

RESOLUTION NO. 19-003

A RESOLUTION INDICATING WHAT SERVICES THE CITY OF CANAL WINCHESTER WILL PROVIDE TO 7.838± ACRES OF LAND, MORE OR LESS, THE DESCRIPTION AND MAP ARE ATTACHED HERETO AS EXHIBITS 'A' AND 'B' FOR THE ANNEXATION KNOWN AS THE HSING ANNEXATION BY EUGENE HOLLINS, AGENT FOR THE PETITIONERS

WHEREAS, Eugene Hollins, agent for the petitioners, has filed with the Fairfield County Commissioners for annexation of 7.838 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 February 25, 2019 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 Fairfield County and its clerk on February 21, 2019, 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 7.838± 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) Development Department services – 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 Fairfield 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 3/4/19

ATTEST Amanda M Jackson
CLERK OF COUNCIL

[Signature]
PRESIDENT OF COUNCIL

[Signature]
MAYOR

DATE APPROVED 3-5-19

APPROVED AS TO FORM:

[Signature]
LEGAL COUNSEL

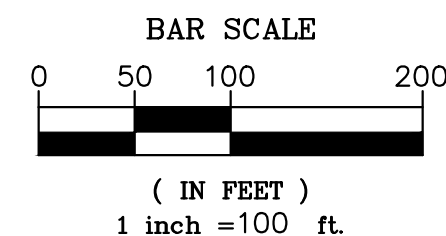
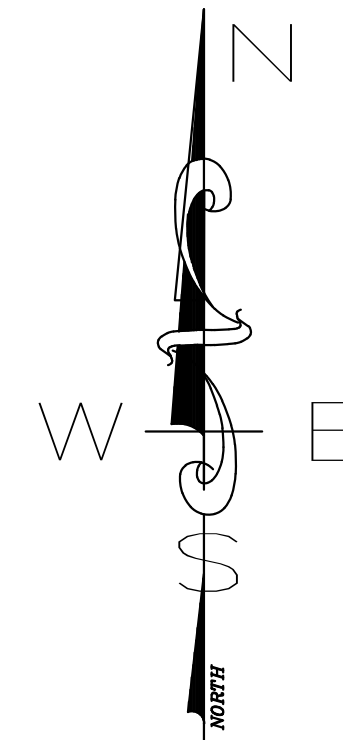
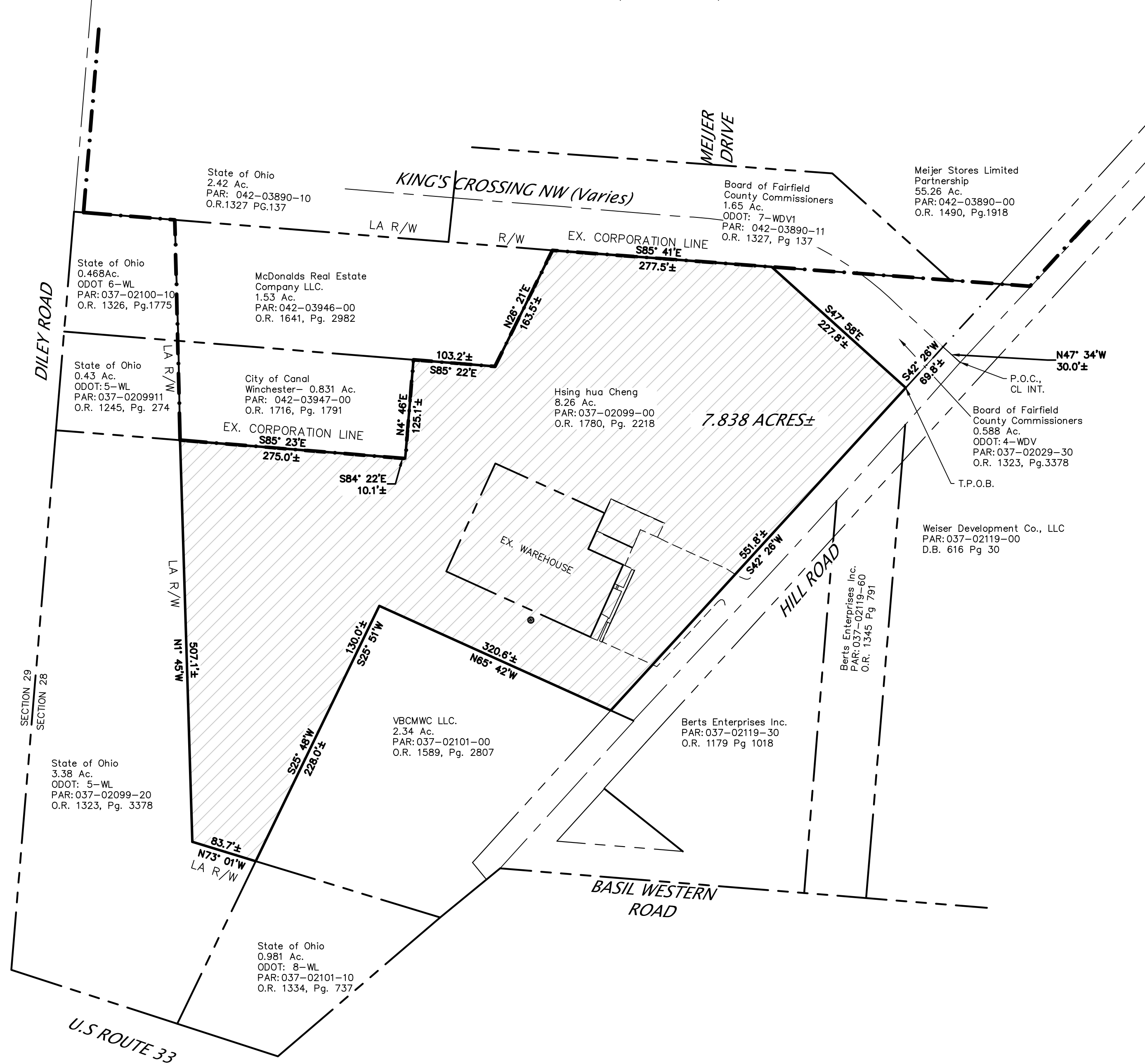
I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester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

