

**RESOLUTION NO. 19-001**

**A RESOLUTION INDICATING WHAT SERVICES THE CITY OF CANAL WINCHESTER WILL PROVIDE TO 88.66± ACRES OF LAND, MORE OR LESS, THE DESCRIPTION AND MAP ARE ATTACHED HERETO AS EXHIBITS "A" AND "B" FOR THE ANNEXATION KNOWN AS THE ALSPACH ANNEXATION BY EUGENE HOLLINS, AGENT FOR THE PETITIONERS**

WHEREAS, Eugene Hollins, agent for the petitioners, has filed with the Franklin County Commissioners for annexation of 88.66 acres of land, more or less, the description and map are attached hereto as Exhibits A and B, and

WHEREAS, Eugene Hollins, as agent for the petitioners on December 27, 2018 delivered to the Clerk of the Canal Winchester City Council the notice of his filing of the annexation petition with the Board of County Commissioners of Franklin County and its clerk on December 26, 2018, and

WHEREAS, the Ohio Revised Code requires that within 20 days following the date the petition is filed, the City Council shall, by resolution, adopt a statement as to what services, if any, the City will provide and an approximate date by which it will provide them to the territory proposed for annexation, upon annexation.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

Section 1: That upon annexation to the City of Canal Winchester of 88.66± acres more or less as delineated on the attached Exhibits A and B, the City will provide the following services by the approximate date indicated as to each, provided all necessary lines, hydrants, and other apparatus are installed by the property owner as required by the City and said services shall be provided under the same conditions and same costs as they are provided to other residents in the City of Canal Winchester:

- (a) Water - upon acceptance of annexation
- (b) Sanitary Sewer - upon acceptance of annexation
- (c) Refuse – upon acceptance of annexation
- (d) Police – upon acceptance of annexation
- (e) Road maintenance-upon acceptance of annexation

Section 2: That the Council of the City of Canal Winchester, pursuant to Ohio Revised Code Section 709.023(D), hereby consents to the annexation.

Section 3: This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

Section 4: That the Clerk of Council shall prepare and furnish to the agent for the petitioners a certified copy of this resolution and file with the Franklin County Board of County Commissioners on or before 20 days from the filing of the annexation petition.

Section 5: That if the territory is annexed and becomes subject to zoning by the City of Canal Winchester and the City permits uses in the annexed territory that the City determines are clearly incompatible with the uses permitted under the current county or township zoning regulations in the adjacent land remaining within the township from which the territory was annexed, the Council of the City of Canal Winchester will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed and the adjacent land remaining within the township for purposes of this ordinance, buffer includes open space, landscaping, fences, walls, and other structured elements; streets and street rights of way; and bicycle and pedestrian paths and sidewalks.

Section 6: That this resolution shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED 1/7/19

ATTEST Amanda M Jackson  
CLERK OF COUNCIL

[Signature]  
PRESIDENT OF COUNCIL

[Signature]  
MAYOR

DATE APPROVED 1-8-19

APPROVED AS TO FORM:

[Signature]  
LAW DIRECTOR

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

Amanda M Jackson  
Finance Director/Clerk of Council



### CERTIFICATION

I, Amanda M. Jackson, the duly appointed Clerk of Council, for the City of Canal Winchester, do hereby certify that the foregoing is a true and correct copy of Resolution Number 19-001, which was duly and regularly adopted by the City Council of the City of Canal Winchester, on January 7, 2019.

