as a wetland ecosystem for perpetuity with any alterations requiring approval first of the Ohio Department of Natural Resources and the United States Environmental Protection Agency or either of them if the department or agency determines approval from both agencies is not needed;

(c) be maintained the to maximize water retention capability along with maintaining the wetland ecosystem which currently serves as a breeding site for the state endangered *scaphiopus holbrookii*, (commonly called, the "Eastern Spadefoot Toad."); and

**WHEREAS**, the Village desires to take possession of the Wetlands subject to all restrictions, easements and covenants of record, as well as, the Restrictions, described above; and

**WHEREAS**, the powers provided to the Village in R.C. 715.21, do not conflict with the Restrictions.

**BE IT RESOLVED BY THE COUNCIL OF WEST LAFAYETTE VILLAGE, OHIO**, the majority of all members elected thereto concurring, that:

**SECTION 1.** This Council for the Village of West Lafayette hereby accepts, on behalf of the Village of West Lafayette, the Ridgewood Wetland Association, Inc.'s donation of parcel nos. 020-16100098-09 and 018-00001440-16.

**SECTION 2.** The Mayor, Clerk, and/or Solicitor are hereby authorized and directed to execute all documents necessary to accept and record this donation of real property.

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**SECTION 3.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision-making bodies of the Village of West Lafayette which resulted in such formal actions were in meetings open to the public in meetings open to the public in compliance with all legal requirements of the State of Ohio.


**SECTION 4.** All prior legislation, or any parts thereof, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereof.

**SECTION 5.** The Village will utilize the Ridgewood Wetland Association, Inc., as an advisory board to the Village Council for the Wetlands, as well as assist the Village in seeking grants for enhancements to the Wetland both for water and ecosystem improvements as well as enhancements to the area for public use.

PASSED IN COUNCIL THIS 24 day of October, 2022.

  
Stephen R. Bordenkircher, Mayor

ATTEST:

  
Amy Bourne, Fiscal Officer

APPROVED:

Approved as to form this 24<sup>th</sup> day of October 2022.

  
Joel Blue  
Village Solicitor

# WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT **Ridgewood Wetland Association, Inc. an Ohio Non-Profit Corporation**, the Grantor, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, to it paid by **The Village of West Lafayette, 113 East Railroad Street, West Lafayette, Ohio 43845**, the Grantee, the receipt whereof is hereby acknowledged, does hereby GIVE, GRANT, BARGAIN, SELL AND CONVEY unto said Grantee, **The Village of West Lafayette**, its successors and assigns, the following described premises, situated in the Village of West Lafayette and in the Township of Lafayette, County of Coshocton, and State of Ohio and bounded and described as follows:

**PARCEL ONE:**

*Being a tract of land in the Village of West Lafayette, (Annexed in OR 136/901), First Quarter, Range 5W, Township 5N, Lafayette, Coshocton County, State of Ohio, and being further particularly described in Exhibit "A" attached hereto and made a part hereof:*

*Parcel No. 020-16100098-09*

*Last Record(s) of Conveyance: Volume 401, Page 559, Coshocton County Official Records.*

**PARCEL TWO:**

*Being a tract of land in the First Quarter, Range 5W, Township 5N, Lafayette Township, Coshocton County, State of Ohio, and being further particularly described in Exhibit "B" attached hereto and made a part hereof:*

*Parcel No. 018-00001440-16*

*Last Record(s) of Conveyance: Volume 401, Page 581, Coshocton County Official Records.*

**General maintenance of the right of way will be the responsibility of Ridgewood Local Board of Education as per Volume 401, Page 559, Coshocton County Official Records. Grantee will assist Ridgewood Local Board of Education with maintenance at the request of Ridgewood Local Board of Education. If damage to the right of way occurs as a result of construction equipment or mowing equipment owned by, under the control of, or contracted by Grantee, then Grantee will repair the damage to the satisfaction of Ridgewood Local Board of Education.**

*Grantee agrees to the following restrictions and conditions as part of the consideration for transfer:*

