

ORDINANCE NO. 19-026

AN ORDINANCE TO AMEND PART 11 OF THE CODIFIED ORDINANCES AND THE ZONING MAP OF THE CITY OF CANAL WINCHESTER, REZONING AN APPROXIMATELY 110.244 ACRES OF LAND FROM A COMBINATION OF EXCEPTIONAL USE (EU), LIMITED MANUFACTURING (LM), AND GENERAL COMMERCIAL (GC) TO ENTIRELY LIMITED MANUFACTURING (LM), OWNED BY WILLIS M ALSPACH, JOAN A ALSPACH, AND DAVID B ALSPACH, TRUSTEES OF THE WILLIS M ALSPACH REVOCABLE LIVING TRUST , LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF BIXBY ROAD AND RAGER ROAD (PARCEL ID 181-000159, 181-000026, 184-000828, 184-000879, AND 184-000954)

WHEREAS, the rezoning of the area hereinafter described has been proposed to the Council of the City of Canal Winchester; and

WHEREAS, notice of a public hearing has been duly advertised and the public hearing has been held before the Council of the City of Canal Winchester;

WHEREAS, a public hearing has been held by the Planning and Zoning Commission of the City of Canal Winchester with a recommendation to approve the proposed rezoning by the Planning and Zoning Commission;

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

Section 1. That Part 11 of the Codified Ordinances and the Zoning Map of the City of Canal Winchester, Ohio, which is a part thereof, be and hereby is amended as follows:

That approximately 110.244 acres, located at the southeast corner of Bixby Road and Rager Road, consisting of Parcel IDs 181-000159, 181-000026, 184-000828, 184-000879, and 184-000954, owned by Willis M Alspach, Joan A Alspach, and David B Alspach, Trustees of the Willis M Alspach Revocable Living Trust, as fully set forth in the description attached hereto as Exhibit A and incorporated herein by reference, is rezoned from a combination of Exceptional Use (EU), Limited Manufacturing (LM), and General Commercial (GC) to entirely Limited Manufacturing (LM).

Section 2. That all other provisions of Part 11 of the Codified Ordinances and accompanying zoning map shall remain in full force and effect.

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

ATTEST Amanda M Jackson
CLERK OF COUNCIL

[Signature]
PRESIDENT OF COUNCIL

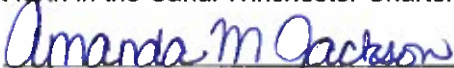
[Signature]
MAYOR

DATE APPROVED 5-21-19

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.


Finance Director/Clerk of Council

December 10, 2018

**DESCRIPTION OF A 110.244 ACRE TRACT
AT THE SOUTHEAST CORNER OF BIXBY ROAD AND RAGER ROAD,
MADISON TOWNSHIP AND CITY OF CANAL WINCHESTER, FRANKLIN CO., OHIO**

Situated in the State of Ohio, County of Franklin, Township of Madison and City of Canal Winchester, in the northeast quarter of Section 23, Township 11 North, Range 21 West, Congress Lands and being all or portions of the following eight (8) tracts of land, all of which having been conveyed to Willis M. Alspach, Trustee (25% Interest) and Joan A. Alspach, Trustee (25% Interest), by deed of record in Instrument No. 201208090115353 and David Benjamin Alspach (50% Interest), by deeds of record in Official Record 3195, Page C 17 and Official Record 3195, Page D 03:

1. all of a 14.385 acre tract of land (14.409 acres by recent survey), conveyed as Parcel II,
2. 15.837 acre portion of a 16 acre tract of land, conveyed as Parcel I, Tract No. 1,
3. 31.149 acre portion of an original 32 acre tract of land, conveyed as Parcel I, Tract No. 2,
4. the remaining 20.561 acre portion of an original 32 acre tract of land, conveyed as Parcel III,
5. all of a 7.65 acre tract of land (7.620 acres by recent survey), conveyed as Parcel IV,
6. all of a 2.783 acre tract of land (2.770 acres by recent survey), also conveyed as Parcel IV,
7. all of a 17.34 acre tract of land (17.336 acres by recent survey), also conveyed as Parcel III, and
8. all of a 0.534 acre tract of land (0.562 acre by recent survey), also conveyed as Parcel II,