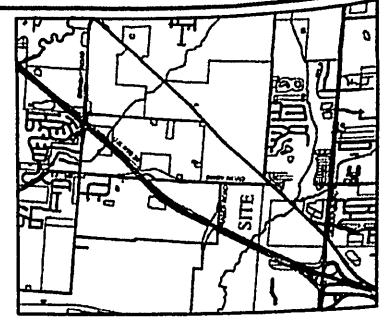
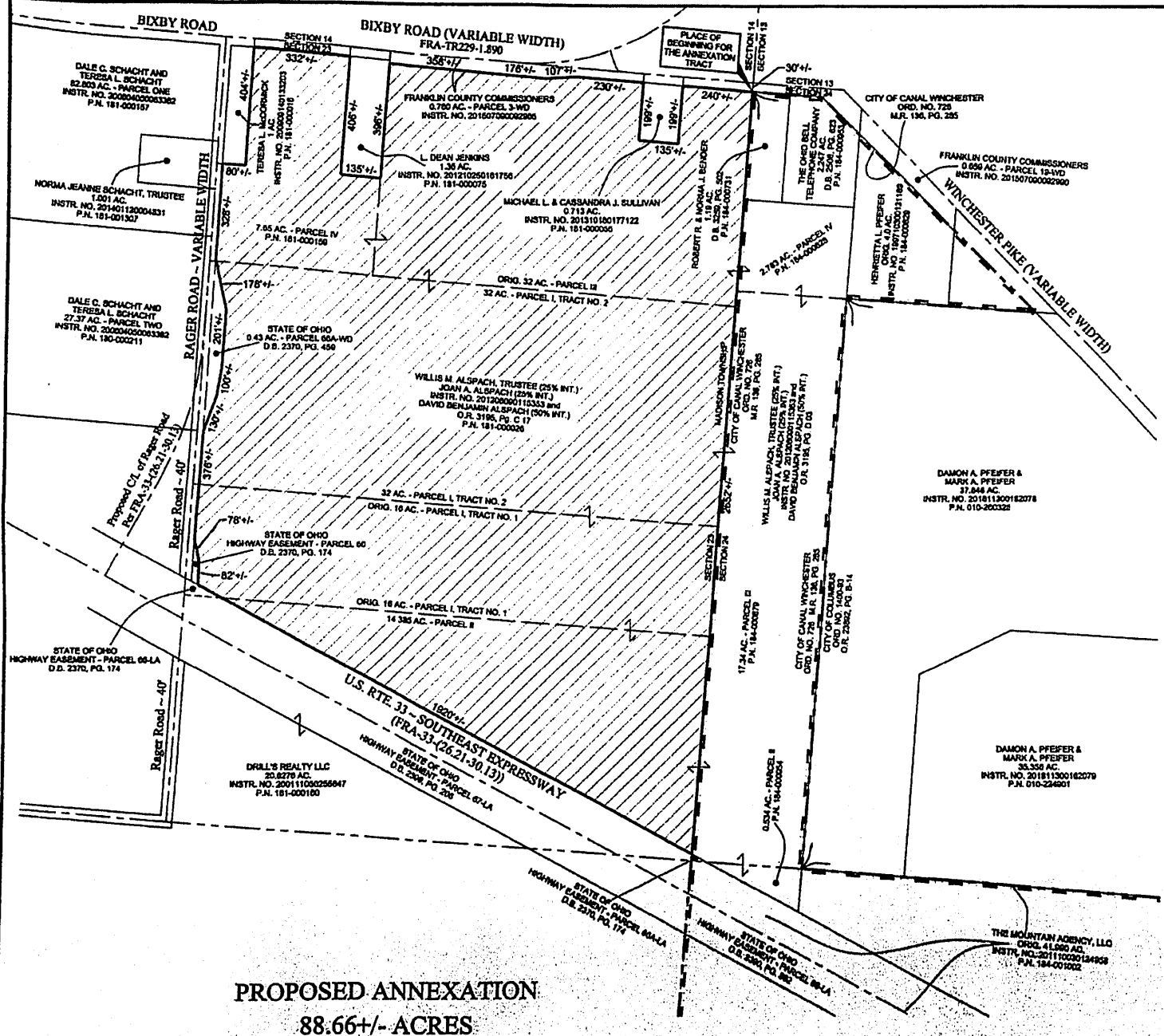
*Amanda M Jackson*

**Amanda M. Jackson**  
**Finance Director/Clerk of Council**

*1/8/19*

**Date Certified**

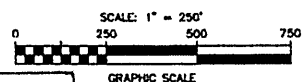
C:\Jobs\2018\105\CA00\Survey\Exhibit\Bixby Road Annexation.dwg 12/05/2018



LOCATION MAP  
NO SCALE



RECEIVED  
DEC 26 2018  
Franklin County Auditor  
Franklin County, OH  
ANX - 31-18



RECEIVED  
DEC 26 2018  
Franklin County Engineer  
Cornell R. Robertson, P. L., P. S.

