

TEMPORARY ORDINANCE NO. 25-16

PERMANENT ORDINANCE NO. 31-16

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ACCEPT 2.173 ACRES, MORE OR LESS, OF PROPERTY SITUATED IN SECTION 34, TOWNSHIP 15, RANGE 19, CONGRESS LANDS, AND BEING PART OF LOT 4 OF ETY POINTE CENTER FROM LANCASTER INVESTMENT PARTNERS, LLC AND WILCOX COMMUNITIES

WHEREAS, pursuant to resolution of the Lancaster Board of Park Commissioners dated July 13, 2016, approximately 2.18 acres was offered by Wilcox Communities and accepted by the Park Board in lieu of the Public Sites and Open Spaces fee for their new development at Ety Pointe Center, and;

WHEREAS, pursuant to the deed attached hereto as Exhibit A, Lancaster Investment Partners, LLC wishes to convey 2.173 acres, more or less, of property situated in Section 34, Township 15, Range 19, Congress Lands, and being part of Lot 4 of Ety Pointe Center to the City;

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

SECTION 1. That the Mayor is authorized to accept 2.173 acres, more or less, of property situated in Section 34, Township 15, Range 19, Congress Lands, and being part of Lot 4 of Ety Pointe Center from Lancaster Investment Partners, LLC as set forth in the deed attached hereto as Exhibit A.

SECTION 2. As a condition of this acceptance, Wilcox Communities and/or Lancaster Investment Partners, LLC shall pay all costs associated with the acceptance of this property. This shall include, but shall not be limited to, costs for preparing a deed of conveyance, costs for preparing all documents such as a sale contract, costs of closing, and all property transfer fees.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: 11/14/16 after 3rd reading. Vote: Yeas 8 Nays 0

Approved: 11/15/16

Clerk: Jessica Lee Sandy

Offered by: Tom Stok

Second by: Joe Hill

Dee B. Jones
President of Council

Tom Stok
Mayor

Requested by Public Service Boards & Administration Committee



GENERAL WARRANTY DEED

LANCASTER INVESTMENT PARTNERS, a limited liability company organized and existing under the laws of the State of Ohio, for valuable consideration paid, grants with general warranty covenants, to the CITY OF LANCASTER, an Ohio municipal corporation, whose tax mailing address is 104 East Main Street, Lancaster, Ohio 43130, the following REAL PROPERTY:

SEE ATTACHED EXHIBIT "A"
Prior Instrument Reference: Volume 1710, Page 3088 - 3089

Grantor has caused its name to be subscribed hereto by LANCASTER INVESTMENT PARTNERS, LLC, by Jonathan Wilcox, its Managing Member, thereunto duly authorized by resolution of its members, this 4th day of October, 2016.

LANCASTER INVESTMENT PARTNERS, LLC

By: *Jonathan Wilcox*
Jonathan Wilcox, Managing Member

STATE OF OHIO, COUNTY OF FAIRFIELD, ss:

BE IT REMEMBERED, that on this 4 day of October, 2016 before me, a Notary Public in an for said County and State, personally came LANCASTER INVESTMENT PARTNERS, LLC, an Ohio limited liability company, by Jonathan Wilcox, its Managing Member, the Grantor in the foregoing deed, and acknowledged the signing thereof as his/her/its voluntary act and deed, pursuant to the authority of its Members.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal on the 4 day of October, 2016.

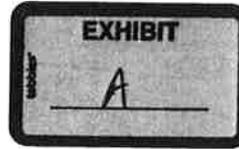


JO ANN MUNSELL
Notary Public, State of Ohio
My Commission Expires 04-24-2018

Jo Ann Munsell
Notary Public

This Instrument Prepared By: R. KYLE WITT, Law Director and City Prosecutor's Office, City of Lancaster, 136 W. Main Street, PO Box 1008, Lancaster, Ohio 43130 (740) 687-6616.

