

TEMPORARY RESOLUTION NO. 49-10

PERMANENT RESOLUTION NO. 46-10

A RESOLUTION TO TRANSFER 506, 510, 514, 518, 522, AND 526 SOUTH MAPLE STREET IN THE CITY OF LANCASTER TO THE PORT AUTHORITY

WHEREAS, the City no longer needs this property and as the City does not desire to market and sell the lots; and

WHEREAS, the Port Authority has more flexibility in its marketing and sales; and

WHEREAS, the City desire for the Port Authority to retain a 5% seller's fee for Port Authority Projects with 95% of sale price being returned to the General Fund;

BE IT RESOLVED BY COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO

SECTION 1. That the City hereby transfers in fee simple the property located at 506, 510, 514, 518, 522, and 526 South Maple Street as described in Exhibit A to the Lancaster Port Authority.

SECTION 2. The City no longer needs the property and the City does not desire to market and sell commercial/industrial property since the City created the Lancaster Port Authority to facilitate said development.

SECTION 3. The City directs the Port Authority to charge a five (5) percent seller fee retained by the Port Authority and the 95% of the sale goes to the General Fund.

SECTION 4. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: 4/26/2010 after 1st reading. Vote: Yeas 9 Nays 0

Approved: 4/26/2010

Clerk: Jessica Lee Dandy

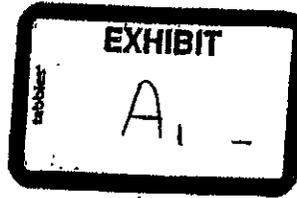
Kenneth D. Cook
President of Council

Offered by: Tom Smith

Tom Smith
Mayor

Second by: Brian Smith

Requested by Finance Committee



PARCEL ONE:

Situated in the County of Fairfield, in the State of Ohio and in the City of Lancaster:

Being the west half of Lot Number One (1) in R.J. PETERS' SECOND ADDITION north of Lancaster, Ohio and being the west half of premises conveyed by Phillip Nester to Christian Nester, his wife, by deed dated December 2, 1871 and recorded in Volume 37, Pages 47 and 48, Deed Records, Fairfield County, Ohio, said lot is known now as the west half of Lot No. 767 in the First Ward to the said City of Lancaster, Ohio, on the south side East Sixth Avenue.

Parcel No. 053-31621-00

Prior Instrument Reference: Deed Volume 679, Page 707, Recorder's Office, Fairfield County, Ohio.

PARCEL TWO:

All of Lot 770 and part of Lot 771, Peter's Second Addition to the City of Lancaster, Ohio, as recorded in Plat Book 1, Page 4, Recorder's Office, Fairfield County, Ohio, and being more particularly described as follows: Beginning at a drill hole in a concrete walk at the intersection of the Southerly line of E. Sixth Avenue (60 feet wide) with the Easterly line of N. Broad Street (66 feet wide), said drill hole also represents the Northwesterly corner of said Lot 770;

THENCE East (the direction of Northerly line of said Lot 770 was assumed to East and West for the purpose of this survey) along the Northerly line of said Lot 770 and along the Southerly line of said E. Sixth Avenue, a distance of 181.88 feet to a point at the Northeast corner of said Lot 770, said point being at the intersection of the Southerly line of said E. Sixth Avenue with the Westerly line of an alley (12 feet wide);

THENCE South 0 deg. 35' West along the Westerly line of said 12 foot alley, and along the Easterly line of said Lots 770 and 771, a distance of 102.00 feet to an iron pin in the Easterly line of said Lot 771;

THENCE West cross said Lot 771 and parallel to the Northerly line of said Lot 770, a distance of 181.25 feet to a drill hole in a stone wall in the Easterly line of said N. Broad Street, and in the Westerly line of said Lot 771;

THENCE North 0 deg. 14' East along the Westerly line of said Lots 771 and 770, and along the Easterly line of said N. Broad Street, a distance of 102.00 feet to the place of beginning, containing 0.425 acre (18,519 sq. ft.).

BEING the same premises conveyed to Sun Oil Company, a New Jersey corporation in part by Deed dated June 26, 1962 from Edwin P. Boyer, Jr., Administrator of the Estate of Edna S. Boyer, deceased, recorded Fairfield County, Ohio Deed Book 313, Page 270 and in part by Deed dated June 14, 1962 from Mary Christine Gossett, recorded Fairfield County, Ohio Deed Book 313, Page 273.

AND all the estate, right, title and interest Grantor has or ought to have in and to the above-described premises together with the privileges and appurtenances to the same belonging.

Parcel No

053-31628-00

Prior Instrument Reference: Deed Volume 664, Page 498, Recorder's Office, Fairfield County, Ohio.



TOBIN-McFARLAND SURVEYING, INC.
Professional Land Surveyors

111 West Wheeling Street
Lancaster, Ohio 43130
Phone (740) 687-1710
Fax (740) 687-0877

Description of 1.194 Acres

Situated in the State of Ohio, Fairfield County, Township 14, Range 18, Section 7, City of Lancaster and being a 2 acre tract (1.194 acres by survey) conveyed to the City of Lancaster by Deed Volume 159, Page 477, Fairfield County Recorder's Office, and being more particularly described as follows:

COMMENCING FOR REFERENCE at a point on the southeast corner of Maple Street and Lawrence Street right of way;

Thence South $00^{\circ}30'27''$ West a distance of 16.93 feet to a 5/8" rebar set at the intersection of the east line of Maple Street and the southerly property line of the Hocking Valley Railroad Company as conveyed in Deed Volume 36, Page 25, said rebar being **THE TRUE POINT OF BEGINNING**;

Thence South $67^{\circ}53'07''$ East a distance of 189.04 feet to a point on the southerly line of said railroad property, said point being witnessed by a railroad centerline monument North $22^{\circ}01'53''$ East a distance of 50.00 feet;

Thence with a curve to the right having a Radius of 1871.64 feet, a Delta Angle of $08^{\circ}40'24''$, a Chord Bearing of South $63^{\circ}37'55''$ East, a Chord Length of 283.05 feet, an Arc Distance of 283.32 feet to a 5/8" rebar set on the southerly line of said railroad property;

Thence along the center of an abandoned spur line the following 4 (four) courses:

- 1) South $89^{\circ}39'56''$ West a distance of 122.79 feet to a 5/8" rebar set;
- 2) South $82^{\circ}05'56''$ West a distance of 90.30 feet to a 5/8" rebar set;
- 3) South $81^{\circ}33'36''$ West a distance of 150.00 feet to a railroad spike set;
- 4) South $81^{\circ}20'56''$ West a distance of 63.46 feet to a railroad spike set on the east line of Maple Street;

Thence North $03^{\circ}28'04''$ West a distance of 109.96 feet to railroad spike set on the east line of Maple Street;

Thence North $00^{\circ}30'27''$ East a distance of 131.55 feet to **THE TRUE POINT OF BEGINNING** and containing 1.194 acres.

Bearings are based on an assumed meridian and are used to denote angles only. Rebars set are 5/8 inch by 3/6 inches and have a yellow plastic cap stamped "Tobin-McFarland." For additional information, see plat of survey made in conjunction with and considered an integral part of this description.

This description is based on a survey made in May 2003 by Tobin-McFarland Surveying, Inc., and was prepared by Rodney McFarland, Registered Professional Surveyor No. 6416.

Originals are signed in blue ink



Rodney McFarland 6/12/03
Rodney McFarland, P.S. Date

June 12, 2003
Date

