

TEMPORARY ORDINANCE NO. 14-24

PERMANENT ORDINANCE NO. 17-24

AN ORDINANCE TO AUTHORIZE THE MAYOR TO DEED APPROXIMATELY 5.538 +/- ACRES OWNED BY THE CITY OF LANCASTER, AND FURTHER IDENTIFIED AS FAIRFIELD COUNTY, OHIO PARCEL NO. 0531804812 FOR ONE DOLLAR (\$1.00) TO THE LANCASTER PORT AUTHORITY AND TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR THE TRANSFER THEREOF AND TO DECLARE AN EMERGENCY

WHEREAS, the City of Lancaster owns approximately 5.538 +/- acres at 0 Ety Road, more specifically identified as Fairfield County Auditor Parcel No. 0531804812 and described in Exhibit A attached hereto, as the result of an acquisition made in 2008 for the installation of a sanitary sewer force main; and

WHEREAS, since the installation of the required sanitary sewer force main, the City has not utilized the remaining acreage and has no use or need of this property in its current condition, which is complicated by utility issues and its boundaries which include floodplain and floodway on one side and railroad tracks on the other, which diminishes its marketability for sale by the City; and

WHEREAS, the Lancaster Port Authority has more flexibility in the marketing and sale of property to provide an opportunity for economic development on this parcel which is currently zoned Commercial Neighborhood; and

WHEREAS, the City wishes to authorize the Mayor to enter into a Memorandum of Understanding with the Lancaster Port Authority regarding conditions of the land transfer as the parties deem appropriate; now, therefore,

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

SECTION 1. That the Mayor is hereby authorized to deed approximately 5.538 +/- acres of Parcel No. 0531804812, 0 Ety Road, Lancaster, Fairfield County, Ohio, as further described in Exhibit A attached hereto, to the Lancaster Port Authority and is further authorized to execute any and all documents necessary for the transfer of the property to the Lancaster Port Authority.

SECTION 2. That the City no longer needs the property and created the Lancaster Port Authority to help facilitate economic development, and the Lancaster Port Authority has the ability to market and sell the property to ensure economic development and to promote housing.

SECTION 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the Municipality and its inhabitants and for the further reason that this ordinance is necessary to further economic development and remediate the City's acute housing shortage; wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: May 6, 2024 after 3rd reading. Vote: Yeas 10 Nays 0

Approved: May 6, 2024

Clerk: Kurt M. Curt

Offered by: Alayna Hoop

Second by: Michael Wing

Requested by Economic Development Committee



President of Council
Jon M. McDaniel

Mayor

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

Clerk of Council



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www.jobshenderson.com

Tel: 740.344.5451
Fax: 740.344.5746

59 Grant Street
Newark, Ohio 43055

DESCRIPTION FOR 5.538 ACRE PARCEL

Situated in the State of Ohio, County of Fairfield, City of Lancaster, and being a part of Section 34, Township 15, Range 19, and being a 5.538 acre tract out of that 96.98 acre tract (tax duplicate) as conveyed to Robert L. Ety, Carol J. Ety, Paul R. Ety and Jane F. Ety by deed of record in Deed Volume 470, Page 93, all references being to those of record in the Recorder's Office, Fairfield County, Ohio, said 5.538 acre parcel being more particularly bounded and described as follows:

Commencing at the southwest corner of said Section 35 and the southeast corner of Section 34, said point also being the centerline intersection of Fair Avenue (width varies) and Ety Road (width varies);

Thence along the centerline of said Ety Road, **North 04°06'41" East**, passing a railroad spike found at 2,117.71 feet, a total distance of **2,447.26 feet** to a point being reference by a PK Nail found that bears South 85°53'19" East, 0.98 feet,

Thence **North 38°43'58" West**, **639.71 feet** to an 5/8" iron pin found at the northeasterly corner of that 36.03 acre tract as conveyed to City of Lancaster by deed of record in Official Record Book 1328, Page 1924, said 5/8" iron pin found being the **Point of Beginning** for the 5.538 acre parcel herein to be described;

Thence along the northerly line of said City of Lancaster tract, **North 87°07'28" West**, **100.00 feet** to a point on the centerline of the Hocking River, said point being South 87°07'28" East, 1754.86 feet from a 5/8" pipe found at the northwesterly corner of said City of Lancaster tract;