- (a) To retain the name for the land "Ridgewood Wetland";*
- (b) To maintain the land as a wetland ecosystem for perpetuity with any alterations requiring approval first of the Ohio Department of Natural Resources and the United States Environmental Protection Agency or either of them if the department or agency determines approval from both agencies is not needed.*
- (c) To maintain the wetland to maximize water retention capability along with maintaining the wetland ecosystem which currently serves as a breeding site for the state endangered Eastern Spadefoot Toad.*
- (d) To permit Ridgewood Wetland Association, Inc., to continue to serve as an advisory board to the Village of West Lafayette Council as well as assist the Village in seeking grants for enhancements to the wetland both for water and ecosystem improvements as well as enhancements to the area for public use.*

*The Coshocton County Engineer has determined that all or a portion of this property lies within the Special Flood Hazard Area.*

TO HAVE AND TO HOLD the above premises, with all the privileges and appurtenances thereunto belonging, unto the said Grantee, **The Village of West Lafayette**, its successors and assigns, forever.

AND THE SAID Grantor, **Ridgewood Wetland Association, Inc. an Ohio Non-Profit Corporation**, for itself, and its successors in interest, hereby covenants with the said Grantee, **The Village of West Lafayette**, its successors and assigns, that said Grantor is lawfully seized of the premises aforesaid; that the said premises are FREE AND CLEAR FROM ALL ENCUMBRANCES WHATSOEVER and that it will forever Warrant and Defend the same, with the appurtenances, unto the said Grantee, **The Village of West Lafayette**, its successors and assigns, against the lawful claims of all persons whomsoever,

EXCEPT all taxes and assessments which taxes and assessments shall be prorated as of the date of this Warranty Deed and EXCEPTING easements, leases and rights of way of record.

AND FOR VALUABLE CONSIDERATION, **Ridgewood Wetland Association, Inc. an Ohio Non-Profit Corporation**, does hereby release its rights in the premises.

The Grantor, **Ridgewood Wetland Association, Inc. an Ohio Non-Profit Corporation**, has hereunto set its hand this \_\_\_\_ day of \_\_\_\_\_, 2022.

**GRANTOR:**

\_\_\_\_\_  
Ridgewood Wetland Association, Inc.,  
an Ohio Non-Profit Corporation by Daniel E.  
Eggan, its President

\_\_\_\_\_  
Ridgewood Wetland Association, Inc.,  
an Ohio Non-Profit Corporation by  
\_\_\_\_\_, its Secretary

**STATE OF OHIO  
COUNTY COSHOCTON, SS:**

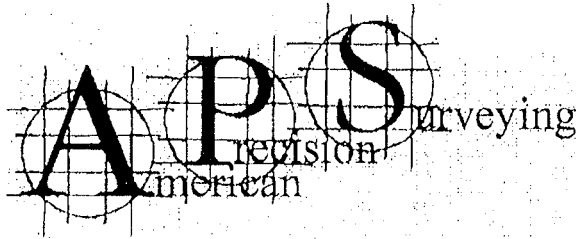
BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named Grantor, **Ridgewood Wetland Association, Inc., an Ohio Non-Profit Corporation, by Daniel E. Eggan, its President and \_\_\_\_\_, its Secretary**, who acknowledged that they did sign this Warranty Deed under penalty of violating Section 2921.13 of the Ohio Revised Code and the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Coshocton, Ohio, the \_\_\_\_ day of \_\_\_\_\_, 2022.

(SEAL)

\_\_\_\_\_  
Notary Public

**This Instrument Prepared By:**  
William M. Owens, Esq.  
Owens & Manning, Attorneys at Law  
413 Main Street, 2nd Floor  
Coshocton, Ohio 43812



450 S. Fourth St.  
Coshocton, Ohio, 43812  
Phone 740-622-2783  
Fax 740-622-2786  
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November 17, 2005

Description for Dan Eggan in the Village of West Lafayette, Lafayette Township, Coshocton County, Ohio.

Tract A

Being a tract of land in the Village of West Lafayette, (Annexed in O.R. 136/901), First Quarter, Range 5W, Township 5N, Lafayette Township, Coshocton County, State of Ohio, and being further described as follows;

Note: North based on Deed O.R. 184/783. All pins indicated as set are 5/8" x 30" rebars with plastic caps.

Research Data: Deeds, surveys and plats of record.

