

TEMPORARY ORDINANCE NO. 2-24

PERMANENT ORDINANCE NO. 10-24

AN ORDINANCE TO ACCEPT A DONATION OF APPROXIMATELY 5.199 +/- ACRES

WHEREAS, 1850 Property LLC ("1850") currently owns Fairfield County Tax Parcel No. 0536017900 consisting of 10.62 acres at the intersection of Cedar Hill Road and Lincoln Avenue in the City of Lancaster; and

WHEREAS, 1850 desires to donate a portion of said property to the City; and

WHEREAS, 1850 has agreed to execute a General Warranty Deed for 5.199 +/- acres to the City of Lancaster as described in Exhibit A attached hereto; now, therefore,

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

SECTION 1. That the City hereby accepts the donation of 5.199 +/- acres from Parcel No. 0536017900 from 1850 and authorizes the Mayor to execute any documents necessary to effectuate the conveyance of said property and to pay any costs associated with the sale and transfer.

SECTION 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: February 14, 2024 after 3rd reading. Vote: Yeas 9 Nays 0

Date Approved: February 14, 2024

Clerk: Kat M. Cut

[Signature]
President of Council

[Signature]
Mayor

Offered by: Cory Schomann

Second by: Mary R. Tener

Requested by Council of the Whole

I, _____, Clerk of Council do hereby certify that on _____, 2024 in the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council

Symbol Legend

- Iron Pin Found
- Iron Pin Set
- ▲ Railroad Spike Found
- x Point

IRON PINS SET ARE 5/8" DIAMETER X 30" LONG REBAR WITH RED PLASTIC CAP STAMPED "H&S 8592". ALL IRON PINS SHOWN AS FOUND ARE IN GOOD CONDITION UNLESS NOTED OTHERWISE.

BEARING REFERENCE: THE BEARINGS SHOWN ON THIS PLAT ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM SOUTH ZONE, NAD83 (2011) EPOCH 2010. THE "BASIS OF BEARING" FOR THIS SURVEY IS THE SOUTH RIGHT OF WAY LINE OF LINCOLN AVENUE, HAVING A BEARING OF N64°30'05"E.

REFERENCE DOCUMENTS:
 DEED BOOK 486, PAGE 956
 INSTRUMENT NUMBER 202300018020
 PLAT BOOK 4, PAGE 8
 SURVEY NUMBER 10410
 SURVEY NUMBER 12801
 SURVEY NUMBER 14730

I HEREBY CERTIFY THAT THE ATTACHED PLAT, IS A TRUE REPRESENTATION OF A SURVEY PERFORMED DECEMBER, 2023 BY HARRAL AND STEVENSON, LLC UNDER MY DIRECT SUPERVISION AND THAT THE ACCURACY OF SAID SURVEY IS CONSISTENT WITH OHIO ADMINISTRATIVE CODE 4733-37 AND MEETS OR EXCEEDS FAIRFIELD COUNTY CONVEYANCE STANDARDS.

DRAFT



Harral and Stevenson
 Civil Engineering and Surveying
 2869 North Court Street
 Circleville, Ohio 43113
 Ph: 740.497.4432
 www.harralstevenson.com

