

ORDINANCE NO. 21-003

AN ORDINANCE TO AMEND PART 11 OF THE CODIFIED ORDINANCES AND THE ZONING MAP OF THE CITY OF CANAL WINCHESTER, REZONING 2.581 ACRES FROM EXCEPTIONAL USE (EU) TO LIMITED MANUFACTURING (LM), OWNED BY ESTATE 108, LLC., AND LOCATED AT 108 NORTH HIGH STREET (PID 184-000490, 184-000247, 184-000324, 184-001003, and 184-000467)

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; and

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

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

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

That approximately 2.581 acres, located at 108 North High Street owned by Estate 108, LLC., as fully set forth in the description attached hereto as Exhibit "A" and incorporated herein by reference, is rezoned from Exceptional Use (EU) to 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: 3/1/21

ATTEST: Amanda M Jackson

Michael G. Walker  
PRESIDENT OF COUNCIL

Michael East  
MAYOR

3-5-21  
DATE APPROVED

APPROVED AS TO FORM:

Shirley L. Byers  
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 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  
Clerk of Council

**EXHIBIT "A"**

**LEGAL DESCRIPTIONS**

**Parcel One:**

**Parcel Number(s): 184-000490 and 184-000247**

*It being a part of the northeast quarter of Section Number Thirty (30), Township Number Fifteen (15), and Range Number Twenty (20). Beginning at a stake in the middle of the road leading from Canal Winchester to Pickerington at the northeast corner of Mill Lot; Thence North three (3) poles and eighteen (18) links to a stake; Thence North 82 ½ degrees West ten (10) poles and nineteen (19) lines to a stake; Thence South three (3) poles and eighteen (18) links to a stake; Thence South 82 ½ degrees East ten (10) poles and nineteen (19) links to THE PLACE OF BEGINNING, CONTAINING One-Fourth (1/4) of an acre of land.*

*Subject to, however, the exceptions, easements and restrictions as set forth in the Warranty Deed, recorded in Volume 1262, page 4 of the Deeds, in the Office of Record for Franklin County, Ohio.*

**Parcel Two**

**Parcel Number: 184-000324**

*Beginning at a part of the northeast quarter of Section No. 30, Township No. 15, and Range No. 20, beginning at a stake in the Pickerington Road, forty feet (40 ft) north of the center of The Columbus, Hocking Valley and Toledo Ry; Thence north at right angle with said railway along said Pickerington Road 8 rods and ten feet to a stake; Thence west parallel with said railway twenty-five (25) rods to a stake; Thence south at a right angle with said railroad eight (8) rods to stake fifty feet (50) from the center of said railway track; Thence east parallel with said railway track five (5) rods to a stake; Thence South ten (10) feet to a stake; Thence east parallel with said railway twenty (20) rods to the PLACE OF BEGINNING, CONTAINING one (1) acre, fifty-two rods and ten (10) feet of land more or less, and known as the "Whitehurst Mill Property"*

Also known as: 108 N. High St., Canal Winchester, Ohio 43110

**Parcel Three**

**Parcel Number: 184-001003**

Being a part of a 12.74 acre tract in the northeast quarter of Section 30, Township 15 North, Range 20 West, the Ohio River Survey, Madison Township, Franklin County, Ohio and more particularly described as follows:

Beginning, for reference, at a point in the centerline of High Street and in the North right-of-way line of the Chesapeake and Ohio Railroad;  
Thence North 2° 45' East, 203.38 feet, in the centerline of said High Street, to a southeast corner of said 12.74 acre tract;  
Thence North 83° 17' West, 177.55 feet in a south line of said 12.74 acre tract, to an iron fence post marking the principal place of beginning of the tract herein to be conveyed;  
Thence South 2° 45' West, 61.38 feet in an east line of the said 12.74 acre tract, to a point;  
Thence North 83° 00' West, 451.95 feet, in a south line of the said 12.74 acre tract, to a fence post;  
Thence North 89° 12' East, 461.57 feet, to THE PRINCIPAL PLACE OF BEGINNING.  
This tract, as surveyed contains 0.318 acres, more or less.

