

RESOLUTION NO. 18-003

A RESOLUTION OF INTENT TO APPROPRIATE A FEE SIMPLE ABSOLUTE INTEREST IN 0.463 ACRES, MORE OR LESS, LOCATED AT WEST WATERLOO STREET, FOR THE PUBLIC PURPOSE OF CONSTRUCTING ROADWAY IMPROVEMENTS, WHICH SHALL BE OPEN TO THE PUBLIC, WITHOUT CHARGE

WHEREAS, Council has determined that it is necessary to acquire certain property for the public purpose of quieting title and improving Waterloo Street; and

WHEREAS, said public project requires the City obtain a fee simple interest and a temporary easement from the heirs and assigns of Frank Schirm, as described and depicted in the attached legal descriptions and surveys, said property located in the City of Canal Winchester, County of Franklin, and State of Ohio.

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

SECTION 1. Council hereby considers it necessary and declares its intention to appropriate, for the public purpose of quieting title and making or repairing a road, which shall be open to the public, without charge, a 0.78 acre, more or less, tract in fee simple, said property interest situated in the City of Canal Winchester, Franklin County, Ohio, as more particularly described on the legal description and accompanying survey plat attached hereto as Exhibits A and B and incorporated herein by reference.

SECTION 2. The Mayor shall forthwith cause written notice of the passage of this Resolution to be given to the owners and persons in possession and having an interest of record in the premises. The notice shall be served and returned according to law.

SECTION 3. That this Resolution shall take effect on the earliest possible date permitted by law.

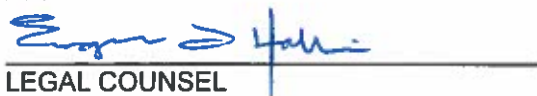
DATE PASSED 2/5/18


PRESIDENT OF COUNCIL

ATTEST Amanda M Jackson
CLERK OF COUNCIL


MAYOR

DATE APPROVED 2-15-18

APPROVED AS TO FORM:

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

October 26, 2017

**DESCRIPTION OF A 0.463 ACRE TRACT
BEING A PORTION OF W. WATERLOO STREET, EAST OF GENDER ROAD
CITY OF CANAL WINCHESTER, FRANKLIN CO., OHIO**

Situated in the State of Ohio, County of Franklin, City of Canal Winchester, in Section 24, Township 11 North, Range 21 West, Congress Lands, and being a portion of an original 36.8 acre tract of land conveyed to Frank R. Schirm, by deeds of record in Deed Book 1314, Page 264 and Deed Book 2325, Page 330, all references being to the Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a P.K. nail set in the centerline of Gender Road at centerline station 33+15.30 as shown upon sheet 28 of 36 of Ohio Department of Transportation Centerline Plat for Fra-33-(26.21-30.13) Columbus – Lancaster Road, at the northwest corner of 0.914 acre tract of land conveyed, for Gender Road and W. Waterloo Street ~ Relocated S.R. 674 roadway purposes as Parcel 19 WD (FRA-33-29.53), to State of Ohio, by deed of record in Deed Book 3097, Page 307 and at the southwest corner of said original 36.8 acre tract, said P.K. nail being N 04° 23' 25" E a distance of 39.38 feet from a P.K. nail set at the centerline intersection of also being N 81° 38' 54" W a distance of 570.04 feet from a 1/2" solid iron pin found at the centerline intersection of W. Waterloo Street ~ Relocated S.R. 674 with Gender Road;

thence N 04° 23' 25" E along the centerline of Gender Road a distance of 15.62 feet to a P.K. nail set;

thence S 85° 36' 35" E passing through the residue of said 36.8 acre tract, crossing a portion of Gender Road and with the Limited Access Right-of-Way line of Parcel 81-LA as conveyed, as a perpetual easement for roadway purposes, to the State of Ohio, by deed of record in Deed Book 2370, Page 527 a distance of 130.00 feet to a 3/4" I.D. iron pipe set at the intersection of the easterly right-of-way line of Gender Road with the northerly right-of-way line of W. Waterloo Street ~ Relocated S.R. 674, at the south corner of a 0.099 acre tract of land conveyed, as Parcel 13-WL for Gender Road roadway purposes, to the State of Ohio, by deed of record in Deed Book 3065, Page 167 and at the southeast corner of a 2.677 acre tract of land conveyed to Canal Winchester Duchess, LLC, by deed of record in Instrument No. 201603040026283;

