

ORDINANCE NO. 19-025

AN ORDINANCE TO ACCEPT THE DEDICATION OF REAL PROPERTY FROM PHELE INVESTMENT PROPERTIES, LLC.

WHEREAS, Phele Investment Properties, LLC, is the owner of property located at O Winchester Boulevard identified as part of Parcel Number 184-000996 and which will be intended for public use as right-of-way; and,

WHEREAS, Phele Investment Properties, LLC desires to dedicate the 0.455-acre parcel of land to the City of Canal Winchester pursuant to a Tax Increment Financing Agreement that was approved as ordinance 19-024 that provides for the extension of Winchester Boulevard, with the parcel being used for right-of-way, water, and storm water purposes; and,

WHEREAS, the Director of Public Service recommends acceptance of the dedication.

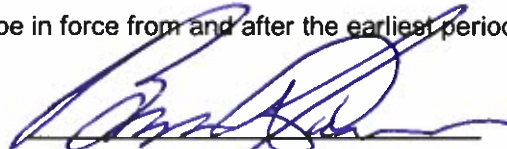
NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

Section 1. That Council does hereby accept the 0.455-acre parcel of land described in Exhibit A and depicted in Exhibit B for potential right-of-way purposes.

Section 2. That Council hereby authorizes and directs the Law Director to record an appropriate General Warranty Deed from Phele Investment Properties, LLC, evidencing the acceptance of the parcel and the right-of-way dedication as authorized herein.


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

DATE PASSED 5/20/19



PRESIDENT OF COUNCIL

ATTEST Amanda M Jackson
CLERK OF COUNCIL


MAYOR

DATE APPROVED 5-21-19

APPROVED AS TO FORM:

Erin Z. [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

LEGAL DESCRIPTION
0.455 Acres

EXHIBIT A

Situated in the State of Ohio, county of Frank'ln, City of Canal Winchester, Section 25, Township 11, Range 21, Congress Lands and being a part of the 11.280 acre tract as conveyed to Phele Investment Properties of record in Instrument Number 201706150081040 (all deed references refer to the records of The Recorder's Office, Franklin County, Ohio) and described as follows:

Beginning for reference at F.C.G.S. Monument 2270 Reset located at the intersection of the northerly right-of-way line of Winchester Boulevard extended, also being the northerly line of said Section 25, with the centerline of Gender Road.

Thence North 85°45'23" West with said northerly right-of-way line and said northerly section line a distance of 2424.99 feet to an iron pin set at the northeasterly corner of the said 11.280 acre tract, at the northwesterly corner of a 1.180 acre tract as conveyed to Gender/Thirty-three of record in Official Record volume 27286, page D07, and on the southerly line of a 52.338 acre tract as conveyed to Gender/Thirty-three of record in Official Record volume 11357, page F13 and Official Record volume 11357, page F16, the said pin being the **True Point of Beginning** for the description,

Thence South 4°14'37" West with the easterly of the said 11.280 acre tract and the westerly line of the said 1.180 acre tract a distance of 66.00 feet to an iron pin set at an interior corner of the said 11.280 acre tract and the southwest corner of the said 1.180 acre tract;

Thence North 85°45'23" West crossing through the said 11.280 acre tract a distance of 300.21 feet to an iron pin set on the westerly line of the said 11.280 acre tract and on the easterly line of a 78.384 acre tract as conveyed to Baker Levin Farms, LLC of record in Instrument Number 200704240071166, also being on the westerly line of section 25 and the easterly line of section 26;

Thence North 4°25'44" East along the westerly line of the said 11.280 acre tract, the easterly line of the said 78.384 acre tract and the said section line a distance of 66.00 feet to a 1 3/16" pipe with an EMH&T cap at the common corner of Sections 23, 24, 25, and 26, also being the northwesterly corner of the said 11.280 acre tract, the northeasterly corner of the said 78.384 acre tract, the southwest corner of a 134.500 acre tract as conveyed to Baker Levin Farms, LLC of record in Instrument Number 200704240071166, and the southwest corner of the said 52.338 acre tract;

Thence South 85°45'23" East with the northerly line of the said 11.280 acre tract and southerly line of the said 52.338 acre tract a distance of 300.00 feet to the **True Point of Beginning** and containing 0.455 acres of land more or less, out of PID 184 000996

Subject to all covenants, restrictions, reservations and easements contained in any instrument of record pertaining to the above described tract of land

All iron pins called as set are 5/8" x 30" rebar with yellow cap stamped "CESO"

The basis of bearing is based on a bearing of North 85°45'23" West for the southerly line of Section 24 as determined by GPS observation, based on NAD 83 (2011), Ohio State Plane South zone and post processed using an OPUS Solution.

03/01/2019 RJN
DEED PRESENTATION

CESO, Inc.



