

**IN THE MATTER OF RECORDING THE PUBLIC HEARING FOR THE VACATION OF DESCRIBED ALLEYS IN THE UNINCORPORATED VILLAGE OF FRYBURG AS FILED BY JOSEPH ANTHONY BERG; AND GRANTING THE PETITION FOR SAID DESCRIBED ALLEYS TO BE VACATED.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 29th day of October, 2015.

Commissioner Bergman moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, pursuant to Resolution #15-425, the Board of County Commissioners, Auglaize County, Ohio did hold a public hearing on this date, October 27, 2015 at 11:01 a.m. for the purpose of vacating described alleys in the unincorporated Village of Fryburg in Pusheta Township as requested by Joseph Anthony Berg; and,

**WHEREAS**, proper legal advertisement was made in the The Wapakoneta Daily News and The Evening Leader on October 8, 2015 and October 15, 2015; and,

**WHEREAS**, a view of the area requested to be vacated was completed by the Board on October 22, 2015 at 3:00 p.m. with the Commissioners Regula and Bergman and Sandy Berg in attendance; and,

**WHEREAS**, present for the public hearing were Commissioners Spencer, Bergman and Regula and County Administrator Erica L. Preston, Clerk Esther Leffel, Sandy Berg, Joseph Anthony Berg and The Daily Standard reporter Jared Mauch; and,

**WHEREAS**, no comments of objections to this vacation were expressed by any person, either verbally or in written form; and,

**WHEREAS**, the Board does hereby believe the vacation to be in the best interest of the county and the surrounding landowners.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio, does hereby grant the vacation of the described alleys located in the unincorporated Village of Fryburg, located in Pusheta Township as so petitioned by the Joseph Anthony Berg; and,

**BE IT FURTHER RESOLVED** that the petitioner named is informed that the property owners must take the necessary steps to cause the proper property lines to be established at their own expense.

Commissioner Regula moved the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this  
29th day of  
October, 2015

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer Yes  
Douglas A. Spencer

Don Regula yes  
Don Regula

John N. Bergman yes  
John N. Bergman

cc: County Engineer  
Director of Natural Resources  
Pusheta Township Trustees - %Jeff Zwiebel, Clerk  
County Auditor  
Anthony Berg  
Property owners involved

201500006425  
Filed for Record in  
AUGLAIZE COUNTY, OHIO  
CHRISTINA LAMBERT, RECORDER  
12-16-2015 At 08:40 am.  
VACATION 36.00  
OR Book 659 Page 2571 - 2573

201500006425  
JOSEPH A BERG  
15998 SIDNEY STREET  
WAPAKONETA OH 45895

Instrument Book Page  
201500006425 OR 659 2571

**CERTIFICATION**

As duly appointed Clerk of the Board of County Commissioners, Auglaize County, Ohio, I do hereby certify that the attached is a true and correct copy of Resolution No. # 15-443 approved and passed by the Board County Commissioners of Auglaize County, Ohio, on October 29, 2015.

Esther Leffel

Esther Leffel, Clerk  
Board of County Commissioners  
Auglaize County, Ohio

Dated: October 29, 2015

**DESCRIPTION**

Being all that remaining portion of an existing 10 foot east-west ally bounded on the north by Lot 46 of Peter Wagner's Second Addition to the Town of Fryburg and on the south by Lots 54 and Lot 55 of Peter Wagner's Second Addition to the Town of Fryburg. Said alley runs west from Shelby-Fryburg Road to Lots 50 and 51 of Peter Wagner's Second Addition to the Town of Fryburg. Said alley being partially vacated.

Also, being all that portion of an existing 10 foot north-south alley bounded on the west by Lot 46 of Peter Wagner's Second Addition to the Town of Fryburg and on the east by Parcel I25-014-010-00. Said alley runs north from Sidney Street south to Lot 55 Peter Wagner's Second Addition to the Town of Fryburg.