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

Beginning at a FCGS Monument No. 9936 found at the corner common to Section 13, Section 14, Section 23 and Section 24 of Township 11 North, Range 21 West, in the centerline Bixby Road (variable width), at the northeast corner of said original 32 acre tract, conveyed as Parcel III and at the northwest corner of a 1.19 acre tract of land conveyed to Robert R. & Norma J. Bender, by deed of record in Deed Book 3259, Page 502;

thence S 04° 18' 30" W along a portion of the common line between said Section 23 and said Section 24, along a portion of the east line of said original 32 acre tract, conveyed as Parcel III, and along the west line of said 1.19 acre tract a distance of 399.29 feet to a 3/4" I.D. iron pipe found at the southwest corner of said 1.19 acre tract and at the northwest corner of said 2.770 acre tract (passing a 3/4" I.D. iron pipe found in the south right-of-way line of Bixby Road at 30.00 feet);

thence S 85° 41' 30" E along the north line of said 2.770 acre tract, along the south line of said 1.19 acre tract and along the south line of a 2.247 acre tract of land conveyed to The Ohio Bell Telephone Company, by deed of record in Deed Book 2508, Page 623 a distance of 380.00 feet to a 1/2" solid pin found at the northeast corner of said 2.770 acre tract, at the southeast corner of said 2.247 acre tract and in the west line of an original 4.0 acre tract of land conveyed to Henrietta L. Pfeifer, by deed of record in Instrument No. 199710300131189;

thence S 04° 19' 12" W along the east line of said 2.770 acre tract, along a portion of the west line of said original 4.0 acre tract, along the east line of said 17.336 acre tract, along the west line of a 37.846 acre tract of land conveyed to Damon A. Pfeifer and Mark A. Pfeifer, by deed of record in Instrument No. 201811300162078, along the east line of said 0.561 acre tract and along a west line of an original 41.990 acre tract of land conveyed to The Mountain Agency, LLC by deed of record in Instrument No.

December 10, 2018

thence N 85° 35' 02" W crossing said Limited Access Right-of-Way line of U.S. Route 33 ~ Southeast Expressway, along a portion of said half section line and along a portion of the south line of said 17.336 acre tract a distance of 50.76 feet to a 3/4" I.D. iron pipe set in the west line of said Section 24, in the east line of said Section 23, at the southwest corner of said 17.336 acre tract and in the east line of a 20.6276 acre tract of land conveyed, as Parcel Two, to Drill's Realty LLC, by deed of record in Instrument No. 200111050255847;

thence N 04° 18' 30" E along a portion of the west line of said Section 24, along a portion of the east line of said Section 23, along a portion of the west line of said 17.336 acre tract and along the east line of said 20.6276 acre tract a distance of 22.97 feet to a 3/4" I.D. iron pipe set in the northeasterly Limited Access Right-of-Way line of U.S. Route 33 ~ Southeast Expressway, at a northeast corner of said 20.6276 acre tract and at the southeast corner of said 14.409 acre tract;

thence N 61° 15' 01" W along the northeasterly Limited Access Right-of-Way line of U.S. Route 33 ~ Southeast Expressway, along the southwesterly line of said 14.409 acre tract and along the northeasterly line of said 20.6276 acre tract a distance of 1,828.04 feet to 3/4" I.D. iron pipe set at the west corner of said 14.409 acre tract, in the south line of said 15.837 acre tract and at a northeast corner of said 20.6276 acre tract;

thence N 85° 37' 09" W crossing said Limited Access Right-of-Way line of U.S. Route 33 ~ Southeast Expressway, along a portion of the south line of said 15.837 acre tract and along the north line of said 20.6276 acre tract a distance of 126.15 feet to a MAG nail set in the centerline of Rager Road (variable width), at the southwest corner of said 15.837 acre tract and at the northwest corner of said 20.6276 acre tract;

thence N 03° 40' 40" E along the centerline of Rager Road, along the west line of said 15.753 acre tract and along a portion of the west line of said 31.149 acre tract a distance of 570.84 feet to a P.K. nail found at the southwest corner of a 0.43 acre tract of land conveyed, as Parcel 66A-WD for Rager Road roadway purposes, to the State of Ohio, by deed of record in D.B. 2370, Page 459;

thence crossing said 31.149 acre tract and said 7.620 acre tract and along the south, east and north lines of said 0.43 acre tract the following six (6) courses:

1. S 84° 28' 06" E a distance of 20.01 feet to a 3/4" I.D. iron pipe set;
2. N 19° 55' 33" E a distance of 129.77 feet to a 3/4" I.D. iron pipe set;
3. N 10° 16' 09" E a distance of 100.35 feet to a 3/4" I.D. iron pipe set;
4. N 04° 15' 50" E a distance of distance of 200.59 feet to a 3/4" I.D. iron pipe set;
5. N 12° 33' 09" W a distance of 178.46 feet to a 3/4" I.D. iron pipe set;
6. N 86° 16' 18" W a distance of 20.00 feet to a railroad spike set in the centerline of Rager Road, at the northwest corner of said 0.43 acre tract and in a west line of said 7.620 acre tract;

