

ORDINANCE NO. 23-002

AN ORDINANCE TO ACCEPT THE DEDICATION OF REAL PROPERTY FROM CANAL POINTE, LLC.

WHEREAS, Canal Pointe, LLC, is the owner of property located at 0 Busey Road identified as part of Parcel Number 0420376200 and which will be intended for public use as park land; and,

WHEREAS, Canal Pointe, LLC desires to dedicate the 0.054-acre parcel of land to the City of Canal Winchester, with the parcel being used for public park land 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 0.054-acre parcel of land described in Exhibit A and depicted in Exhibit B for right-of-way purposes.

Section 2. That Council hereby authorizes and directs the Law Director to record an appropriate General Warranty Deed from Canal Pointe, LLC, evidencing the acceptance of the parcel 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 2-10-23

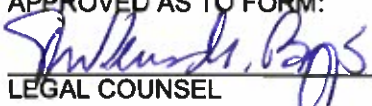


PRESIDENT OF COUNCIL

ATTEST 
CLERK OF COUNCIL


MAYOR

DATE APPROVED 2-7-23

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

85/18664

**DESCRIPTON OF A 0.054 ACRE TRACT
(REMAINDER DESCRIPTION OF AN ORIGINAL 61.716 ACRE TRACT)
TRACT "E"**

Situated in the State of Ohio, County of Fairfield, Township of Violet, City of Canal Winchester, part of the southeast ¼ of section 20, Township 15, Range 20, Congress Lands, and being a 0.054 acre tract out of an original 61.716 acre tract (Parcel# 042-03762-00) conveyed to CANAL POINTE, LLC shown in Official Record 1302, page 787.

Commencing at an O.D.O.T centerline Monument Box (aluminum cap stamped: PS 7961 TRUCO CONSTRUCTION) at the centerline intersection of Diley Road, Twp. Hwy 207 (100' R/W) and HOWE INDUSTRIAL PARKWAY (70' R/W), shown in Plat Cabinet 2, Slide 127, said Monument being referenced by an O.D.O.T Monument Box found (same cap), (**N04°28'03"E** a distance of **1006.64** feet) at the centerline intersection of said Diley Road and Busey Road, Twp. Hwy 216 (35' R/W), said intersection being the NE corner of SE Quarter of Section 20, thence;

N04°28'03"E a distance of **35.00** feet with the center of Diley Road to a point, thence;

N85°31'17"W a distance of **1437.19** feet, leaving said centerline crossing Diley Road and being along the north line of said Howe Parkway to an I.P. set, said I.P. being the southwesterly corner of a 1.141 acre tract (Parcel# 042-03762-90) as conveyed to The Combs Group LLC in O.R. 1474, PG. 3641, said I.P. being the **TRUE PLACE OF BEGINNING** for this legal description, thence;

N85°31'17"W a distance of **465.58** feet continuing with the said north R/W line to an I.P. set, thence;

N12°46'33"W a distance of **5.24** feet continuing with the said R/W line to an I.P. set, thence;

S85°31'17"E a distance of **467.14** feet with the south line of a 4.854 acre tract (Parcel# 042-08376-20) as conveyed to the Village of Canal Winchester in O.R. 1302, PG. 780 to an I.P. set in the west line of said 1.141 acre tract, thence;

S04°29'17"W a distance of **5.00** feet with the west line of said 1.141 acres returning to the **TRUE PLACE OF BEGINNING** and containing **0.054 acres** more or less, subject however to all legal easements and rights-of-way of record.

See Exhibit "A" attached and made part thereof.

Basis of Bearings:

Bearings are based on the center of Diley Road (Twp.Hwy.207) as being **S04°28'03"W**, as shown in O.R.1302, Page 787 on file at the Recorder's Office, Fairfield County, Ohio.

Iron Pins I.P. (set) are 5/8", 30" long Rebar, Capped 8067.

ABBREVIATIONS:

(I.P.) = IRON PIN


(D) = DEED

(M) = MEASURED

O.D.O.T. = OHIO DEPARTMENT OF TRANSPORTATION

CERTIFICATION:

This legal description is prepared from records on file at the Fairfield County Auditor & Recorder's & Engineer's office's and based on an actual field survey performed under the direct supervision of Timothy a. Ericsson, Registered Surveyor #8067 in June 22, 2013 and is True and Correct to the best of my knowledge.