Beginning at a 5/8" rebar with plastic cap recovered on the East line of the lands of The Frontier Power Company (O.R. 94/1019) and at a corner on the North line of the lands of S.T. Koh (O.R. 372/877), said rebar being located from a concrete monument recovered at the Southwest corner of Lot 892, Sharrock's 3rd Subdivision, Plat Book 3, Page 38, by the following four (4) courses;

1. with a projection of the South line of said Lot 892, 274 degrees 04' 06", a distance of sixteen and fifty hundredths (16.50) feet to a point on the centerline of Township Road 156;
2. with the said centerline of Township Road 156, 184 degrees 04' 06", a distance of one thousand one hundred twenty-eight and forty-eight hundredths (1128.48) feet to a point at the Northwest corner of the said lands of S.T. Koh;
3. with the said lands of S.T. Koh, 94 degrees 04' 06", a distance of one hundred twenty-five and no hundredths (125.00) feet to a recovered 5/8" rebar with plastic cap;
4. continuing with the said lands of S.T. Koh, 3 degrees 41' 23", a distance of twenty-two and four hundredths (22.04) feet to the said beginning point;

thence, with the said lands of The Frontier Power Company, 4 degrees 05' 44", a distance of twenty-five and no hundredths (25.00) feet to a set steel pin;

thence, running through the lands of Ridgewood Local Board of Education (O.R. 87/588) with the following two (2) courses;

1. 93 degrees 56' 42", a distance of three hundred seven and nineteen hundredths (307.19) feet to a set steel pin;
2. 96 degrees 18' 47", a distance of six hundred fifty-seven and eighty-four hundredths (657.84) feet to a 5/8" rebar with plastic cap recovered at the Northeast corner of the lands of E.C. Myers & S.K. Buehler (O.R. 184/783);

thence, with the said lands of E.C. Myers & S.K. Buehler and the said lands of S.T. Koh the following two (2) courses;

1. 274 degrees 08' 06", a distance of eight hundred thirty and seventy-six hundredths (830.76) feet to a recovered 5/8" rebar with plastic cap (disturbed);
2. 273 degrees 41' 55", a distance of one hundred thirty-three and seventy-eight hundredths (133.78) feet to the point of beginning;

The above described tract contains zero and three hundred sixty-three thousandths (0.363) acres, more or less, as surveyed by R. Scott Johnson, Registered Professional Surveyor No. 6791, November 17, 2005.

This description is intended to convey part of the lands previously transferred to Ridgewood Local Board of Education (O.R. 87/588) (020-16100098-08).

Also being transferred with the above described tract is a Right-of-Way as described below.

Being a forty (40.00) foot Right-of-Way for the purpose of ingress and egress in the Village of West Lafayette, First Quarter, Range 5W, Township 5N, Lafayette Township, Coshocton County, State of Ohio, and being further described as follows;

Note: North based on Deed O.R. 184/783. Research Data: Deeds, surveys and plats of record.

Beginning at a point on the centerline of Township Road 156, said point being located from a concrete monument recovered at the Southwest corner of Lot 892, Sharrock's 3rd Subdivision, Plat Book 3, Page 38, by the following two (2) courses;

1. with a projection of the South line of said Lot 892, 274 degrees 04' 06", a distance of sixteen and fifty hundredths (16.50) feet to a point on the said centerline of Township Road 156;
2. with the said centerline of Township Road 156, 184 degrees 04' 06", a distance of eight hundred eighty-four and ninety-nine hundredths (884.89) feet to the said beginning point;

thence, running through the lands of Ridgewood Local Board of Education (O.R. 87/588) with the following five (5) courses;

1. 94 degrees 26' 51", a distance of four hundred fifty-six and seventy-eight hundredths (456.78) feet to a point;
2. 183 degrees 56' 42", a distance of one hundred ninety-five and thirty-four hundredths (195.34) feet to a point on the North line of the above described tract;
3. with the said North line of the above described tract, 276 degrees 18' 47", a distance of forty and three hundredths (40.03) feet to a point;
4. 3 degrees 56' 42", a distance of one hundred fifty-four and three hundredths (154.03) feet to a point;
5. 274 degrees 26' 51", a distance of four hundred sixteen and eighty-seven hundredths (416.87) feet to a point on the said centerline of Township Road 156;

thence, with the said centerline of Township Road 156, 4 degrees 04' 06", a distance of forty and no hundredths (40.00) feet to the point of beginning;

The above described Right-of-Way is across lands previously transferred to the Ridgewood Local Board of Education (O.R. 87/588), as surveyed by R. Scott Johnson, Registered Professional Surveyor No. 6791, November 17, 2005.