thence N 03° 40' 40" E along the centerline of Rager Road and along a west line of said 7.620 acre tract a distance of 328.07 feet to a railroad spike set at a northwest corner of said 7.620 acre tract and at the southwest corner of a 1 acre tract of land conveyed to Teresa L. McCormick, by deed of record in Instrument No. 200909140133203;

thence S 86° 16' 18" E along a north line of said 7.620 acre tract and along the south line of said 1 acre tract a distance of 100.00 feet to a 3/4" I.D. iron pipe set at a corner of said 7.620 acre tract and at the southeast corner of said 1 acre tract;

thence N 03° 40' 40" E along a west line of said 7.620 acre tract and along the east line of said 1 acre tract a distance of 434.36 feet to a MAG nail set in the north line of said Section 23, in the south line of said Section 14, in the centerline of Bixby Road (60 feet this portion), at a northwest corner of said 7.620 acre

December 10, 2018

thence S 04° 26' 42" W along an east line of said 7.620 acre tract and along the west line of said 1.35 acre tract a distance of 435.60 feet to a 3/4" I.D. iron pipe set at a corner of said 7.620 acre tract and at the southwest corner of said 1.35 acre tract (passing a 3/4" I.D. iron pipe found in the south right-of-way line of Bixby Road at 30.00);

thence S 85° 33' 18" E along a north line of said 7.620 acre tract and along the south line of said 1.35 acre tract a distance of 135.11 feet to a 3/4" I.D. iron pipe set at a northeast corner of said 7.620 acre tract and at the southeast corner of said 1.35 acre tract;

thence N 04° 26' 42" E along a portion of the east line of said 1.35 acre tract a distance of 395.60 feet to a 3/4" I.D. iron pipe w/cap found (FCE) at the southwest corner of a 0.780 acre tract of land conveyed, as Parcel 3-WD for Bixby Road roadway purposes, to Franklin County Commissioners, by deed of record in Instrument No. 201507090092985, said portion of Bixby Road being shown on the roadway improvement plans for FRA-TR229-1.890;

thence S 84° 45' 13" E along a south line of said Parcel 3-WD a distance of 357.55 feet to a 3/4" I.D. iron pipe w/cap found (FCE) at a corner of said Parcel 3-WD;

thence S 85° 33' 18" E along a south line of said Parcel 3-WD a distance of 176.00 feet to a 3/4" I.D. iron pipe set at a corner of said Parcel 3-WD;

thence N 86° 23' 26" E along a south line of said Parcel 3-WD a distance of 107.06 feet to a 3/4" I.D. iron pipe set at a corner of said Parcel 3-WD;

thence S 85° 33' 18" E along a south line of said Parcel 3-WD a distance of 229.78 feet to a 3/4" I.D. iron pipe set at the southeast corner of said Parcel 3-WD and in the west line of a 0.713 acre tract of land conveyed to Michael L. & Cassandra J. Sullivan, by deed of record in Instrument No. 201310180177122;

thence S 04° 26' 42" W along a portion of the west line of said 0.713 acre tract a distance of 199.31 feet to a 3/4" I.D. iron pipe set at the southwest corner of said 0.713 acre tract;

thence S 85° 33' 18" E along the south line of said 0.713 acre tract a distance of 135.00 feet to a 3/4" I.D. iron pipe found at the southeast corner of said 0.713 acre tract;

thence N 04° 26' 42" E along the east line of said 0.713 acre tract a distance of 229.31 feet to a MAG nail set at the northeast corner of said 0.713 acre tract, in the north line of said Section 23, in the south line of said Section 14, in the centerline of Bixby Road (variable width this portion) and in the north line of said original 32 acre tract, conveyed as Parcel III;

thence S 85° 33' 18" E along a portion of the north line of said Section 23, along a portion of the south line of said Section 14, along the centerline of Bixby Road and along a portion of the north line of said original 32 acre tract, conveyed as Parcel III, a distance of 239.66 feet to the place of beginning;

containing 110.244 acres of land, more or less, and being subject to all highways, easements and restriction of record. Of said 110.244 acres, 81.956 acres are within P.N. 181-000026 (0.237 acre is within Rager Road right-of-way, 0.165 acre is within Bixby Road right-of-way and 0.083 acre is within U.S. Rte. 33 ~ Southeast Parkway), 7.620 acres are within P.N. 181-000159 (0.151 acre is within Rager Road right-of-way and 0.229 acre is within Bixby Road right-of-way), 2.770 acres are within P.N. 184-000828, 17.336 acres are within P.N. 184-000879 (0.013 acre is within U.S. Rte. 33 ~ Southeast Parkway right-of-way) and 0.562 acre is within P.N. 184-000954.

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 November, 2018. Basis of bearings is the centerline of U.S. Rte. 33 ~ Southeast Parkway (FRA-33-(26.21-30.13)), being N 61° 15' 01" W, between Franklin County Engineer's Monuments 10-693