thence S 83° 00' 26" E along a northerly right-of-way line of W. Waterloo Street ~ Relocated S.R. 674 and along a south line of said 2.677 acre tract a distance of 110.11 feet to a 3/4" I.D. iron pipe set;

thence S 85° 36' 35" E along a northerly right-of-way line of W. Waterloo Street ~ Relocated S.R. 674, along a south line of said 2.677 acre tract, along the southerly line of a 4.363 acre tract of land conveyed to ALDI Inc., by deed of record in Instrument No. 201610200143787, along the southerly line of a 1.418 acre tract of land conveyed to State Savings Bank, by deed of record in Official Record 29529, Page G 01 and along a southerly line of a 2.00 acre tract of land conveyed to Carriage Services of Ohio, LLC, by deed of record in Instrument No. 200106250142489 a distance of 1,160.00 feet to a 3/4" I.D. iron pipe set (passing a 3/4" I.D. iron pipe found at the southeast corner of said 2.677 acre tract at 229.88 feet and passing a 3/4" I.D. iron pipe found at the southeast corner of said 4.363 acre tract at 751.58 feet);

thence S 81° 48' 04" E along a northerly right-of-way line of W. Waterloo Street ~ Relocated S.R. 674 and along a southerly line of said 2.000 acre tract a distance of 104.03 feet to a 3/4" I.D. iron pipe set at the southeast corner of said 2.000 acre tract, at the south corner of a 0.452 acre tract of land conveyed, as Parcel 1, to Gale L. Taylor, Trust, by deed of record in Instrument No. 201612130171390, at the northwesterly line of a tract of land conveyed, as Parcel 2, to Gale Taylor, Trust, by deed of record in Instrument No. 201612130171390 and in the southeasterly line of said original 36.8 acre tract;

thence S 52° 32' 01" W crossing a portion of said right-of-way of W. Waterloo Street ~ Relocated S.R. 674, along a portion of the northwesterly line of said Parcel 2 and along a portion of the southeasterly line of said original 36.8 acre tract a distance of 12.88 feet to a 3/4" I.D. iron pipe set at the southeast corner of said original 36.8 acre tract and in the north line of an original 35.35 acre tract of land conveyed, as Parcel IV, to Robert S. Wood, by deed of record in Official Record 30958, Page D 16;

thence N 85° 25' 21" W along a portion of the south line of said original 36.8 acre tract and along a portion of the north line of said original 35.35 acre tract a distance of 1,494.21 feet to the place of beginning;

