

TEMPORARY ORDINANCE NO. 16-15

PERMANENT ORDINANCE NO. 11-15

AN ORDINANCE AMENDING THE ZONING MAP SUBJECT TO PASSAGE OF THE ANNEXATION OF 3.284 +/- ACRES IN GREENFIELD TOWNSHIP, AND DECLARE AN EMERGENCY

WHEREAS, the City of Lancaster has received a copy of the petition to annex 3.284 +/- acres from Greenfield Township to the City of Lancaster; and

WHEREAS, the City of Lancaster, on July 13, 2015, consented to the annexation; and

WHEREAS, the ordinance to accept the annexation has been introduced as Temporary Ordinance 17-15; and

WHEREAS, the City must pass an ordinance to establish the zoning for newly annexed territory; and

WHEREAS, the Pre-Annexation Agreement commits the City to zoning; now, therefore

BE IT ORDAINED by the Council of the City of Lancaster, Fairfield County, State of Ohio:

SECTION 1. That the zoning ordinance and map of the City of Lancaster, Ohio be and the same is hereby revised upon successful passage of the Ordinance to Accept the Annexation to establish the City Boundaries and to establish zoning for the 3.284 +/- acres, pursuant to Exhibit A, as follows:

a. Commercial General (CG)

SECTION 2. The City Engineer is directed to make the changes on the zoning map.

SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare by allowing for expansion of critical services of the City. Therefore this ordinance shall go into immediate effect.

Passed: 8/24/15 after 3rd reading. Vote: Yeas 9 Nays 0

Approved: 8/24/15

Attest: Jeresa Lee Sandy

Cathy Piller
President of Council

Jeff Smith
Mayor

Offered by: Janet Hales

Second by: Hina Bluffell

Requested by Law Committee

**Annexation Description ~ 3.284 Acres
South Side of Memorial Drive
East Side of Ety Road**

Situated in the State of Ohio, County of Fairfield, Greenfield Township, Sections 26 and 35, Township 15, Range 19, Congress Lands East of Scioto River, being the remainder of a 1.204 acre tract and the remainder of a 3.631 acre tract as conveyed to 2501 N. Memorial Dr. LLC in Official Record 1686, Page 990, and described as follows;

Beginning at the northwest corner of said Section 35, the southwest corner of said Section 26, and being in centerline of Ety Road, variable width;

Thence along the westerly line of said Section 26, the centerline of Ety Road, and an original westerly line of said 3.631 acre tract, N 04° 00' 12" E, 14.00 feet to the current southwest corner of said 3.631 acre tract and the current northwest corner of the remainder of a tract as conveyed to Joan Kaminsky Winderl of record in Deed Book 638, Page 60;

Thence along a current southerly line of said 3.631 acre tract and the current northerly line of the remainder of said tract as conveyed to Joan Kaminsky Winderl, S 85° 55' 36" E, 16.50 feet to the original easterly right of way line of Ety Road as it was originally 33 feet wide, and being the **TRUE POINT OF BEGINNING** for the land herein described;

Thence along the original easterly right of way line of Ety Road crossing said 3.631 acre tract, and crossing a 0.123 acre highway easement conveyed to the City of Lancaster in Official Record 1470, Page 2426, N 04° 00' 12" E, 167.81 feet to a westerly line of said 3.631 acre tract and the easterly line of a 0.46 acre tract as conveyed to Jay Nauman in Official Record 1427, Page 3120;

Thence along the westerly line of said 3.631 acre tract and the easterly line of said 0.46 acre tract passing over the current right of way line of Ety Road as created with said Highway Easement, N 35° 40' 21" E, 155.39 feet to a 5/8" Rebar found, capped "Tobin-McFarland" in the southerly right of way line of Memorial Drive per Deed Book 278, Page 197 and ODOT Plan FAI-33-10.81;

Thence with the southerly right of way line of Memorial Drive along a curve to the right, having a central angle of 03° 23' 38", a radius of 11384.16 feet and an arc length of 674.33 feet, a chord bearing and chord distance of S 55° 17' 57" E, a total distance of 674.23 feet, (passing over a 5/8" Rebar found, capped "Tobin-McFarland" chord bearing and distance S 55° 26' 20", 618.78 feet at the intersection of the section line between said 26 and 35) to the southwest corner of a 1.253 acre tract conveyed to City of Lancaster in Official Record 1482, Page 1768, the northwest corner of a 9.726 acre tract conveyed to Cole GE Lancaster OH, LLC in Official Record 1555, Page 2666, and being in the easterly line of said 1.204 acre tract;

Thence leaving the southerly right of way line of Memorial Drive with the easterly line of said 3.631 acre tract, the easterly line of said 1.204 acre tract, and the westerly line of said 9.726 acre tract, S 39° 51' 45" W, 60.00 feet to the southeast corner of said 1.204 acre tract, the northeast corner of a 3.032 acre tract as conveyed to John J. Hostasa and Mariellen J. Hostasa in Deed Book 624, Page 776;

Thence along the south line of said 1.204 acre tract and the northerly line of said 3.032 acre tract, N 85° 55' 36" W, 487.71 feet to a pk nail found marking the current southwest corner of said 1.204 acre tract and the southeast corner of said Joan Kaminsky Winderl tract;

Thence along the current westerly line of said 1.204 acre, the westerly line of said 3.631 acre tract, and the easterly line of said Joan Kaminsky Winderl tract, N 04° 01' 22" E, 92.00 feet to a 5/8" rebar found at an angle point in the southerly line of said 3.631 acre tract, and being the northeast corner of said Joan Kaminsky Winderl tract;

Thence along the current southerly line of said 3.631 acre tract, the north line of said Joan Kaminsky Winderl tract, N 85° 55' 36" W, 138.50 feet to the **True Point of Beginning**,

containing **3.284 acres**, more or less, with 0.903 acres being in Section 35, and 2.381 acres being in Section 26.

This description is based on existing records from Fairfield County, and an actual field survey made by Advanced Civil Design, Inc. in February 2012 and February 2015. A drawing of the above description has been prepared and made a part hereof.

All references used in this description can be found at the Recorder's Office, Fairfield County, Ohio.

Bearings are based on the Ohio State Plane Coordinate System NAD83 (CORS 96). A bearing of N 04° 00' 12" E was held for the centerline of Ety Road.

The total length of the annexation perimeter is about 1776 feet, of which about 1058 feet are contiguous with existing City of Lancaster Corporation Lines, being 60% contiguous. This annexation does not create any islands of township property.

This description was written for annexation purposes only and is not intended to be used in the transfer of property.

 ADVANCED CIVIL DESIGN, INC.
Jonathan E. Phelps 6/22/15
Jonathan E. Phelps, P.S. 8241