

**RESOLUTION NO. 22-017**

**A RESOLUTION TO ACCEPT THE APPLICATION FOR THE ANNEXATION TO THE CITY OF CANAL WINCHESTER OF CERTAIN TERRITORY IN MADISON TOWNSHIP CONTAINING 87.5+/- ACRES AND BEING LOCATED SOUTH OF WINCHESTER PIKE AND NORTH OF BIXBY ROAD**

WHEREAS, an Expedited Type II Petition for annexation of certain territory in Madison Township was duly filed by David J. Robinson, agent for the petitioners;

WHEREAS, the petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, on February 8, 2022, 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 February 14, 2022; 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 David J. Robinson, which petition was filed with the Board of County Commissioners of Franklin County, Ohio on January 18, 2022, 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 February 8, 2022, be and hereby is accepted. The territory annexed hereby is described in the legal description attached hereto as Exhibit A 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 5.16.22

ATTEST   
CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL

  
MAYOR

DATE APPROVED 5-17-22

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

**LEGAL DESCRIPTION****Description of 87.4 ACRES +/- TO BE ANNEXED FROM MADISON TOWNSHIP  
TO CITY OF CANAL WINCHESTER**

Situated in the State of Ohio, County of Franklin, Madison Township, Section 14, Township 11 North, Range 21 West, Congress Lands and being a part of a 82.631 acre tract as conveyed to Harriet S. B. Levin of record in Instrument Number 202111220213099 and being PID 181-001377-00, also being a part of a 11.050 acre right-of-way parcel designated 1-WD as conveyed to the Franklin County Commissioners in Instrument Number 201601130004887, a part of a 0.780 acre right-of-way parcel designated 3-WD as conveyed to the Franklin County Commissioners in Instrument Number 201507090092985, a part of a 22.174 acre tract as conveyed to NP Canal Winchester, LLC of record in Instrument Numbers 202010020149925, 202010020149926 and 202008170120505 and being PID 184-003368-00, and a part of a 90.420 acre tract as conveyed to NP Canal Winchester Building 2, LLC of record in Instrument Number 202008170120504 and being PID 184-000879-00, all deed references are on record at the Recorder's Office of Franklin County, Ohio and being more particularly described as follows:

**BEGINNING** at the northwesterly corner of said 82.631 acre tract, also being on the existing City of Columbus Corporation Line, Ordinance Number 1509-00 of record in Instrument Number 200009130184750;

Thence, leaving said existing City of Columbus Corporation Line and easterly with a northerly line of said 82.631 acre tract, a distance of approximately 166 feet to a point on the westerly right-of-way line of Winchester Pike;

Thence, southeasterly with the westerly right-of-way line of Winchester Pike and across said 82.631 acre tract, a distance of approximately 1,939 feet to a point on a northwesterly line of a 11.050 acre Right-of-Way tract known as Parcel 1-WD conveyed to Franklin County Commissioners by Instrument Number 201601130004887 and as shown on the plans known as FRA-TR229-1.890 on file with the Franklin County Engineer;

Thence, southwesterly with the westerly right-of-way line of Winchester Pike and the westerly line of said 11.050 acre right-of-way parcel, a distance of approximately 10 feet;

Thence, continuing with the westerly right-of-way line of Winchester Pike and the westerly line of said right-of-way parcel and northerly line of said 82.631 acre tract, a distance of approximately 1,203 feet to a point at the intersection of the northerly right-of-way of Winchester Pike and the northerly right-of-way of Bixby Road;

Thence southeasterly, crossing Bixby Road and through said 11.050 acre right-of-way parcel, a distance of approximately 291 feet to a point on the eastern line of said Section 14,

Thence, southerly with said section line and through said 11.050 acre right-of-way parcel, a distance of approximately 216 feet to a point on the southerly right-of-way line of Bixby Road, the westerly line of a 1.191 acre tract as conveyed to Jeffrey L. Bender of record in Instrument Number 202001160007610, the easterly line of a 90.420 acre tract as conveyed to NP Canal Winchester of record in Instrument Number 202008170120504 and the existing City of Canal Winchester Corporation Line, Ordinance Number 19-031;

Thence, with and through the southerly right-of-way of Bixby Road being in part with the southerly line of said 0.780 acre right-of-way parcel, through said 90.420 acre tract, also continuing with said existing City of Canal Winchester Corporation Line by said Ordinance Number 19-031 of record in Instrument Number \_\_\_\_\_, Ordinance Number 19-056 of record in Instrument Number 201912310176081, Ordinance Number 19-057 of record in Instrument Number 201912310176083, and Ordinance 19-055 of record in Instrument Number 201912310176079, the following courses and distances:

Westerly, a distance of approximately 609 feet to a point;

Southwesterly, a distance of approximately 107 feet to a point;

Westerly, a distance of approximately 195 feet to the northeast corner of an 82.462 acre tract as conveyed to NP Canal Winchester, LLC of record in Instrument Number 202008170120504;

Thence, continuing with the southerly right-of-way of Bixby Road and southerly line of said 0.078 acre right-of-way parcel, the existing City of Canal Winchester Corporation Line and through said 22.174 acre tract, the following courses and distances:

Westerly, a distance of approximately 333 feet to a point;

Northerly, a distance of approximately 14 feet to a point;

Thence westerly, through and with the southerly right-of-way line of Bixby Road and with the existing City of Canal Winchester Corporation Line, a distance of approximately 545 feet to a point on the easterly right-of-way of Rager Road, on the northerly line of said 22.174 acre tract, , and on the existing City of Canal Winchester Corporation Line;

Thence westerly, continuing with the southerly right-of-way line of Bixby Road, through said 46.277 acre tract, the northerly line of a 46.277 acre tract as conveyed to Dale C. Schacht & Teresa L. Schacht of record in Instrument Number 202109170185967 and with a proposed City of Canal Winchester Corporation Line, a distance of approximately 903 feet to a point;

Thence northerly, leaving said existing City of Canal Winchester Corporation line and crossing Bixby Road, a distance of approximately 60 feet to a point on the westerly line of said 82.631 acre tract, the northerly right-of-way of Bixby Road, and the said existing City of Columbus Corporation Line;

Thence, northerly with said City of Columbus Corporation Line, and with the westerly line of said 82.631 acre tract, a distance of approximately 2,459 feet to the **TRUE POINT OF BEGINNING**, containing 87.4 acres of land, more or less.

The above annexation contains a perimeter distance of 1,807 feet contiguous with the existing City of Canal Winchester Corporation line and a total perimeter of 9,053 feet to be annexed, giving 20.0% of the perimeter length contiguous to the existing City of Canal Winchester Corporation line.

This annexation description of the location of the property to be annexed and is not a boundary survey as defined in O.A.C. Chapter 4733.37.

CESO, Inc.

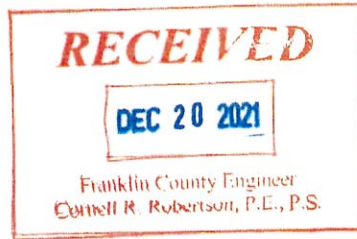


A handwritten signature in blue ink, appearing to read "Mark M. Hawk".

2021-12-17

Mark M. Hawk, PS  
Ohio Registered Professional  
Surveyor No. S-8501

Date:



ANNEXATION  
PLAN & DESCRIPTION  
ACCEPTED  
CARNELL R. ROBERTSON, P.E., P.S.  
FRANKLIN COUNTY ENGINEER  
BY: [Signature] DATE: 12/20/2021



AN 22-01-22