ANNEXATION  
PLAT & DESCRIPTION  
ACCEPTABLE  
CORNELL R. ROBERTSON, P. L., P. S.  
FRANKLIN COUNTY ENGINEER  
By: [Signature] Date: 12/14/18

**LEGEND**

- Existing City of Canal Winchester Corporation Line
- Existing City of Columbus Corporation Line
- Proposed City of Canal Winchester Corporation Line
- Area to be Annexed

**NOTE:**  
This plat was prepared by Bird + Bull, Inc. from the best available Court House records in November, 2018, and not from an actual field survey.  
This annexation does not create an unincorporated area of the township completely surrounded by the territory proposed for annexation.  
Total perimeter of annexation is 9,441 feet of which 2,652 feet is contiguous with City of Canal Winchester resulting in 28.1% of perimeter contiguity.

**PROPOSED ANNEXATION**  
**88.66+/- ACRES**

**FROM**  
**MADISON TOWNSHIP, FRANKLIN COUNTY, OHIO**  
**TO**  
**CITY OF CANAL WINCHESTER, FRANKLIN COUNTY, OHIO**  
**SECTION 23, T. 11 N., R. 21 W., CONGRESS LANDS**

**Bird + Bull**  
1500 S. State St., Suite 203  
Columbus, Ohio 43221  
Tel: (614) 761-1661  
Fax: (614) 761-1328  
www.birdandbull.com

ANNEXATION  
PLAT & DESCRIPTION  
ACCEPTABLE  
CORNELL R. ROBERTSON, P.E., P.S.  
FRANKLIN COUNTY ENGINEER

By CR Date 12/26/18

RECEIVED  
DEC 26 2018  
Franklin County Planning Department  
Franklin County, OH

AUX-31-18

RECEIVED  
DEC 26 2018  
Franklin County Engineer  
Cornell R. Robertson, P.E., P.S.

December 04, 2018

**DESCRIPTION OF AN APPROXIMATE 88.66 ACRE TRACT  
AT THE SOUTHEAST CORNER OF BIXBY ROAD AND RAGER ROAD,  
MADISON TOWNSHIP, FRANKLIN CO., OHIO**

Situated in the State of Ohio, County of Franklin, Township of Madison, in the northeast quarter of Section 23, Township 11 North, Range 21 West, Congress Lands and being all or portions of the following five (5) tracts of land, all of which having been conveyed to Willis M. Alspach, Trustee (25% Interest) and Joan A. Alspach, Trustee (25% Interest), by deed of record in Instrument No. 201208090115353 and David Benjamin Alspach (50% Interest), by deeds of record in Official Record 3195, Page C 17:

1. a 14.385 acre tract of land, conveyed as Parcel II,
2. a portion of a 16 acre tract of land, conveyed as Parcel I, Tract No. 1,
3. a portion of an original 32 acre tract of land, conveyed as Parcel I, Tract No. 2,
4. a portion of an original 32 acre tract of land, conveyed as Parcel III, and
5. a portion of a 7.65 acre tract of land, conveyed as Parcel IV,

all records referenced to the Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point in the east line of said Section 23, in the west line of Section 24, in the south right-of-way line Bixby Road (variable width), in the east line of said original 32 acre tract, conveyed as Parcel III, in the west line of a 1.19 acre tract of land conveyed to Robert R. & Norma J. Bender, by deed of record in Deed Book 3259, Page 502 and at the northwest corner of The City of Canal Winchester Corporation Limits, as approved by Ordinance No. 726 and recorded in Misc. Record 136, Page 285, said point being southerly an approximate distance of 30 feet from the common corner of Section 23, Section 24, Section 13 and Section 14;

