

**RESOLUTION NO. 22-003**

**A RESOLUTION TO ACCEPT THE APPLICATION FOR THE ANNEXATION TO THE CITY OF CANAL WINCHESTER OF CERTAIN TERRITORY IN MADISON TOWNSHIP CONTAINING 70.625+/- ACRES AND BEING LOCATED SOUTH OF BIXBY ROAD AND WEST OF RAGER ROAD**

WHEREAS, an Expedited Type II Petition for annexation of certain territory in Madison Township was duly filed by Kristina L. Boynton Acklin, agent for the petitioners;

WHEREAS, the petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, on October 26, 2021, wherein said Commissioners approved the annexation; and

WHEREAS, the Board of County Commissioners certified a transcript of proceedings in connection with said annexation with the map and petition to the Clerk of the City of Canal Winchester who received the same on November 8, 2021; and

WHEREAS, more than sixty days have elapsed from the date of filing of the transcript of such approval by the Board of Franklin County Commissions with the City Clerk.

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

SECTION 1. That the proposed annexation, as applied for in the petition of Kristina L. Boynton Acklin, which petition was filed with the Board of County Commissioners of Franklin County, Ohio on September 23, 2021, and which petition prayed for the annexation to the City of Canal Winchester of certain territory adjacent thereto and hereinafter described, which petition was approved for annexation to the City of Canal Winchester by the Board of County Commissioners on October 26, 2021, be and hereby is accepted. The territory annexed hereby is described in the legal description and plat attached hereto as Exhibit A and B, and and made a part hereof as though fully rewritten herein. The certified transcript of the proceedings for annexation with an accurate map of the territory, together with the petition for annexation and other papers relating to the proceedings thereto of the County Commissioners are all on file with the Clerk of the City of Canal Winchester and have been for more than 60 days.

SECTION 2. That the Clerk be, and hereby is, authorized and directed to make three copies of this Resolution, to each of which shall be attached a copy of the transcript of proceedings of the Board of County Commissioners relating thereto and a certificate as to the correctness thereof. The Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder, and one copy to the Secretary of State, and shall file notice of this annexation with the Board of Elections within thirty days after it becomes effective.

SECTION 3. That this Resolution shall take effect and be in force from and after the earliest period allowed by law.


DATE PASSED 1/18/22

  
\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST   
\_\_\_\_\_  
CLERK OF COUNCIL

  
\_\_\_\_\_  
MAYOR

APPROVED AS TO FORM:

  
\_\_\_\_\_  
LEGAL COUNSEL

I hereby certify that the resolution as set forth above was published for a period of not less than fifteen (15) 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.

  
Clerk of Council

## Exhibit A

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

By FAR Date 9/21/2021



AUX-36-21



September 20, 2021

**DESCRIPTION OF A 70.625 ACRE TRACT TO BE ANNEXED  
AT THE SOUTHWEST 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 northwest quarter of Section 23 of Township 11 North, Range 21 West, Congress Lands and being portions of the following six (6) tracts of land:

1. all of a 46.227 acre tract of land conveyed to Dale C. Schacht (60.25 % Interest) and Teresa L. Schacht, by deed of record in Instrument No. 202109170165967,
2. all of a 24.808 acre tract of land conveyed to Dale C. Schacht (60.25 % Interest) and Teresa L. Schacht, by deed of record in Instrument No. 202109170165967,
3. all of a 1.001 acre tract of land conveyed to Norma Jeanne Schacht, Trustee, by deed of record in Instrument No. 201401130004831,
4. all 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,
5. a portion of a 1.0 acre tract of land conveyed to NP Canal Winchester, LLC, by deed of record in Instrument No. 202010020149925, and
6. a portion of a 19.824 acre tract of land conveyed to NP Canal Winchester, LLC, by deed of record in Instrument No. 202008170120505

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

Beginning at a point at the intersection of the south right-of-way line of Bixby Road (60 feet this section) with the east right-of-way line of Rager Road (variable width) and in the north line of a 1.0 acre tract of land conveyed to NP Canal Winchester, LLC, by deed of record in Instrument No. 202010020149925, said point being S 29° 46' 33" E from a point at the intersection of the centerline of Bixby Road with the centerline of Rager Road;

thence S 03° 40' 40" W along the east right-of-way line of Rager Road, crossing a portion of said 1.0 acre tract and crossing a portion of a 19.824 acre tract of land conveyed to NP Canal Winchester, LLC, by deed of record in Instrument No. 202008170120505 a distance of 733.43 feet to a point at a corner of said 19.824 acre tract and at the northeast 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 S 12° 33' 09" E along a westerly line of said 19.824 acre tract and along an easterly line of said 0.43 acre tract a distance of 178.46 feet to a point at a corner of said 19.824 acre tract and at a corner of said 0.43 acre tract;

thence S 04° 15' 50" W along a westerly line of said 19.824 acre tract, along an easterly line of said 0.43 acre tract and along a westerly line of a 90.420 acre tract of land conveyed to NP Canal Winchester Building 2, LLC, by deed of record in Instrument No. 202008170120504 a distance of 200.59 feet to a point at a corner of said 90.420 acre tract and at a corner of said 0.43 acre tract;

thence S 10° 16' 09" W along a westerly line of said 90.420 acre tract and along an easterly line of said 0.43 acre tract a distance of 100.35 feet to a point at a corner of said 90.420 acre tract and at a corner of said 0.43 acre tract;