**DESCRIPTION OF 2.173 ACRES
LOCATED CITY OF LANCASTER,
FAIRFIELD COUNTY, OHIO**



Situated in the State of Ohio, County of Fairfield, City of Lancaster, Section 34, Township 15, Range 19, Congress Lands, and being part of Lot 4 of Ety Pointe Center, of record in Plat Cabinet 2, Slide 165, and described in deed to Lancaster Investment Partners, LLC. of record in Official Record Book 1710, Page 3088 (Parcel 0531372300), and being more particularly described as follows:

BEGINNING, at a 3/4 inch iron pin found with cap (EMH&T) at a common corner of said Lot 4 and Lot 2 and 3 of said Ety Pointe Center, also being described in deed to Kohls Illinois Inc. of record in Official Record Book 1516, Page 2426.

Thence South 30°31'23" West, a distance of 43.38 feet, with the common line of said Lot 3 and 4, to a 3/4 inch iron pin found with cap (EMH&T) in the north line of the tract of land described in deed to CSX Transportation Inc. and Indiana & Ohio Rail System;

Thence North 59°28'37" West, a distance of 930.61 feet, with the west line of said Lot 4 and east line of said railroad, to an iron pin set at the common corner of said Lot 4 and a 12.100 acres as described in deed to Edward Conrad and Thomas M. Helmick of record in Deed Book 497, Page 655;

Thence, North 89°43'41" East, with the common line of said Lot 4 and said 12.100 acres, a distance of 308.16 feet, to an iron pin set;

Thence, through said Lot 4, the following courses;

South 50°23'30" East, a distance of 449.11 feet, to an iron pin set;

South 0°17'21" East, a distance of 14.36 feet, to an iron pin set;

South 45°17'21" East, a distance of 49.50 feet, to an iron pin set;

North 89°42'52" East, a distance of 133.76 feet, to an iron pin set, on a line common to said Lot 4 and Lot 2 of said Ety Pointe;

Thence, South 0°17'07" East, with a line common to said Lot 4, and said Lot 2, a distance of 101.92 feet, to the **POINT OF TRUE BEGINNING**, containing 2.173 acres, more or less.

Where indicated herein, all iron pins set are 5/8 inch rebar, 30 inches in length bearing a yellow cap with the initials "CEC".

The bearing described herein are based on the same meridian as bearings shown on the subdivision plat entitled "Misty Meadows Section 1" of record in Cabinet 2, Slot 98, which a portion of Sun Ridge Street has a bearing of North 0°10'07" West.

This description is based on an actual field survey performed under the direct supervision of Mark Alan Smith, Registered Surveyor # 8232, on November 18th, 2015.



CIVIL & ENVIRONMENTAL CONSULTANTS, INC

Mark Alan Smith
 Mark Alan Smith P.S. 8/19/2016
 Registered Surveyor No. 8232 Date