thence southerly along a portion of said west corporation line, along a portion of the common line between Section 23 and Section 24, along a portion of the east line of said original 32 acre tract, conveyed as Parcel III, along the east line of said original 32 acre tract, conveyed as Parcel I, Tract No. 2, along the east line of 16 acre tract, conveyed as Parcel I, Tract No. 1, along the east line of said 14.385 acre tract, along a portion of the west line of said 1.19 acre tract, along the west line of a 2.783 acre tract of land conveyed, as Parcel IV, to Willis M. Alspach, Trustee (25% Interest) and Joan A. Alspach, Trustee (25% Interest), by deed of record in Instrument No. 201208090115353 and David Benjamin Alspach, by deed of record in Official Record 3195, Page D 03 and along a portion of the west line of a 17.34 acre tract of land, conveyed as Parcel III, to Willis M. Alspach, Trustee (25% Interest) and Joan A. Alspach, Trustee (25% Interest), by deed of record in Instrument No. 201208090115353 and David Benjamin Alspach, by deed of record in Official Record 3195, Page D 03 an approximate distance of 2,652 feet to a point in the northeasterly Limited Access right-of-way line of U.S. Route 33 ~ Southeast Expressway (250 feet in width) (FRA-33-(26.21-30.13)), at the southeast corner of said 14.385 acre tract and at the northeast corner of a 20.6276 acre tract of land conveyed to Drill's Realty, by deed of record in Instrument No. 20011105255847, said right-of-way being a perpetual Highway Easement conveyed, as Parcel 67-LA, to the State of Ohio, by deed of record in Deed Book 2399, Page 206;

thence northwesterly along the southwesterly line of said 14.385 acre tract, along the northeasterly Limited Access right-of-way line of U.S. Route 33 ~ Southeast Expressway and along a portion of the northeasterly line of said 20.6276 acre tract an approximate distance of 1,920 feet to a point at the southeast corner of a perpetual Highway Easement conveyed, as Parcel 66-LA, to the State of Ohio, by deed of record in Deed Book 2370, Page 174;

thence northerly crossing a portion of said 14.385 acre tract and along an east line of said Highway Easement an approximate distance of 82 feet to an angle point in the easterly line of said Highway Easement;

thence northerly crossing a portion of said 14.385 acre tract and along an easterly line of said Highway Easement an approximate distance of 78 feet to a point at the north corner of said Highway Easement and in the east right-of-way line of Rager Road 40 feet in width;

December 04, 2018

thence northerly crossing a portion of said 14.385 acre tract, crossing a portion of said original 32 acre tract, conveyed as Parcel I, Tract No. 2, and along the east right-of-way line of Rager Road an approximate distance of 376 feet to a point at the south corner of a 0.43 acre tract of land conveyed, as Parcel 66A-WD, to the State of Ohio, by deed of record in Deed Book 2370, Page 459;

thence northerly crossing a portion of said original 32 acre tract, conveyed as Parcel I, Tract No. 2, and along an easterly line of said 0.43 acre tract an approximate distance of 130 feet to a point at a corner of said 0.43 acre tract;

thence northerly crossing a portion of said original 32 acre tract, conveyed as Parcel I, Tract No. 2, and along an easterly line of said 0.43 acre tract an approximate distance of 100 feet to a point at a corner of said 0.43 acre tract;

thence northerly crossing a portion of said original 32 acre tract, conveyed as Parcel I, Tract No. 2, and along an easterly line of said 0.43 acre tract an approximate distance of 201 feet to a point at a corner of said 0.43 acre tract;

thence northerly crossing a portion of said original 32 acre tract, conveyed as Parcel I, Tract No. 2, along an easterly line of said 0.43 acre tract and crossing a portion of said 7.65 acre tract an approximate distance of 178 feet to a point at the north corner of said 0.43 acre tract and in the east right-of-way line of Rager Road;