**Parcel Four**

**Parcel Number: 184-000467**

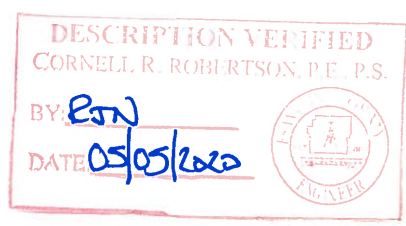
Beginning at an iron pin located in the north line of the H.V.R.R. right-of-way, and the southwest corner of the mill lot located in the Village of Canal Winchester, Ohio;  
Thence North along the west line of said mill lot, 133 feet to a point;  
Thence westerly along the north line of the said mill lot extended in a westerly direction, 200 feet to an iron pin;  
Thence South 133 feet to an iron pin in the north line of the H.V.R.R. right-of-way;  
Thence easterly along the north line of said H.V.R.R. right of way, 200 feet to the PLACE OF BEGINNING, CONTAINING 0.61 of an acres, more or less.

PARCEL 1  
ALLOF  
(184)  
000490  
△  
ALLOF  
(184)  
000247

PARCEL 2  
ALLOF  
(184)  
000324

PARCEL 3  
ALLOF  
(184)  
001003

PARCEL 4  
ALLOF  
(184)  
000467



Boundary Survey of 2.581 Acres located in the Northeast Quarter of  
 Section 30, Township 15, Range 20, Congress Lands East of the Scioto River,  
 City of Canal Winchester, Franklin County, Ohio,

for:

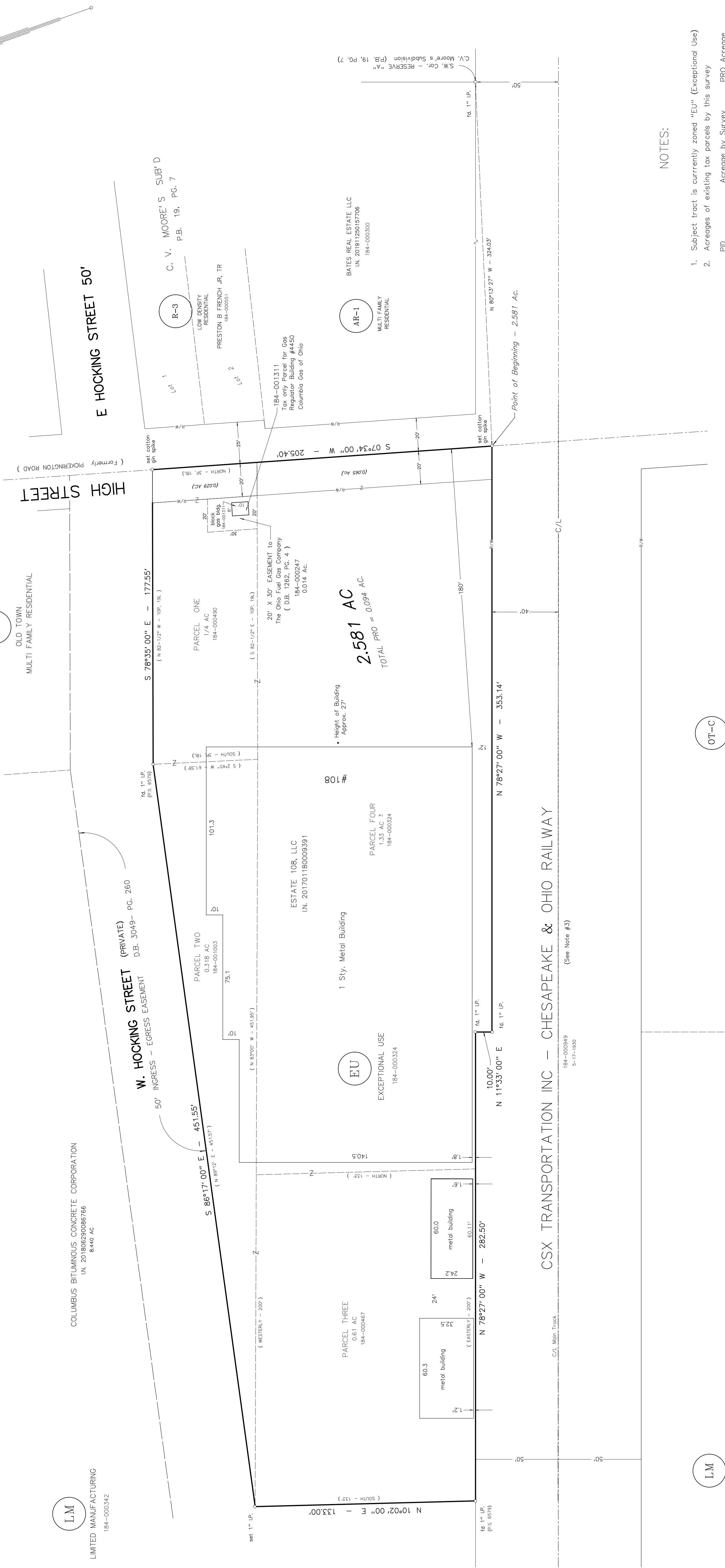
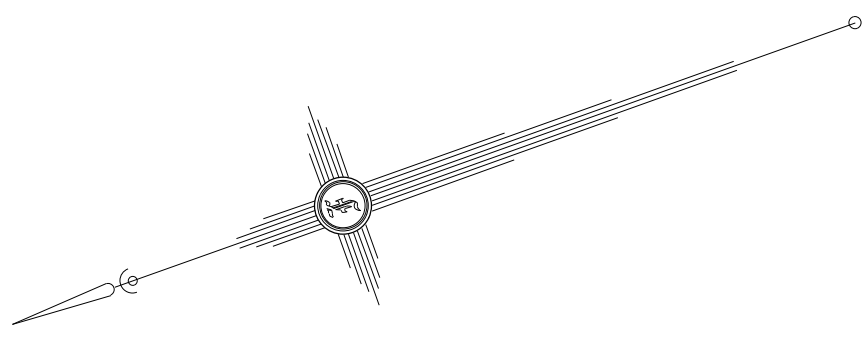
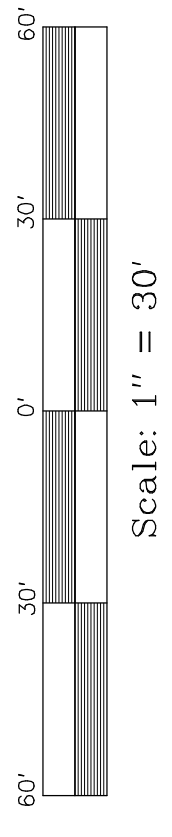
**ESTATE 108, LLC**