Timothy A. Ericsson P.S. #8067
06/22/2013



LEGAL DESCRIPTION AND PLAT
MEETS MINIMUM STANDARDS FOR
BOUNDARY SURVEYS. FAIRFIELD
COUNTY ENGINEER.


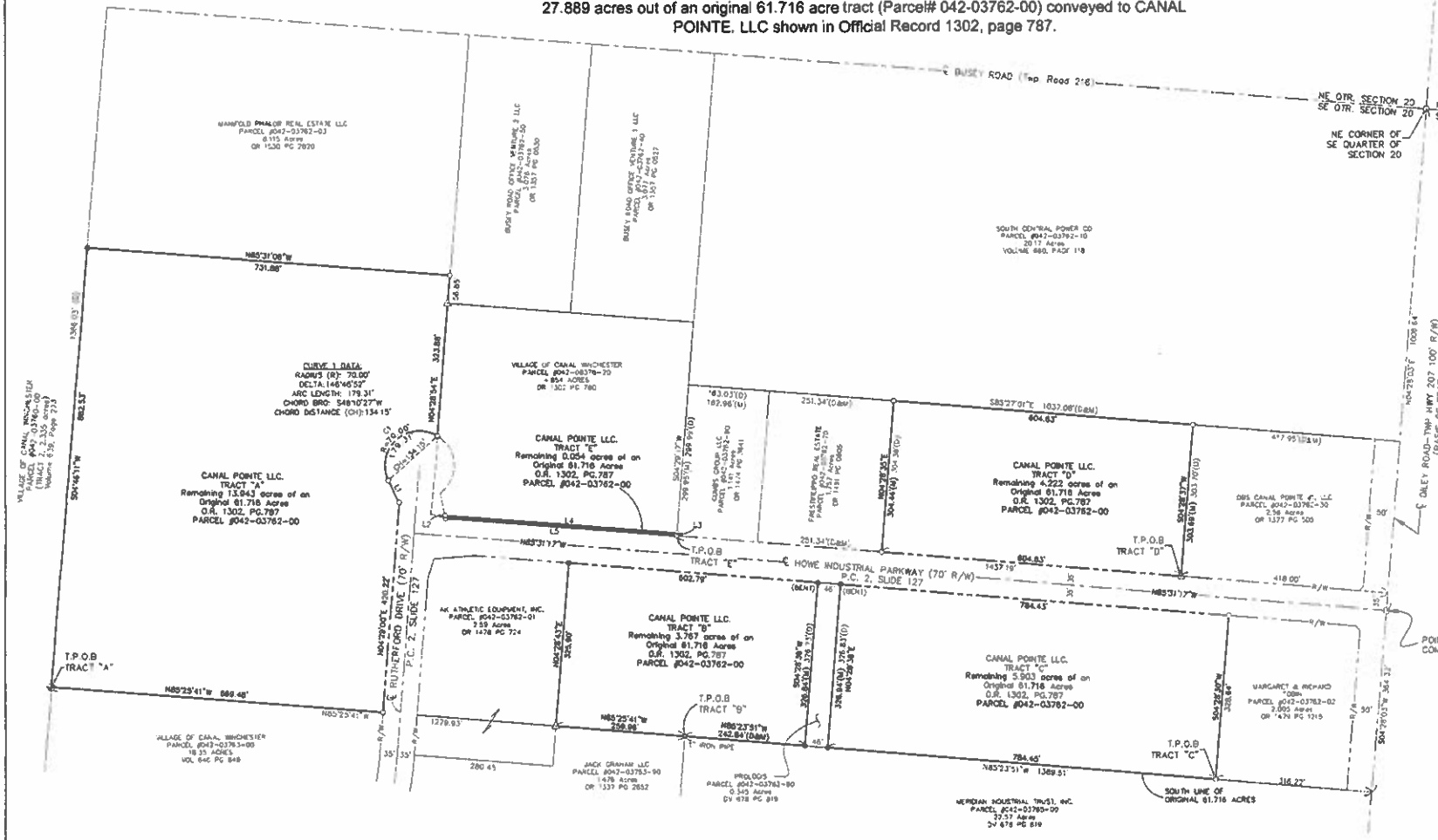
BY  DATE 7/10/13

EXHIBIT "A"