thence northerly crossing a portion of said 7.65 acre tract and along the east right-of-way line of Rager Road an approximate distance of 328 feet to a point in a north line of said 7.65 acre tract and in the south line of a 1 acre tract of land conveyed to Teresa L. McCormick, by deed of record in Instrument No. 200909140133203;

thence easterly along a portion of a north line of said 7.65 acre tract and along a portion of the south line of said 1 acre tract an approximate distance of 80 feet to a point at a common corner of said 7.65 acre tract and said 1 acre tract;

thence northerly along a portion of a west line of said 7.65 acre tract and along a portion of the east line of said 1 acre tract an approximate distance of 404 feet to a point in the south right-of-way line of Bixby Road;

thence easterly crossing a portion of said 7.65 acre tract and along the south right-of-way line of Bixby Road an approximate distance of 332 feet to a point in an east line of said 7.65 acre tract and in the west line of a 1.35 acre tract of land conveyed to L. Dean Jenkins, by deed of record in Instrument No. 201210250161756;

thence southerly along a portion of an east line of said 7.65 acre tract and along a portion of the west line of said 1.35 acre tract an approximate distance of 406 feet to a point at a corner common to said 7.65 acre tract and said 1.35 acre tract;

thence easterly along a northerly line of said 7.65 acre tract and along the south line of said 1.35 acre tract an approximate distance of 135 feet to a point at a corner common to said 7.65 acre tract and said 1.35 acre tract;

thence northerly along a portion of the east line of said 1.35 acre tract and crossing a portion of said original 32 acre tract, conveyed as Parcel III, an approximate distance of 396 feet to a point at the southwest corner of a 0.780 acre tract of land conveyed, as Parcel 3-WD (FRA-TR229-1.890) for Bixby Road roadway purposes, to the Franklin County Commissioners, by deed of record in Instrument No. 201507090092985;

thence easterly crossing a portion of said original 32 acre tract, conveyed as Parcel III, along a south line of said Parcel 3-WD and along the southerly right-of-way line of Bixby Road an approximate distance of 358 feet to a point;

thence easterly crossing a portion of said original 32 acre tract, conveyed as Parcel III, along a south line of said Parcel 3-WD and along the southerly right-of-way line of Bixby Road an approximate distance of 176 feet to a point;

thence easterly crossing a portion of said original 32 acre tract, conveyed as Parcel III, along a south line of said Parcel 3-WD and along the southerly right-of-way line of Bixby Road an approximate distance of 107 feet to a point;

thence easterly crossing a portion of said original 32 acre tract, conveyed as Parcel III, along a south line of said Parcel 3-WD and along the southerly right-of-way line of Bixby Road an approximate distance of 230 feet to a point at the southeast corner of said 0.780 acre tract (Parcel 3-WD) and in the west line of a 0.713 acre tract of land conveyed to Michael L. & Cassandra J. Sullivan, by deed of record in Instrument No. 201310180177122;

December 04, 2018

thence southerly crossing a portion of said original 32 acre tract, conveyed as Parcel III, and along a portion of the west line of said 0.713 acre tract an approximate distance of 199 feet to a point at the southwest corner of said 0.713 acre tract;

thence easterly crossing a portion of said original 32 acre tract, conveyed as Parcel III, and along the south line of said 0.713 acre tract an approximate distance of 135 feet to a point at the southeast corner of said 0.713 acre tract;

thence northerly crossing a portion of said original 32 acre tract, conveyed as Parcel III, and along a portion of the east line of said 0.713 acre tract an approximate distance of 199 feet to a point in the south right-of-way line of Bixby Road;

thence easterly crossing a portion of said original 32 acre tract, conveyed as Parcel III, and along the southerly right-of-way line of Bixby Road an approximate distance of 240 feet to the place of beginning;

containing approximately 88.66 acres of land, more or less.

The above description was prepared by Kevin L. Baxter, Ohio Surveyor No. 7697, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio from best available Court House records, in November, 2018. The above description was prepared for annexation purposes only and not intended for transfer of real property.

*Kevin L. Baxter* 12/04/18

Kevin L. Baxter ~ Ohio Surveyor #7697