CITY OF LANCASTER, FAIRFIELD COUNTY, OHIO

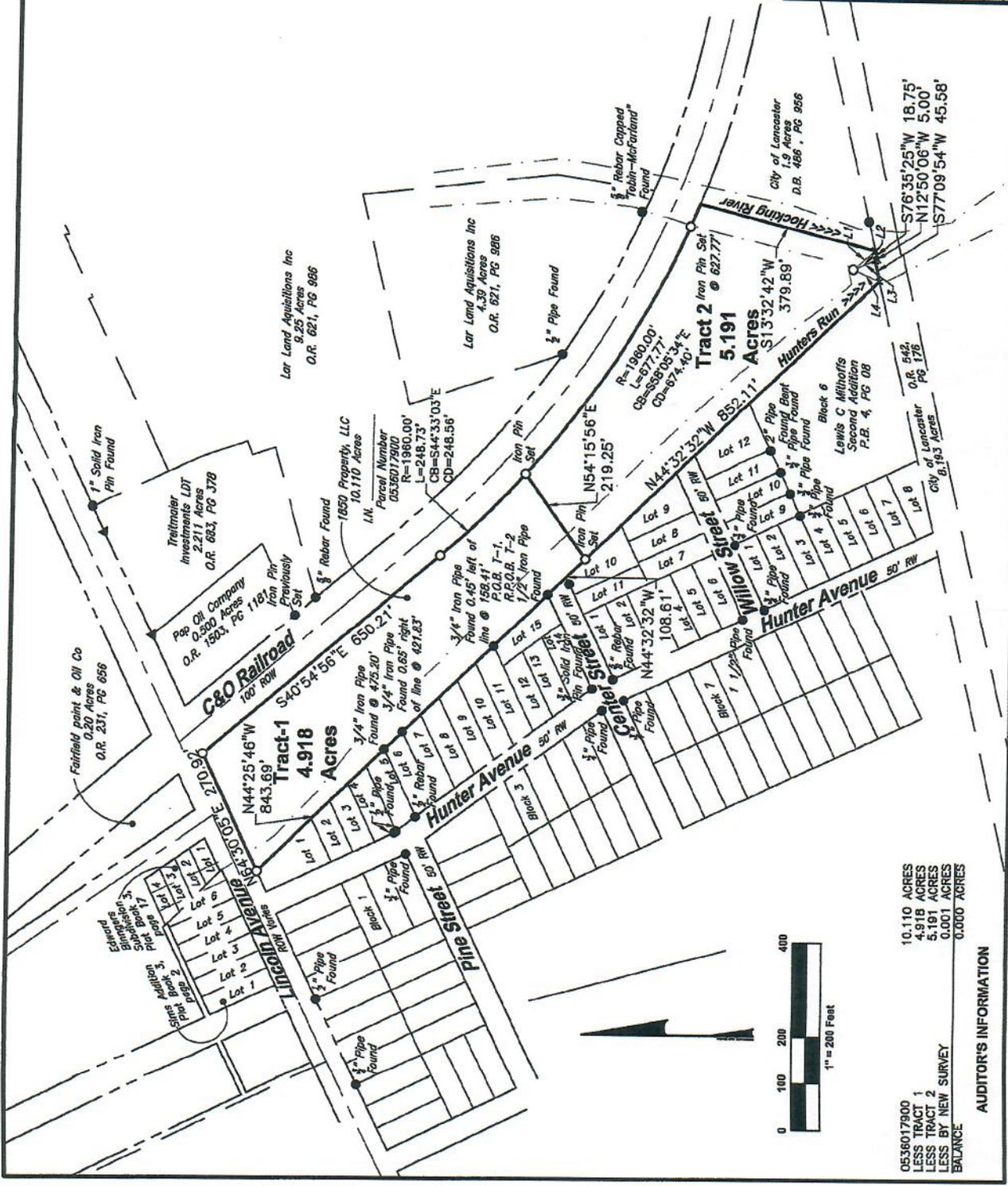
PLAT OF SURVEY

SECTIONS 01, 12, TOWNSHIP 14N, R...

600 LINCOLN AVE-SPLIT

Project No: E231086
 Client: 1850 Property, LLC
 Date: January 04, 2024

Scale: 1" = 200 Feet
 Drawn: DNL
 Reviewed: G



AUDITOR'S INFORMATION

0536017900	10.110 ACRES
LESS TRACT 1	4.918 ACRES
LESS TRACT 2	5.191 ACRES
LESS BY NEW SURVEY	0.001 ACRES
BALANCE	0.000 ACRES

AUDITOR'S INFORMATION

APPLICATION
FOR
MINOR SUBDIVISION



MINOR SUBDIVISION NO. 623

PLANNING COMMISSION
CITY OF LANCASTER
c/o Engineering Department
121 East Chestnut St., Suite 100
Lancaster, Ohio 43130-3825
Telephone (740) 687-6614
Facsimile (740) 681-5030

Submission Date: _____

Twp: Lancaster Corporation Range: 19 Section: 01,12

Lot Number: _____ Subdivision/Addition: _____

IN: 202300019020

Original Tract Data: DV _____ PG _____ Original Tract Parcel ID # 0536017900

Grantor(s): 1850 Property, LLC

Grantee(s): 1850 Property, LLC, City of Lancaster

Surveyed By: Harral and Stevenson Reg. No. _____

Required with Submittal: Deed of Original Tract; Survey of Property (including frontage and area of remnant tract, setbacks to structures) Deed to Grantee

The undersigned applies for Minor Subdivision approval under Section 1105.03 of the City of Lancaster, Ohio, Subdivision Regulations, and certifies all materials submitted with this application are true and correct.

