

TEMPORARY ORDINANCE NO. 7-22

PERMANENT ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO ACCEPT PROPERTY PURSUANT TO LANCASTER CODIFIED ORDINANCE PART ELEVEN – PLANNING AND ZONING CODE, TITLE ONE – SUBDIVISION REGULATIONS, CHAPTER 1105, SECTION 1105.03 THE NEW ORDINANCES PASSED FOR MINOR SUBDIVISION SPLITS

WHEREAS, the City of Lancaster passed Permanent Ordinance 27-21 to require additional right-of-way dedication in minor subdivisions to comply with the City’s Thoroughfare Plan; and

WHEREAS, the property owner has deeded 0.048 acres to the City in conformity with Permanent Ordinance 27-21 to provide the City with additional right-of-way for underground utilities;

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

SECTION 1. That the approximately 0.048 acres of real property described in the attached deed, legal description, and plat of property marked as Exhibit A is hereby accepted.

SECTION 2. As a condition, the grantor of the right-of-way shall pay all costs associated with the acceptance of this right-of-way. This shall include, but shall not be limited to, costs for preparing the right-of-way documents, costs for all necessary surveys, and the recordings fees.

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

Passed: \_\_\_\_\_ after \_\_\_\_\_ reading. Vote: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Approved: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Clerk: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Offered by: \_\_\_\_\_

Second by: \_\_\_\_\_

Requested by Public Works Committee

I, Teresa Lee Sandy, Clerk of Council do hereby certify that on \_\_\_\_\_, 2022 in the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

\_\_\_\_\_  
Clerk of Council



DocId:8049884  
Tx:4036277



8 0 4 1 9 7 0  
Tx:4030479

202200002715  
FILED FOR RECORD IN  
FAIRFIELD COUNTY, OH  
LISA MCKENZIE, COUNTY RECORDER  
02/02/2022 01:30 PM  
DEED 46.00

202100030204  
FILED FOR RECORD IN  
FAIRFIELD COUNTY, OH  
LISA MCKENZIE, COUNTY RECORDER  
11/16/2021 02:48 PM  
EASEMENT 42.00

**TRANSFER  
NOT NECESSARY**

NOV 16 2021

*Carly L. Brown*

County Auditor, Fairfield County, Ohio

**GENERAL WARRANTY DEED OF EASEMENT**

**\*\*Re-record to correct document name\*\***

Jeffrey W. Daugherty and Sarah A. Daugherty, husband and wife, the Grantors for Ten Dollars (\$10.00) and other valuable consideration paid, grant with general warranty covenants to City of Lancaster, the Grantees, whose tax mailing address will be 104 E. Main Street, Room 107, Lancaster, OH 43130, the following described REAL PROPERTY:

For full legal description, see Exhibit A attached hereto and incorporated herein.

PARCEL NO: ~~053-40043-00~~ 053.40039-10

SAVE AND EXCEPT, easements and restrictions of record, zoning ordinances, real estate taxes and assessments, if any prorated to the date of this deed.

Prior Instrument Reference: OR Volume \_\_\_\_\_, Page \_\_\_\_\_, in the Office of the Recorder of Fairfield County, Ohio.

GRANTORS do hereby covenant and warrant unto said GRANTEES, the GRANTEES' heirs, assigns, and successors, that at the time of the delivery of this deed, the Grantors were lawfully seized in fee simple of the granted premises, that the premises are free from all encumbrances, that the Grantors have good right to sell and convey the same to the Grantees, the Grantees' heirs, assigns and successors, and that the Grantors do warrant and do hereby agree to defend the same to the Grantees, the Grantees' heirs, assigns, or successors, forever, against the lawful claims and demands of all persons.

Executed on this 15<sup>th</sup> day of November, 2021.

*Jeffrey W. Daugherty*  
Jeffrey W. Daugherty

*Sarah A. Daugherty*  
Sarah A. Daugherty

STATE OF OHIO  
COUNTY OF Fairfield SS.

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of November, 2021, by Jeffrey W. Daugherty and Sarah A. Daugherty, husband and wife, the Grantors and that the same was their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.



TINA L. EVANS  
Notary Public, State of Ohio  
My Commission Expires 08-20-2023

*Tina L. Evans*  
Notary Public, State of Ohio  
My commission expires:

This instrument prepared by: Bryan Matthew Everitt, Attorney at Law, Hocking Valley Title Agency, Inc., 136 East Main Street, Lancaster, Ohio 43130.  
File#2021-2562

**TRANSFERRED**

REAL ESTATE CONVEYANCE

FEB 02 2022

FEE \$.....

EXEMPT #..... A.....

*Carly L. Brown*

County Auditor, Fairfield County, Ohio

*Carly L. Brown*

County Auditor, 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 0.048 Acres**  
(2100 Sq. Ft.)