**L.M.**  
 LIMITED MANUFACTURING  
 184-000342

COLUMBUS BITUMINOUS CONCRETE CORPORATION  
 I.N. 201806290086766  
 B.4+0 AC

124 N HIGH LLC  
 I.N. 201610260147648  
 184-000576

**OT-MF**  
 OLD TOWN  
 MULTI FAMILY RESIDENTIAL



**NOTES:**

- Subject tract is currently zoned "EU" (Exceptional Use)
- Acres of existing tax parcels by this survey
 

PID	Acres by Survey	PRO	Acres
184-000490	0.244	Ac.	0.029
184-000247	0.014	Ac.	0
184-001003	0.326	Ac.	0
184-000467	0.609	Ac.	0
184-000324	1.368	Ac.	0.065
- CHESAPEAKE AND OHIO RAILWAY COMPANY as conveyed from the Hocking Valley Railway Co. (D.B. 924, PG. 338) now known as CSX TRANSPORTATION INC, successor by merger, whose documents have been summarized and recorded (O.R. 13276 A-15) and subsequently re-recorded (O.R. 13283 G-13), originally partitioned to railroad right-of-way in Deed Book 100, Page 356.
- No title commitment was provided to the undersigned as of the date of this survey, there may be easements that affect subject tract.

I hereby certify:

that the foregoing Boundary Survey was prepared from actual field measurements in accordance with Chapter 4733-37, Ohio Administrative Code. Iron pins set are 30" X 1" (OD) with an orange plastic cap inscribed "FARLEY P.S. 7566". Bearings are based on the centerline of the CSX Transportation, Inc - Chesapeake & Ohio Railway held as North 78° 27' 00" West.

Matthew D. Farley, Professional Surveyor No. 7566.