Please print Applicant/Agent's Name: Harral and Stevenson

Signature of Applicant/Agent : _____

Address: 2869 N Court Street, Circleville, OH 43113

Telephone: 740-497-4432 e-mail URL: cstevenson@harralstevenson.com

For Office Use Only:

Date Received: _____ Action Taken: Approved: _____ Refused: _____

Comments: _____

606-614 Lincoln Avenue - Rear

Address assigned to property : _____

Minor Subdivision Fee = \$20 + \$20 per lot: \$ 20.00 Fee Paid (date): 1-4-2024

Public Sites and Open Spaces Fee: \$ _____ Fee Paid (date): _____

Signature: _____ Date Approved: _____

Responsible for the accuracy of the information provided on this form is the applicant/agent.

MINOR SUBDIVISION COMPLIANCE CHECK

Zoning District: _____ L.C.O. Reference: _____

Min. Frontage per L.C.O.: _____ ft.; Min. Lot Area per L.C.O.: _____ sq. ft.

Structure on Property: Y or N Min. side yard: _____ ft. Min. rear yard: _____ ft.

Min. Setback: _____ ft. Structure floor Area: _____ sq. ft. F.A.R. _____

Section 1105.03 L.C.O. SUBMITTAL OF MINOR SUBDIVISIONS ("LOT SPLITS")

(a) Minor Sub. If lots split meets following:

- (1) Adjoins improved public street (frontage NOT at end of public street) **COMPLIES** **NON-COMP.**
- (2) No more than 5 lots, including remnant **COMPLIES** **NON-COMP.**
- (3) Does not adversely affect adjoining land **COMPLIES** **NON-COMP.**
- (4) Complies with 711 ORC **COMPLIES** **NON-COMP.**
- Complies with zoning regulations **COMPLIES** **NON-COMP.**

(b) Deed of Original Tract Survey of Property Application Completed

Section 1109.07 L.C.O. LOTS:

- (a) Frontage on improved public street: **COMPLIES** **NON-COMP.**
- (b) Minimum Lot Frontage: _____ ft. **COMPLIES** **NON-COMP.**
- Minimum Lot Area: _____ Sq. ft. **COMPLIES** **NON-COMP.**
- Side yard/rear yard for structures _____ ft. **COMPLIES** **NON-COMP.**
- (1) Residential lot rectangular **COMPLIES** **NON-COMP.**
- Depth < 3 X Width **COMPLIES** **NON-COMP.**
- Topographic/natural conditions/Subdivision Regulation deviation: Y or N
- (2) Double/reverse frontage lot **COMPLIES** **NON-COMP.**
- (3) Corner lot larger **COMPLIES** **NON-COMP.**
- (4) Lot lines parallel/radial to street line **COMPLIES** **NON-COMP.**
- (5) Easements along drainage channels **COMPLIES** **NON-COMP.**

REVIEWED BY: _____

DATE: _____

REAL ESTATE CONVEYANCE
FEE \$1,940.00
EXEMPT #

Callie Brown
County Auditor, Fairfield County, Ohio

TRANSFERRED

Dec 07 2023

Callie Brown JW

County Auditor, Fairfield County, Ohio

202300019020

FILED FOR RECORD IN
FAIRFIELD COUNTY, OH
LISA MCKENZIE, COUNTY RECORDER
12/07/2023 01:36 PM
DEED 34.00

GENERAL WARRANTY DEED

VanGundy LLC, an Ohio Limited Liability Company, the Grantors for Ten Dollars (\$10.00) and other valuable consideration paid, grant with general warranty covenants to 1850 Property, LLC, an Ohio Limited Liability Company, the Grantees, whose tax mailing address will be 1430 Collins Road NW, Lancaster, OH 43130, the following described REAL PROPERTY:

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

PARCEL NUMBER: 053-60179.00

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 Book 1785, Page 863 and Deed Volume 667, Page 632, 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 Grantor has 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 10th day of December, 2023.

VanGundy LLC

William H. Cann III

BY: William H. Cann III, Managing Member

STATE OF Ohio
COUNTY OF Fairfield, SS.

This is an acknowledgement. No oath or affirmation was administered to the signers with regard to this notarial act.