Thence along the centerline of said Hocking River and across the said 96.98 acre tract, **North 40°59'19" West**, **2,108.76 feet** to a point on the southerly line of that 2.92 acre tract as conveyed to The Hocking Valley Railway Co. by deed of record in Deed Volume 116, Page 287;

Thence along the southerly line of said 2.92 acre tract and the southerly line of that 2.68 acre tract as conveyed to The Hocking Valley Railway Co. by deed of record in Deed Volume 32, Page 287 and Deed Volume 48, Page 323, the following four (4) courses and distances:

South 55°28'37" East, passing a reference iron pin set at 200.00 feet, a total distance of **372.78 feet** to an iron pin set;

with a curve to the right (**radius = 5,679.65 feet, delta = 00°54'19"**, **arc length = 89.74 feet**), a chord bearing and distance of **South 55°01'27" East, 89.72 feet** to an iron pin set;

DESCRIPTION FOR 5.538 ACRE PARCEL

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South 73°38'39" East, 45.41 feet to an iron pin set; and...

with a curve to the right (**radius = 5,702.17 feet, delta = 03°28'57"**, arc length = 346.58 feet), a chord bearing and distance of **South 52°23'47" East, 346.55 feet** to an 5/8" iron pin found at the northwesterly corner of that 9.9 acre tract as conveyed to Carol J. Ety by deed of record in Deed Volume 553, Page 498;

Thence along the westerly line of said 9.9 acre tract, **South 31°58'16" East, 929.97 feet** to an 5/8" iron pin found;

Thence continuing along the westerly line of said 9.9 acre tract, **South 42°16'56" East, 433.78 feet** to the **Point of Beginning** and containing **5.538 acres, more or less**, according to a survey conducted by Jobes Henderson and Associates, Inc. in July of 2008.

The above described area is contained within Fairfield County Auditor Parcel Numbers 053-10048-10.

The bearings in the above description are based on the Ohio State Plane Coordinate System, Ohio South Zone, NAD83.

All iron pins set are 5/8" in diameter rebar by 30" in length with red identification caps marked "J&H, PS 8283".

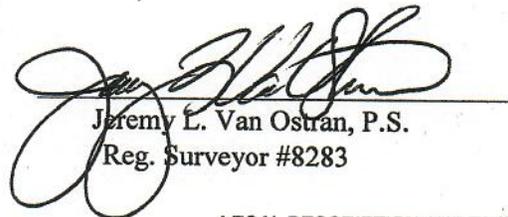
Subject to all valid and existing easements, restrictions and conditions of record.

This description is based on a survey made under the direction and supervision of Jeremy L. Van Ostran, Registered Surveyor Number 8283.