APPROVED BY THE CITY OF LANCASTER
 PLANNING COMMISSION. NO PLAT REQUIRED.
Mark Alan Smith
 CITY ENGINEER
 DATE 8-16-16

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

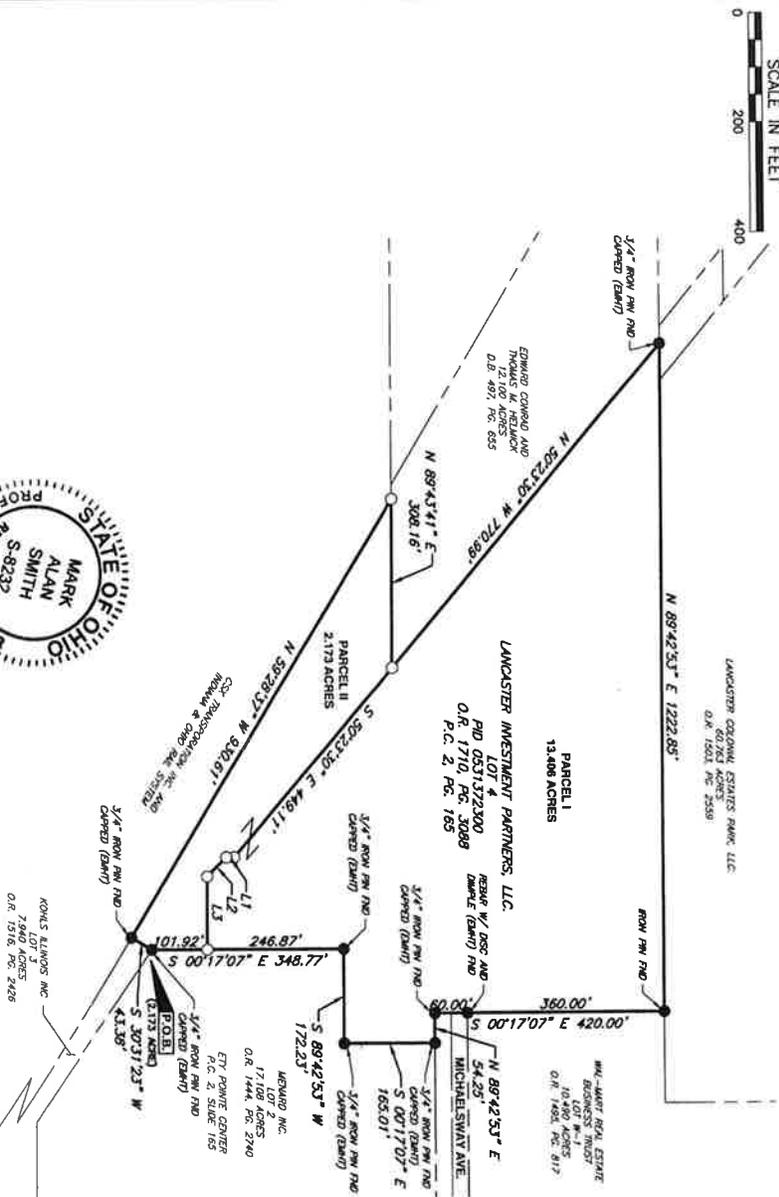
BY *Mark Alan Smith* DATE 8/30/16 Page 1 of 1

File Name: 150601-SV-DESC-2.173-AC



SCALE IN FEET
0 200 400

PLAT OF SURVEY
STATE OF OHIO, COUNTY OF FAIRFIELD, CITY OF LANCASTER,
SECTION 34, TOWNSHIP 13, RANGE 19
CONGRESS LANDS



WE HEREBY CERTIFY THAT THE FOREGOING BOUNDARY SURVEY WAS PREPARED WITH ACTUAL FIELD MEASUREMENTS IN ACCORDANCE WITH CHAPTER 4733-37 OHIO ADMINISTRATIVE CODE.

MARK ALAN SMITH
PROFESSIONAL SURVEY NO.: S-8232

Mark Alan Smith
8/15/2016

Civil & Environmental Consultants, Inc.
250 Old Wilson Bridge Road, Suite 250 - Worthington, OH 43085
614-540-6833 888-598-6808
www.cecinc.com

CITY OF LANCASTER
FAIRFIELD COUNTY, OHIO

2.173 ACRES
150-601
1 OF 1

IRON PINS:
WHERE INDICATED HEREON, UNLESS OTHERWISE NOTED, ARE TO BE SET AND ARE 5/8" SOLID REBAR, THIRTY INCHES IN LENGTH WITH A YELLOW PLASTIC CAP BEARING THE INITIALS 'CC'

BASIS OF BEARINGS:
THE BEARINGS SHOWN ON THIS SURVEY ARE BASED ON THE SAME MERIDIAN AS THE BEARINGS SHOWN ON THE SUBMISSION PLAT ENTITLED "MISTY MEADOWS SECTION 1" OF RECORD IN CABINET 2, SLOT 98, RECORDER'S OFFICE, FAIRFIELD COUNTY, OHIO, IN WHICH A PORTION OF SUN RIDGE STREET HAS A BEARING OF NORTH 00°10'07" WEST.

PERTINENT DOCUMENTS:
DEEDS OF RECORD, FAIRFIELD COUNTY RECORDER'S OFFICE.

LINE TABLE			
LINE #	DIRECTION	LENGTH	
L1	S 00°17'21" E	14.36'	
L2	S 45°17'21" E	49.50'	
L3	N 89°42'52" E	133.76'	

LEGEND
● IRON PIN FOUND
○ IRON PIN SET