The foregoing instrument was acknowledged before me this 10th day of December, 2023, by William H. Cann III, Managing Member of VanGundy LLC, an Ohio Limited Liability Company, the Grantors and that the same was his free act and deed and the free act and deed of said company.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the 10th day of December, 2023.



Tina L. Evans
Notary Public, State of Ohio
My Commission Expires:
08/20/2028

Tina L. Evans
Notary Public, State of Ohio
My commission expires: 08/20/2028

This instrument prepared by: Sitterley Law, LLC, 166 West Main Street, Ste 201, Lancaster, OH 43130.
2023-340

EXHIBIT A

Situated in the State of Ohio, County of Fairfield, in the City of Lancaster, and described as follows: Being parts of Sections One and Twelve (1 and 12) in Township 14, Range 19 and bounded and described as follows:

Beginning at the intersection of the center line of Lincoln Avenue and the west right of way line of the Hocking Valley Railroad Company; thence South 66 degrees 37' West, 273.7 feet along the center line of Lincoln Avenue to the Northeast corner of the Lewis C. Mithoff's Second Addition; thence South 42 degrees 12' East 1877.9 feet along the East line of said Mithoff Addition to the center line of the Pennsylvania Railroad Tract; thence North 79 degrees 09' East, 32.25 feet to the center line of the Hocking River Ditch; thence North 15 degrees 50' East, 406.8 feet along said ditch to the west right of way line of the Hocking Valley Railroad Co.; thence North 58 degrees 52' West, 414 feet to a point on the said west right of way line; thence North 45 degrees 07' West, 600 feet to a point on the said west right of way line; thence North 39 degrees 07' West, 599.3 feet to the place of beginning, containing 10.62, acres more or less.

Excepting from the above described tract the South half of Lincoln Avenue (35' wide) and any part of the Hocking Valley and Pennsylvania Railroad rights of way contained therein. Subject to easements and rights of way of record.

Parcel No.: 053-60179-00

Property Address: 606 & 614 Lincoln Avenue, Lancaster, OH

DESCRIPTION REVIEWED AND APPROVED
FOR TRANSFER ONLY FAIRFIELD COUNTY
AUDITOR/ENGINEER TAX MAPS
BY RC DATE 12/07/2023
0536017900

Legal Description
City of Lancaster, Fairfield County, Ohio
Sections 01,12, Township 14N, Range 19W
4.918 Acres

Situated in the City of Lancaster, County of Fairfield, State of Ohio, being more particularly bounded and described as follows:

Being a part of a 10.110 acre tract conveyed to 1850 Property, LLC in Instrument Number , in the Fairfield county Recorder's Office;

Beginning at a **1/2" Iron Pipe Found** at the south east corner of Lot 15 in Block 4 of Lewis C Mithoffs Second Addition, Plat Book 4, page 8, being **THE TRUE POINT OF BEGINNING**;

Thence with the east line of said subdivision **N44°25'46"W** (passing a 3/4" Iron Pipe Found 0.45 feet left of line at 158.41 feet, a 3/4" Iron Pipe 0.65 feet right of line at 42.83 feet, and a 3/4" Iron Pipe Found at 475.20 feet) **843.69 feet** to an **Iron Pin Set** in the south right of way line of Lincoln Avenue;

Thence with the south right of way line of said Lincoln Avenue **N64°30'05"E 270.92 feet** to an **Iron Pin Set** in the west right of way line of C&O Railroad;

Thence with the west right of way of said C&O Railroad **S40°54'56"E 650.21 feet** to an **Iron Pin Set**;

Thence continuing with the west right of way of said C&O Railroad on a curve to the left, having a **Chord Bearing** and **Chord Distance** of **S44°33'03"E 248.56**, having a **Radius** of **1960.00 feet**, and a **Curve Length** of **248.73** to an **Iron Pin Set**;

Thence on a new line through said 10.110 acre tract **S54°15'56"E 219.25 feet** to an **Iron Pin Set** in the east line of said Lewis C. Mithoffs Second Addition;

Thence with the east line of said Lewis C. Mithoffs Second Addition **N44°32'32"W 108.61 feet** to **THE POINT OF BEGINNING**;

Containing **4.918**, more or less.

Subject to all existing rights-of-way and easements of record.