Amanda M Jackson
Finance Director/Clerk of Council

ANNEXATION PLAT

7.838 ACRES FROM VIOLET TOWNSHIP TO
THE CITY OF CANAL WINCHESTER

SITUATED IN SEC 28, TOWNSHIP 15 NORTH, RANGE 20 WEST, CONGRESS LANDS,
VIOLET TOWNSHIP, FAIRFIELD COUNTY, OHIO



- LEGEND
- Existing Corp. Line
 - ▨ Area to be Annexed
 - 5/8" Dia. Iron Pin Found
 - Iron Pin Set 5/8" Dia x 30" L rebar w/Org ID Cap
- BASIS OF BEARINGS
Ohio State Plane Grid, South Zone, NAD83(2011)

I hereby certify that this plat represents a true and accurate survey made under my direct supervision of the parcel herein shown and all measurements were made in accordance with Chapter 4733-37 of the Ohio Administrative Code.

Todd D. Willis, PS
Reg. No. S-7996
Willis Engineering & Surveying
740-739-4030

WILLIS ENGINEERING & SURVEYING
12512 West Bank Dr.
Millersport, OH 43046
740-739-4030

DESCRIPTION
ANNEXATION OF 7.838 ACRES FROM VIOLET TOWNSHIP TO THE
CITY OF CANAL WINCHESTER

Situated in Section 28, Township 15 North, Range 20 West, Congress Lands, Violet Township, County of Fairfield, State of Ohio, and being part of the Hsing hua Cheng parcel, as conveyed in Volume 1780, Page 2218 of the Official Records, all references are the Records of the Fairfield County Recorder, said parcel being further described as follows:

Commencing at the centerline intersection of King's Crossing NW and Hill Road;

Thence, North 47° 34' West, 30.0 feet, along the centerline of Hill Road, to a point;

Thence, South 42° 26' West, 69.8 feet, to the **True Point of Beginning**, for the parcel herein described;

Thence, South 42° 26' West, 551.8 feet, along the westerly right-of-way line of Hill Road to a point on the northerly line of the VBCMWC LLC, parcel, as recorded in the Volume 1589 at Page 2807 of the Official Records;

Thence, North 65° 42' West, 320.6 feet, along said northerly line of the VBCMWC parcel, to the northwest corner of said VBCMWC parcel;

Thence, South 25° 51' West, 130.0 feet, along the westerly line of said VBCMWC parcel, to a point;

Thence, South 25° 48' West, 130.0 feet, continuing along the westerly line of said VBCMWC parcel, to the southwest corner of said VBCMWC parcel, said point being on the northerly Limited Access Right of Way of U.S. Route 33, as described in the State of Ohio Deed, recorded in Volume 1323 at page 3378, of the Official Records, aka, Ohio Department of Transportation parcel 5-WL;

Thence, North 73° 01' West, 83.7 feet, along said northerly Limited right of way of U.S. Route 33, to a point on the easterly Limited Access Right of Way of Diley Road, as recorded in Volume 1323 at page 3378, of the Official Records, aka, Ohio Department of Transportation parcel 5-WL;

Thence, North 01° 45' West, 507.1 feet, along said easterly Limited right of way of Diley Road, to the southwest corner of the City of Canal Winchester parcel, as recorded in Volume 1716 at Page 1791 of the Official Records;

Thence along the existing Corporation line of Canal Winchester the following six courses;

South 85° 23' East, 275.0 feet, along the southerly line of said City of Canal Winchester parcel, to a point;

South 84° 22' East, 10.1 feet, continuing along the southerly line of said City of Canal Winchester parcel, to a point

North 04° 46' East, 125.1 feet, along the easterly line of said City of Canal Winchester parcel, to a point on the southerly line of the McDonalds Real Estate Company LLC., parcel as recorded in Volume 1641 at page 2982 of the Official Records;

South 85° 22' East, 103.2 feet, along the southerly line of said McDonalds Real Estate Company LLC parcel, to a point;

North 26° 21' East, 163.5 feet, along the easterly line of said McDonalds Real Estate Company LLC., parcel, to a point, said point being on the southerly right of way line of said King's Crossing NW, and Board of Fairfield County Commissioners parcel, as recorded in Volume 1327 at page 137 of the Official Records;

South 85° 41' East, 277.5 feet, along said southerly right of way line of King's Crossing NW to a point at the northwest corner of the Board of Fairfield County Commissioners parcel, as recorded in Volume 1323 at page 3378, of the Official Records;

Thence, South 47° 58' East, 227.8 feet, along the southwesterly line of said Board of Fairfield County Commissioners parcel, to the **True Point of Beginning**.

Containing 7.838 acres, more or less, subject to all legal highways, all limitations of public access o highways, leases, zoning regulations, easements of record and restrictive covenants.

Part of PN 037-02099.00

Bearings are based on State Plane Grid, South Zone NAD83(2011).

This Description is based on a survey made by Todd D. Willis in January, 2019, Reg. Surveyor No. 7996.

Phone No. 740-739-4030, Willis Engineering & Surveying.