REMAINDER PLAT OF AN ORIGINAL 61.716 ACRE TRACT

Situated in the State of Ohio, County of Fairfield, Township of Violet, City of Canal Winchester, part of the southeast 1/4 of section 20, Township 15, Range 20, Congress Lands, and being the remaining 27.889 acres out of an original 61.716 acre tract (Parcel# 042-03762-00) conveyed to CANAL POINTE, LLC shown in Official Record 1302, page 787.



- SURVEY CONTROL**
- IRON PIN SET (CAPPED 5/8", 30" LONG REBAR STAMPED #5067)
 - △ (CAPPED 5/8" REBAR FOLING (On surveying))
 - MONUMENT ALUMINUM DISK, O.D.O.T. CENTERLINE (P/S 7961 TRUSSCO CONSTRUCTION)
 - CAPPED 1" IRON PIPE FOUND (ME 6572)
 - ◆ STONE FOUND IN FENCELINE
 - (CAPPED 5/8" REBAR FOUND (NO DESCRIPTION))
- ABBREVIATIONS**
- (I.P.) = IRON PIN
 - (D) = DEED
 - (M) = MEASURED
 - (O.D.O.T.) = OHIO DEPARTMENT OF TRANSPORTATION

- REMIANT DOCUMENTS**
- P.C. 2, SLIDE 127
 - O.R. 1302, PAGE 787
 - O.R. 1479, PAGE 125
 - D.V. 678, PAGE 818
 - O.R. 1337, PAGE 2852
 - O.R. 1478, PAGE 724
 - VOL. 646, PAGE 849
 - O.R. 1530, PAGE 2820
 - O.R. 1355, PAGE 0530
 - O.R. 1351, PAGE 0127
 - O.R. 1301, PAGE 75
 - O.R. 1474, PAGE 3641
 - O.R. 1491, PAGE 0865
 - VOL. 680, PAGE 118
 - O.R. 1377, PAGE 505

BEARINGS ARE BASED ON THE CENTER OF DILEY ROAD (TWP. HWY. 207) AS BEING S04°28'03"W AS SHOWN IN O.R. 1302, PAGE 787 ON FILE AT THE RECORDER'S OFFICE, FAIRFIELD COUNTY, OHIO.

LINE	LENGTH	BEARING
L1	49.75'	S88°43'00"E
L2	5.24'	N1°24'33"W
L3	5.00'	S04°29'17"W
L4	467.14'	S85°31'17"E
L5	465.58'	N89°31'57"W

ACREAGE TABULATION

TRACT A = 3.943 ACRES
 TRACT B = 3.767 ACRES
 TRACT C = 4.905 ACRES
 TRACT D = 4.222 ACRES
 TRACT E = 0.054 ACRES


TOTAL ACREAGE = 27.889

BOUNDARY SURVEY

BE 1/4 OF SECTION 20, TOWNSHIP 15, RANGE 20, CONGRESS LANDS FAIRFIELD COUNTY, OHIO

FOR: CANAL POINTE, LLC
 ADDRESS: HOWE INDUSTRIAL PARKWAY, CITY OF CANAL WINCHESTER, OHIO

CERTIFICATION: THIS PLAT IS PREPARED FROM RECORDS ON FILE AT THE FAIRFIELD COUNTY AUDITOR & RECORDER'S & ENGINEER'S OFFICES AND BASED ON AN ACTUAL FIELD SURVEY PERFORMED UNDER THE DIRECT SUPERVISION OF TIMOTHY A. ERICSSON, REGISTERED SURVEYOR #8087 IN JUNE 22, 2013 AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE

BY: 
 TIMOTHY A. ERICSSON REGISTERED STATE OF OHIO PROFESSIONAL SURVEYOR No. 8087
 DATE OF SURVEY: 06/22/2013