Bearings are based on the south right of way line of Lincoln Avenue as determined by GPS observation based on ODOT CORS using VRS on the NAD83(2011) datum, being **N64°30'05"E**.

Iron Pins Set are 5/8" diameter x 30" long rebar with red plastic cap stamped "H&S 8592".

I Hereby certify that the foregoing legal description, together with the attached plat, is a true representation of the conditions as they existed on the date of the field survey, December 2023, performed by Harral and Stevenson, LLC, under my direct supervision, and that the accuracy of same is consistent with accepted surveying standards.

DRAFT

Craig E. Stevenson P.S. 8592
Harral and Stevens

Date

Legal Description
City of Lancaster, Fairfield County, Ohio
Sections 12, Township 14N, Range 19W
5.191 Acres

Situated in the City of Lancaster, County of Fairfield, State of Ohio, being more particularly bounded and described as follows:

Being a part of a 10.110 acre tract conveyed to 1850 Property, LLC in Instrument Number , in the Fairfield county Recorder's Office;

Beginning for reference at a **1/2" Iron Pipe Found** at the south east corner of Lot 15 in Block 4 of Lewis C Mithoffs Second Addition, Plat Book 4, page 8;

Thence with the east line of said subdivision **S44°25'32"E 108.61 feet** to an **Iron Pin Set**;

Thence on a new line through said 10.110 acre tract **N54°15'56"E 219.25 feet** to an **Iron Pin Set** in the west right of way line of C&O Railroad;

Thence continuing with the west right of way of said C&O Railroad on a curve to the left, having a **Chord Bearing** and **Chord Distance** of **S58°05'34"E 674.40**, having a **Radius** of **1960.00 feet**, and a **Curve Length** of **677.77** (passing an Iron Pin Set at 627.77 feet) to a **Point** in the Hocking River;

Thence with the Hocking River **S13°32'42"W 379.89 feet** to a **Point** in the north line of a 8.193 acre shared use bike path conveyed to City of Lancaster in Official Record 542, page 176, from which an Iron Pin Set bears **N41°04'36"W 60.00 feet**;

Thence continuing with the common lines of said 8.193 acre tract the following 3 calls:

S76°35'25"W 18.75 feet to a **Point**, from which an Iron Pin Set bears **N24°10'41"W 49.00 feet**;

N12°50'06"W 5.00 feet to a **Point**, from which an Iron Pin Set bears **N23°07'59"W 53.91 feet**;

S77°09'54"W 45.58 feet to a **Point** in the east line of said Lewis C Mithoffs Second Addition from which an Iron Pin Set bears **N23°57'44"E 60.00 feet**;

Thence with the east line of said Subdivision **N44°32'32"W 960.72 feet** to **THE POINT OF BEGINNING**;

Containing **5.191 acres**, more or less.

Subject to all existing rights-of-way and easements of record.

Bearings are based on the south right of way line of Lincoln Avenue as determined by GPS observation based on ODOT CORS using VRS on the NAD83(2011) datum, being **N64°30'05"E**.

Iron Pins Set are 5/8" diameter x 30" long rebar with red plastic cap stamped "H&S 8592".

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DRAFT

Craig E. Stevenson P.S. 8592
Harral and Stevens

Date

RECEIPT

Lancaster Building Department

121 E. Chestnut Street Suite 102, Lancaster, OH 43130

(740) 687-6649



623 | Minor Subdivisions (Lot Splits)

Payment Amount: \$20.00

Receipt Number: 555319

January 4, 2024

<i>Transaction Method</i>	<i>Payer</i>	<i>Cashier</i>	<i>Reference Number</i>
Check	Harral and Stevenson	Deborah Julian	3262

Comments

Assessed Fee Items

Fee items being paid by this payment

<i>Assessed On</i>	<i>Fee Item</i>	<i>Account Code</i>	<i>Assessed</i>	<i>Amount Paid</i>	<i>Balance Due</i>
01/04/24	Commercial - Miscellaneous Permits (manual)		\$20.00	\$20.00	\$0.00
<i>Totals:</i>			\$20.00	\$20.00	
Previous Payments					\$0.00
Remaining Balance Due					\$0.00

Application Info

Property Address	Property Owner	Property Owner Address	Valuation
606 - 614 Lincoln Avenue Lancaster, OH 43130			

Description of Work

Lincoln Avenue Property Lot Line Adjustment