Jeffrey A. Miller 3-1-19
Jeffrey A. Miller PS
Registered Surveyor No. 7211
Date 02/27/2019

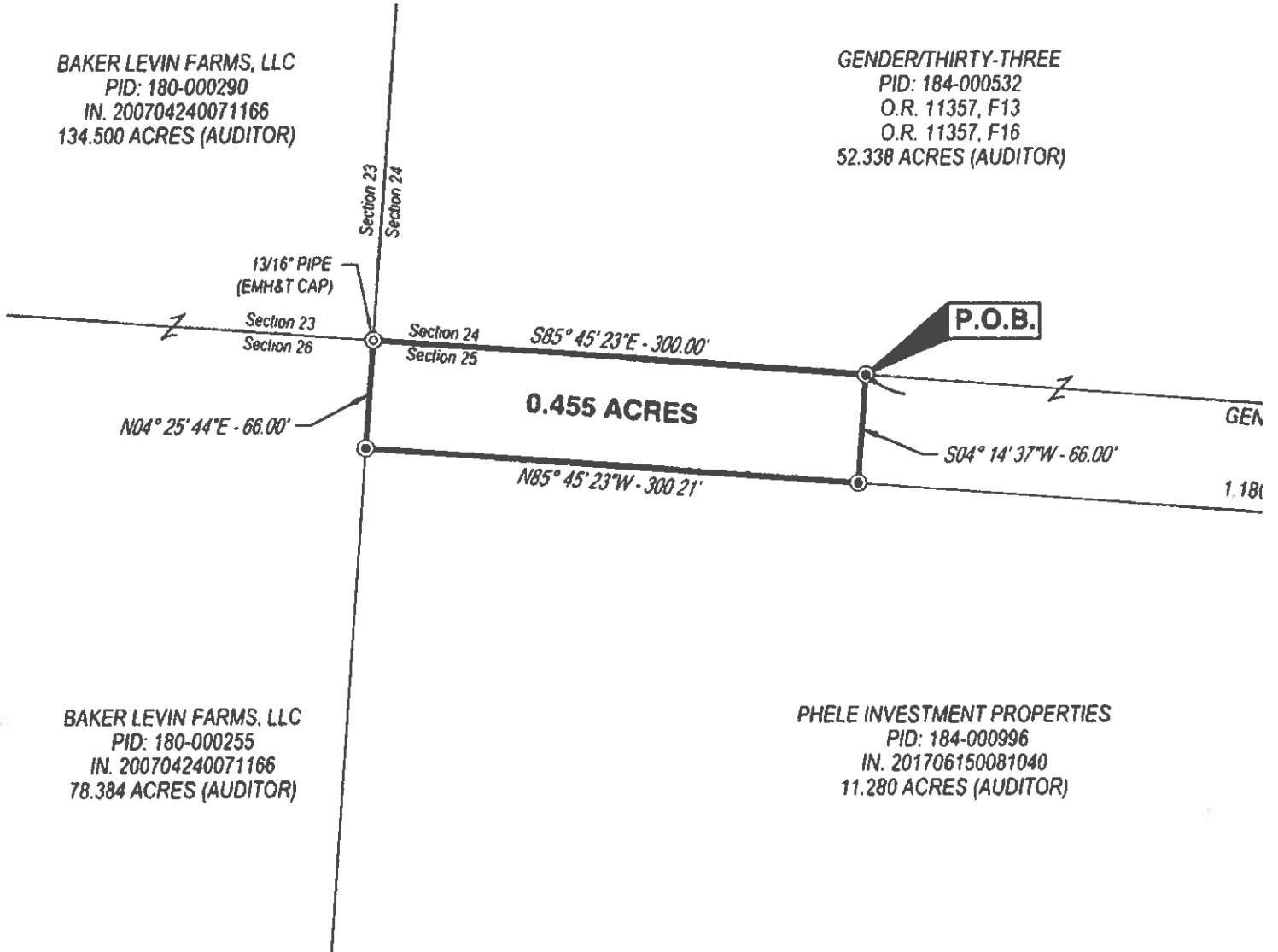


SURVEY OF ACRES

STATE OF OHIO, COUNTY OF FRANKLIN
SECTION 25, TOWNSHIP 1
CONGRESS 1

BAKER LEVIN FARMS, LLC
PID: 180-000290
IN. 200704240071166
134.500 ACRES (AUDITOR)

GENDER/THIRTY-THREE
PID: 184-000532
O.R. 11357, F13
O.R. 11357, F16
52.338 ACRES (AUDITOR)



BAKER LEVIN FARMS, LLC
PID: 180-000255
IN. 200704240071166
78.384 ACRES (AUDITOR)

PHELE INVESTMENT PROPERTIES
PID: 184-000996
IN. 201706150081040
11.280 ACRES (AUDITOR)

BASIS OF THE SURVEY
THE BEARING
N85° 45' 23" V
BY GPS OBSERVATION
SOUTH ZONE

LEGEND

- ⊙ 5/8"x30" REBAR W/ YELLOW CAP STAMPED "CESO" SET
- ⊙ IRON PIPE FOUND
- ▣ MONUMENT BOX FOUND