September 20, 2021

thence N 85° 33' 30" W along the south line of said 0.43 acre tract, along a north line of said 90.420 acre tract, along the south line of said 24.808 acre tract and along a portion of the north line of an original 7.176 acre tract of land conveyed to Williams Road Church of Christ, by deed of record in Official Record 16278, Page J 18 a distance of 1,114.38 feet to a point at the southwest corner of said 24.808 acre tract and in the northerly Limited Access right-of-way line of U.S. Rte. 33 ~ Southeast Expressway, as shown upon the Ohio Department of Transportation Centerline Plat for FRA-33-(26.21-30.13)) Columbus-Lancaster Road;

thence along southwesterly lines of said 24.808 acre tract and said 46.227 acre tract and along the northeasterly Limited Access right-of-way line of U.S. Rte. 33 the following six (6) courses;

1. N 55° 24' 36" W a distance of 154.10 feet to a point;
2. N 61° 21' 23" W a distance of 199.07 feet to a point;
3. N 63° 44' 31" W a distance of 403.16 feet to a point;
4. N 61° 12' 26" W a distance of 88.58 feet to a point of curvature;
5. Northwesterly and with a curve to the right, data of which is: radius = 5,604.58, and delta = 13° 54' 54", arc length = 1,361.15 feet, a chord distance of 1,357.81 feet bearing N 50° 27' 33" W to the point of tangency;
6. N 43° 30' 06" W a distance of 299.73 feet to a point in the south right-of-way line of Bixby Road (variable width, this portion);

thence S 85° 36' 43" E crossing a portion of said 46.227 acre tract and along the southerly right-of-way line of Bixby Road a distance of 390.96 feet to a point in the west line of a Perpetual Highway Easement, known as Parcel 61, as a judgement to the State of Ohio in CCP Nos. 213272 & 213736;

thence S 04° 23' 17" W crossing a portion of said 46.227 acre tract and along a portion of the west line of said Perpetual Highway Easement, known as Parcel 61, a distance of 7.33 feet to a point;

thence S 83° 47' 05" E crossing a portion of said 46.227 acre tract and along a southerly line of said Perpetual Highway Easement, known as Parcel 61, a distance of 83.74 feet to a point;

thence N 80° 21' 07" E crossing a portion of said 46.227 acre tract and along a portion of the southerly line of said Perpetual Highway Easement, known as Parcel 61, a distance of 41.23 feet to a point in the southerly right-of-way line of Bixby Road;

thence S 85° 36' 43" E crossing a portion of said 46.227 acre tract and along the southerly right-of-way line of Bixby Road a distance of 617.50 feet to a point at the southwest corner of a Perpetual Highway Easement, known as Parcel 61C, as a judgement to the State of Ohio in CCP Nos. 213272 & 213736;

thence S 78° 49' 54" E crossing a portion of said 46.227 acre tract and along a southerly line of said Perpetual Highway Easement, known as Parcel 61C, a distance of 338.81 feet to a point;

thence N 88° 40' 39" E crossing a portion of said 46.227 acre tract and along a southerly line of said Perpetual Highway Easement, known as Parcel 61C, a distance of 100.50 feet to a point;

thence N 77° 41' 20" E crossing a portion of said 46.227 acre tract and along a southerly line of said Perpetual Highway Easement, known as Parcel 61C, a distance of 104.40 feet to a point in the south right-of-way line of Bixby Road;

thence S 85° 36' 43" E crossing a portion of said 46.227 acre tract and along the southerly right-of-way line of Bixby Road a distance of 631.39 feet to a point;

thence S 85° 33' 24" E crossing a portion of said 46.227 acre tract, along the southerly right-of-way line of Bixby Road and crossing Rager Road a distance of 899.83 feet to the place of beginning;

containing 70.625 acres of land, more or less.

The above description was prepared by Kevin L. Baxter, Ohio Surveyor No. 7697, of V3 Companies, Ltd. (formerly Bird + Bull, Inc.), Consulting Engineers & Surveyors, Columbus, Ohio from an actual field survey, performed under his supervision, in May, 2021. The above description was prepared for annexation purposes only and not intended to transfer real property. The above described annexation area has 16.42%