Situated in the State of Ohio, County of Fairfield, City of Lancaster, Township 14, Range 18, Section 4.

Being 0.014 acres of the 1 acre tract (known as Parcel III) and 0.035 acres of the 0.711 acre tract (known as Parcel IV) as described in Official Record 1548, Page 2657, and being more fully described as follows:

Beginning at a point being the northeast corner of the aforementioned 1 acre tract and being the northwest corner of the aforementioned 0.711 acre tract, said point is located by deed North 90°00'00" West a distance of 1300.68 feet and South 00°00'00" East a distance of 88.33 feet from the northeast corner of the northwest quarter of Section 4;

thence North 85°43'00" East a distance of 16.50 feet to a point in Sells Road and being the northeast corner of the 0.711 acre tract;

thence with Sells Road and a line of the 0.711 acre tract South 16°00'00" East a distance of 61.28 feet to a point;

thence South 85°43'00" West, passing a 5/8 inch rebar set at 30.00 feet, a total distance of 35.00 feet to a mag spike set;

thence North 16°00'00" West a distance of 61.28 feet to a 5/8 inch rebar set on the north line of the 1 acre tract;

thence North 85°43'00" East, passing a 5/8 inch rebar set at 10.00 feet, a total distance of 18.50 feet to the point of beginning, containing **0.048 acres**, and being subject to all legal easements, restrictions and rights-of-way of record.

Bearings are based on the survey filed in Survey Book 11, Page 4179. Rebars set are 5/8 inch by 30 inches and have a yellow plastic identification 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 September of 2021 by Tobin-McFarland Surveying, Inc., and was prepared by Thomas M. Tobin, Registered Professional Surveyor No. 7674.

S-2021:Daugherty0.048



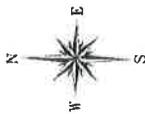
Thomas M. Tobin, P.S.      9-27-21  
Date  
September 27, 2021      originals are signed in blue ink

DESCRIPTION REVIEWED AND APPROVED  
FOR TRANSFER ONLY FAIRFIELD COUNTY  
AUDITOR/ENGINEER TAX MAPS  
BY AS DATE 2/1/22  
653-40039-10

*[Handwritten notes and signatures]*

PLAT OF SURVEY

STATE OF OHIO, FAIRFIELD COUNTY, CITY OF LANCASTER  
TOWNSHIP 14, RANGE 18, SECTION 4



Resources used that are pertinent to this survey are shown on this plat.  
Bearings are based on the survey filed in Survey Book 11, Page 4179.  
FEMA Community Panel No. 39045C0258C, Zone 'X'.

Cesaire Faye Gustafson  
Joshua Levi Jenkins  
OR 1932, Page 402  
Survey Book 26, Page 8633

Theresa M. Fridmore  
Michael C. Fridmore  
Vol. 11, Page 781  
OR 1815, Page 4179  
Survey Book 11, Page 4179

T-15 R-18 S-33  
T-14 R-18 S-4

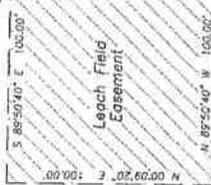
N 90°00'00" W 1,300.68'  
(by deed)  
NE Corner  
NW Quarter  
Section 4

BEGIN 0.199 AC.

BEGIN 0.048 AC.  
0.048 Acres  
(2100 Sq. Ft.)

0.199 Acres  
(8685 Sq. Ft.)  
(lie to PIN: 053-40043.00)

BEGIN EASEMENT



Todd A. McRichie  
OR 1560, Page 2815  
1000 ac.(0+3)  
PIN: 053-40043.00

LEGEND

- 5/8" X 30" rebar set with o
- Tobin-McFarland® ID cap
- Iron pipe (or other) found, as labelled
- ▲ Mag spike set

Surveyed For: Jeff Daugherty  
Date: September 27, 2021

BY: *Thomas M. Tobin* 9.27.21  
Thomas M. Tobin Date  
Registered Surveyor No. 7674  
TOBIN-MCFARLAND SURVEYING INC.  
111 West Wheeling Street  
Lancaster, Ohio 43130  
Ph. 740-687-1710 Fax 740-687-0877



DEED REFERENCE:  
Lee Russell Nixon  
OR 1548, Page 2657  
Parcel IV: 0.271 ac.  
PIN: 053-40038.00

DEED REFERENCE:  
Lee Russell Nixon  
OR 1548, Page 2657  
Parcel III: 1 ac.  
PIN: 053-40039.00

Asbury Cemetery  
The Trustees of Asbury Chapel  
Vol. 70, Page 611  
0.32 ac.

16'00"00" E  
61.28'  
35'00"00" W  
30.00'21"



5-2021 CADPOINT-BELLS RP-2