September 5, 2008

S:\08\08-077\legals\5.538 acre tract.doc


Jeremy L. Van Ostran, P.S.
Reg. Surveyor #8283

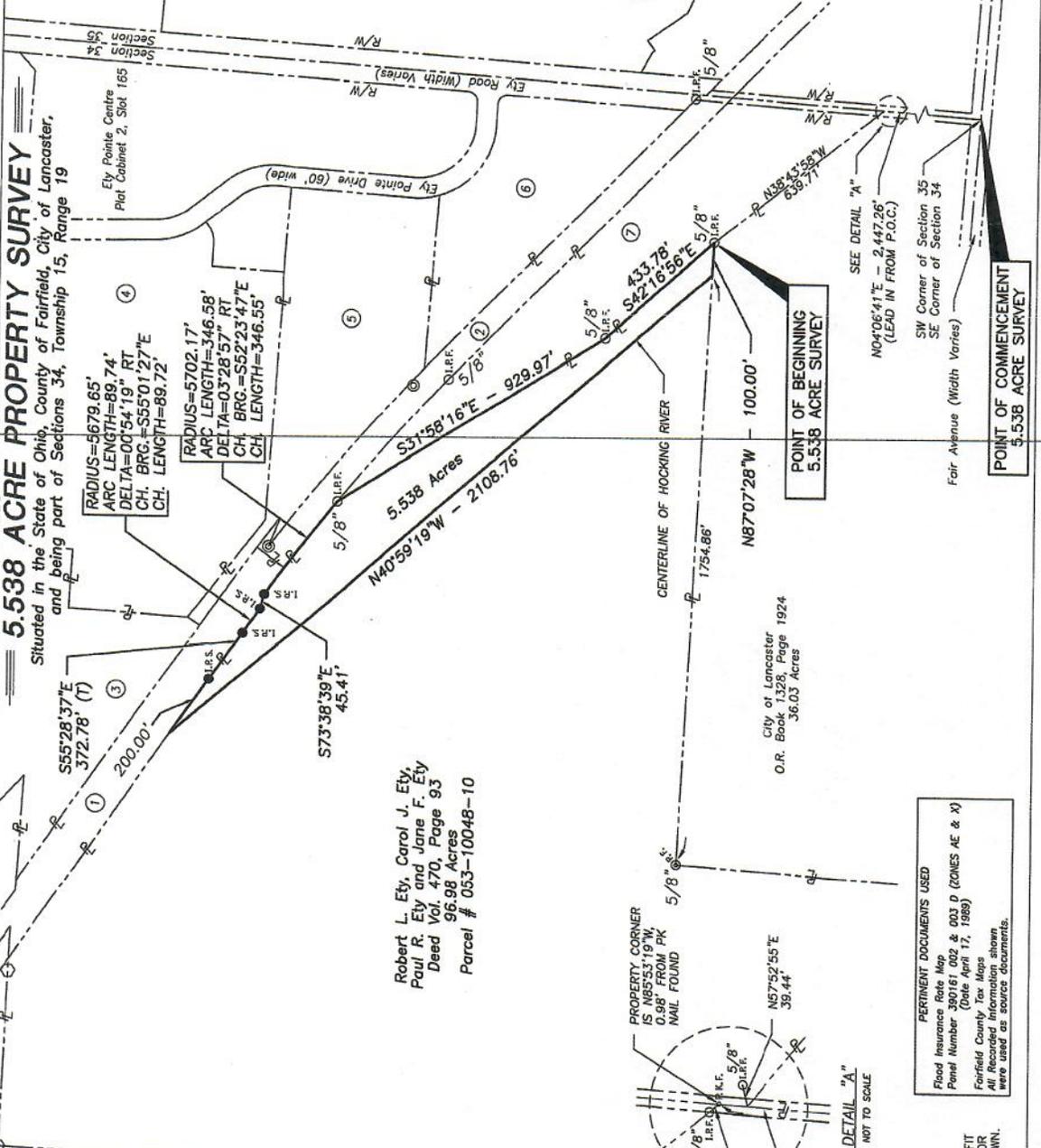
LEGAL DESCRIPTION AND PLAT
MEETS MINIMUM STANDARDS FOR
BOUNDARY SURVEYS. FAIRFIELD
COUNTY ENGINEER.

BY JLO DATE 9/7/08

8017930

<p>Jobs Henderson & Associates 59 Grant Street Haverhill, Ohio 43025 Tel: 740.344.5451 Fax: 740.344.5746 www.johnderson.com</p>	<p>DATE: 09-03-08 ORDER NO. 08-077</p>	<p>REVISIONS</p> <p>5/08-077/04/08-077 Ety proceeding (2.08 Acres)</p> <p>DESIGNER: JERK CHECKED: ALV</p>	<p>REGISTERED SURVEYOR JEREMY VAN OSTROM 8283</p>	<p>Jeremy L. Van Ostrom P.S. 8283</p>
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This Survey Prepared For: CITY OF LANCASTER, OHIO



NOTES:
OCCUPATIONAL LINES HAVE NOT BEEN LOCATED IN THE FIELD AND ARE NOT REPRESENTED ON THIS SURVEY.
THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE POLICY. THERE MAY BE CLAIMS OR RIGHT-OF-WAY WHICH EXIST THAT ARE NOT SHOWN.

PERMIT DOCUMENTS USED
Flood Insurance Rate Map
Panel Number 1716
Fairfield County Top. Map
1716, 1717, 1988
All Recorded Information shown
were used as source documents.

① The Hocking Valley Railway Co.
Deed Vol. 116, Page 287
2.92 Acres

② The Hocking Valley Railway Co.
Deed Vol. 32, Page 287 and
Deed Vol. 48, Page 323
2.68 Acres

③ Island Capital Investment Group, LLC.
O.R. Book 1444, Page 1213
15.860 Acres

④ Menard, Inc.
O.R. Book 1444, Page 2740
17.108 Acres

⑤ Kohl's Department Stores, Inc.
O.R. Book 1455, Page 1717
7.935 Acres (T.D.)

⑥ Island Capital Investment Group, LLC.
O.R. Book 1444, Page 1213
6.194 Acres (T.D.)

⑦ Carol J. Ety
Deed Vol. 553, Page 498
9.9 Acres (T.D.)