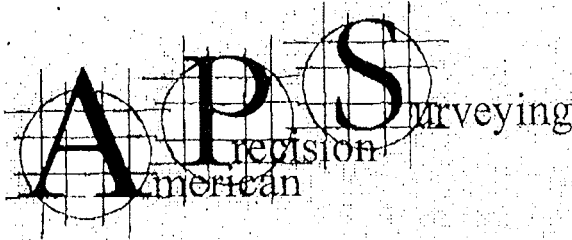
Maintenance of the above described Right-of-Way will be the responsibility of the Ridgewood Local Board of Education, its assigns and heirs. This tract and Right-of-Way must be conveyed with Tract B as per survey plat.

Description Approved  
Frederick T. Wachtel  
Coshocton County Engineer

Approved By: *JW* Date: 12/27/05

**REVIEWED & APPROVED**  
REGIONAL PLANNING COMMISSION

*[Signature]*



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November 17, 2005

Description for Dan Eggan in Lafayette Township, Coshocton County, Ohio.

**Tract B**

Being a tract of land in the First Quarter, Range 5W, Township 5N, Lafayette Township, Coshocton County, State of Ohio, and being further described as follows;

Note: North based on Deed O.R. 184/783. All pins indicated as set are 5/8" x 30" rebars with plastic caps.

Research Data: Deeds, surveys and plats of record.

Beginning at a 5/8" rebar with plastic cap (disturbed) recovered at the Northeast corner of the lands of S.T. Koh (O.R. 372/877) and on the South corporation line of the Village of West Lafayette, said rebar being located from a concrete monument recovered at the Southwest corner of Lot 892, Sharrock's 3rd Subdivision, Plat Book 3, Page 38, by the following five (5) courses;

1. with a projection of the South line of said Lot 892, 274 degrees 04' 06", a distance of sixteen and fifty hundredths (16.50) feet to a point on the centerline of Township Road 156;
2. with the said centerline of Township Road 156, 184 degrees 04' 06", a distance of one thousand one hundred twenty-eight and forty-eight hundredths (1128.48) feet to a point at the Northwest corner of the said lands of S.T. Koh;
3. with the said lands of S.T. Koh, 94 degrees 04' 06", a distance of one hundred twenty-five and no hundredths (125.00) feet to a recovered 5/8" rebar with plastic cap;
4. continuing with the said lands of S.T. Koh, 3 degrees 41' 23", a distance of twenty-two and four hundredths (22.04) feet to a recovered 5/8" rebar with plastic cap;
5. continuing with the said lands of S.T. Koh, 93 degrees 41' 55", a distance of one hundred thirty-three and seventy-eight hundredths (133.78) feet to the said beginning point;

thence, with the said South corporation line of the Village of West Lafayette, 94 degrees 08' 06", a distance of eight hundred thirty and seventy-six hundredths (830.76) feet to a 5/8" rebar with plastic cap recovered on the West line of the lands of Brassboys Enterprises Inc. (O.R. 252/426);

thence, with the said lands of Brassboys Enterprises Inc., 183 degrees 54' 04", a distance of three hundred thirty-five and seventy-seven hundredths (335.77) feet to a set steel pin;

thence, running through the lands of Edward Charles Myers & Susan K. Buehler (O.R. 184/783), 276 degrees 29' 27", a distance of eight hundred thirty-one and eighty hundredths (831.80) feet to a steel pin set on the East line of the lands of W.J. McQuiston (O.R. 358/1);

thence, with the said lands of W.J. McQuiston and the said lands of S.T. Koh the following two (2) courses;

1. 4 degrees 00' 20", a distance of forty-nine and forty-four hundredths (49.44) feet to a recovered 1/2" pipe;
2. 3 degrees 55' 31", a distance of two hundred fifty-two and fourteen hundredths (252.14) feet to the point of beginning;

The above described tract contains six and seventy-eight thousandths (6.078) acres, more or less, as surveyed by R. Scott Johnson, Registered Professional Surveyor No. 6791, November 17, 2005.

This description is intended to convey part of the lands previously transferred to Edward Charles Myers & Susan K. Buehler (O.R. 184/588) (018-00001440-00). This tract must be conveyed with Tract A as per survey plat.

Description Approved  
Frederick T. Wachtel  
Coshocton County Engineer

**REVIEWED & APPROVED**  
REGIONAL PLANNING COMMISSION

Approved By: *FSM*

Date: 11/27/05

*[Signature]*