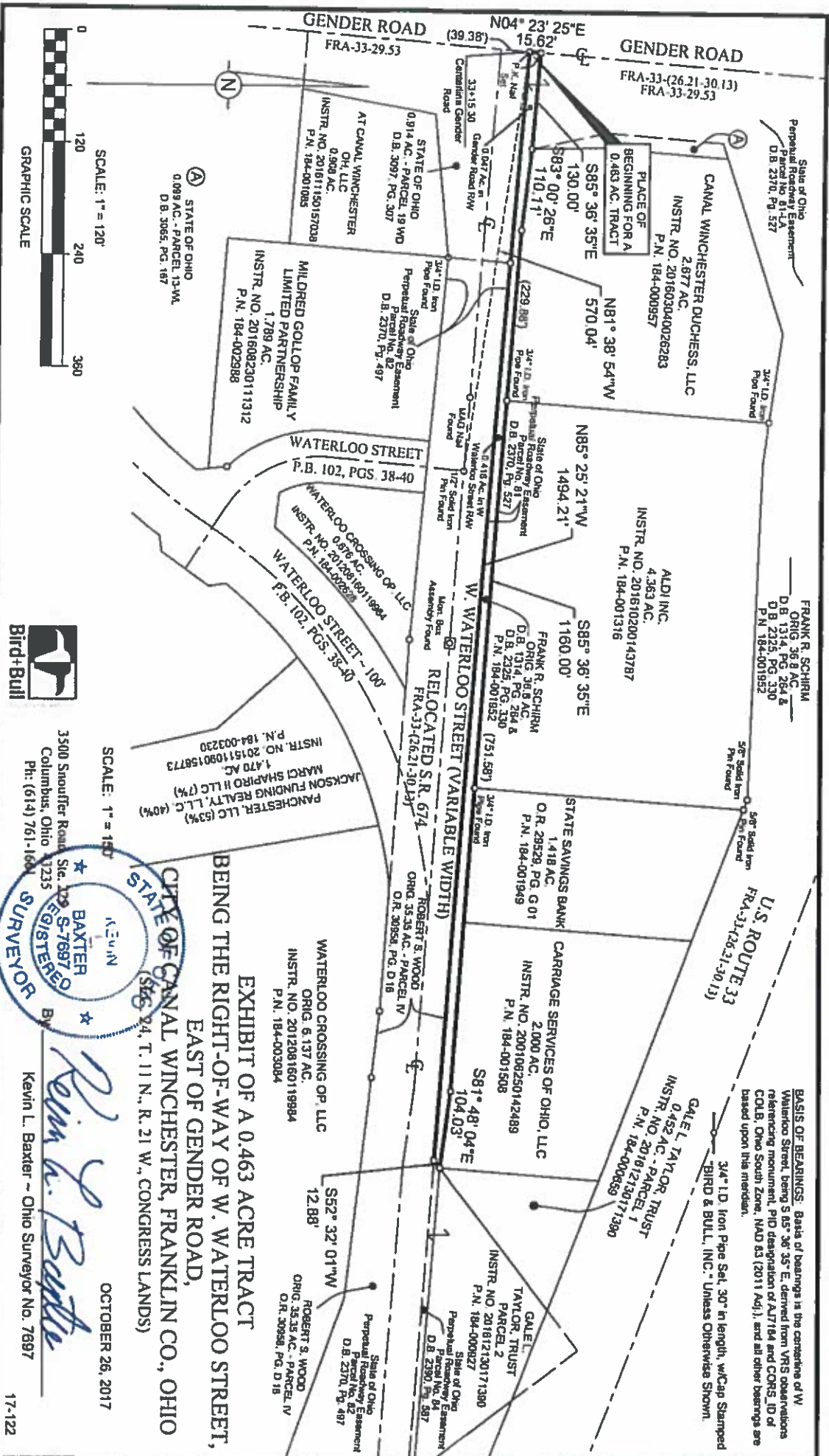
October 26, 2017

containing 0.463 acre of land, more or less, and being subject to all highways, easements and restrictions of record. Of said 0.463 acres, 0.047 acre is with Gender Road Right-of-way and 0.416 acre is within W. Waterloo Street ~ Relocated S.R. 674 Right-of-Way and all is within P.N. 184-001952.

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 an actual field survey, performed under his supervision, in October, 2017. 3/4" I.D. iron pipe set arc 30" in length with a plastic cap stamped "BIRD & BULL, INC.". Basis of bearings is the centerline of W. Waterloo Street ~ Relocated S.R. 674, being S 85° 36; 35" W, derived from VRS observations referencing monument, PID designation of AJ7184 and CORS_ID of COLB, Ohio South Zone, NAD 83 (2011 Adj.), and all other bearings are based upon this meridian.

Kevin L. Baxter
Kevin L. Baxter ~ Ohio Surveyor #7697





3500 Snouffer Road
Columbus, Ohio 43235
Ph: (614) 761-1604

STATE OF OHIO
REGISTERED SURVEYOR
BAXTER
S-7697

Kevin L. Baxter
Kevin L. Baxter - Ohio Surveyor No. 7697

OCTOBER 26, 2017

EXHIBIT OF A 0.463 ACRE TRACT
BEING THE RIGHT-OF-WAY OF W. WATERLOO STREET,
EAST OF GENDER ROAD,
STATE OF CANAL WINCHESTER, FRANKLIN CO., OHIO
(Sec. 24, T. 11 N., R. 21 W., CONGRESS LANDS)

BASIS OF BEARINGS: Basis of bearings is the corner of W. Waterloo Street, being S 85° 36' 35" E, derived from VRS observations referencing monument PID designation of A17164 and CORS ID of COLEB, Ohio South Zone, NAD 83 (2011 Adj.), and all other bearings are based upon this meridian.