

ORDINANCE NO. 131-79

TO AUTHORIZE THE MAYOR TO ENTER INTO LEASE  
WITH GAHANNA HISTORICAL SOCIETY  
FOR CERTAIN LAND TO BE USED FOR  
PUBLIC, CHARITABLE, OR HISTORICAL PURPOSES.

WHEREAS, the City of Gahanna and the Gahanna Historical  
Society desire to enter into a lease agreement for certain land  
to be used only for public, charitable, or historical purposes;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA,  
STATE OF OHIO:

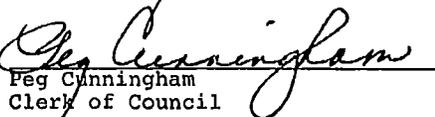
Section 1. That the Mayor is hereby authorized and directed to  
enter into Lease agreement with the Gahanna Historical  
Society, said Lease and property description attached  
to this Ordinance as EXHIBIT A, and made a part hereof  
as if specifically rewritten herein.

Section 2. That this Ordinance shall be in full force and effect  
at the earliest period allowed by law.

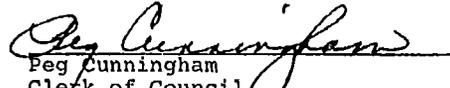
CERTIFIED as passed, this 30<sup>th</sup> day of November, 1979.

  
Judie Peterson  
President of Council

ATTEST:

  
Peg Cunningham  
Clerk of Council

PRESENTED to the Mayor, this 11<sup>th</sup> day of November, 1979.

  
Peg Cunningham  
Clerk of Council

APPROVED by the Mayor, this 23 day of November, 1979.

  
Charles A. Leavitt  
Mayor

Attachment - EXHIBIT A

By \_\_\_\_\_ Clerk of  
Council of the City of Cakenna, Ohio,  
hereby certifies that publication of  
the foregoing was duly made by posting a  
copy in the Cakenna Municipal Building as  
provided for in Charter Sec. 4.12, for a  
period of 30 days, commencing on the  
23rd day of December, 1979

12/23/79 PM 5:11

COMMUNICATIONS SECTION

L E A S E

WHEREAS, THE CITY OF GAHANNA ("LESSOR") DESIRES TO LEASE TO THE GAHANNA HISTORICAL SOCIETY ("LESSEE") THE PREMISES DESCRIBED IN EXHIBIT A ("PREMISES") AND THE LESSEE WISHES TO LEASE THE PROPERTY FROM THE LESSOR; AND

WHEREAS, THE PARTIES AGREE THAT THE PREMISES SHALL BE USED ONLY FOR PUBLIC, CHARITABLE, OR HISTORICAL PURPOSES;

NOW, THEREFORE, IN CONSIDERATION OF ONE DOLLAR, RECEIPT OF WHICH LESSOR HEREBY ACKNOWLEDGED, AND OTHER GOOD AND VALUABLE CONSIDERATION, THE PARTIES HEREBY AGREE AS FOLLOWS:

1. Term - the lease of the premises shall commence January 1, 1980, and shall continue for one year. The term shall be automatically renewed each year unless cancelled by either party not later than ninety (90) days prior to the expiration of the term by means of written notice to the other at the address designated below.
2. Rent - the rental shall be at the rate of one dollar (\$1) per year.
3. Purposes - Lessee shall use the premises only for public, charitable, or historical purposes in connection with the operation of the John Clark House.
4. Lessor's Rights - Lessor reserves the right to enter upon the premises at its discretion for the purposes of access to Big Walnut Creek.
5. Duties of Lessee and Lessor - Lessor assumes no responsibility for the care and maintenance of the premises and makes no warranties, express or implied, regarding the condition thereto. Lessee shall assume all obligation for the

care and maintenance of the premises and shall return it to Lessor in the same condition as it was received, wear and tear excepted. The Lessee shall make no improvements to the premises without the consent of Lessor, as signed by Mayor.

6. Income Tax - said Gahanna Historical Society hereby further agrees to withhold all City Income tax due or payable under the provisions of Ordinance No. 97-76 for wages, salaries, and commissions paid to its employees and further agrees that any of its sub-contractors shall be required to agree to withhold any such City Income taxes due under said Ordinance for services performed under this contract.

SIGNED AND AGREED TO, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 19\_\_.

CITY OF GAHANNA, BY ITS MAYOR

WITNESS

\_\_\_\_\_  
LESSOR

GAHANNA HISTORICAL SOCIETY, BY  
ITS PRESIDENT

\_\_\_\_\_  
LESSEE

MEMORANDUM

TO: ARNOLD WHITE, LAW DIRECTOR  
FROM: WILLIAM B. ROSHON, CITY ENGINEER  
DATE: OCTOBER 31, 1979  
RE: DESCRIPTION FOR LEASE TO HISTORICAL SOCIETY

DESCRIPTION

Being a part of High Street in the City of Gahanna and as recorded in the Franklin County Recorder's Office Plat Book 17, Page 383 of the Hanna Addition and being the westerly one half, thirty (30) foot strip of land of said High Street sixty (60) foot in total width from the southerly line extended of the first alley southerly of Clark Avenue, southerly to the terminus of said High Street.

/bw

*lease only, NOT the "quit claim"  
that shows GHS ownership*

**EVANS, MECHWART, HAMBLETON, & TILTON, INC.**

H. J. JEFFERS, P.E.  
D. W. MAHER, P.E.  
Z. D. MECHWART, P.E., Lic. Engr.  
D. A. HUSSEY, P.E.  
J. E. MADDY, P.S.

T. W. CAMPBELL, P.S.  
J. W. CATHENS, P.E., P.S.  
D. L. DILLI, P.S.  
R. B. DICKHAUS, P.E., P.S.  
N. I. KOHMAN, P.E.  
R. H. NICHOLS, P.E., P.S.  
I. D. SUBALUS, P.S.  
D. C. URRIAN, P.E.

CONSULTING ENGINEERS & SURVEYORS  
170 MILL STREET • GAHANNA, OHIO 43230  
614/471-5150

BRUCE J. J.  
R. H. J. J. J. J. J.  
ALBERT J. J. J. J. J.  
G. H. J. J. J. J. J.

ALBERT J. J. J. J. J.  
G. A. MARY, P.E. (M. Engr.)  
W. K. STANFORD, P.E.  
G. A. WRIGHT, P.E.

October 12, 1979

City of Gahanna  
200 South Hamilton Road  
Gahanna, Ohio 43230

Attention: Mr. William Roshon.

Dear Mr. Roshon:

The following is the description of the triangular parcel owned by the City of Gahanna which parcel lies southerly from Lot 90 of the original "Village of Gahanna".

Situate in the County of Franklin, State of Ohio, City of Gahanna, and being a triangular parcel of land lying on the westerly side of High Street and immediately adjacent to and southerly from Lot No. 90 of the "Village of Gahanna", as the plat of same is shown on the "Incorporation Map" of record in Plat Book 3, Page 178, all references being to records of the Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

Beginning at an iron pin in the westerly line of High Street in the City of Gahanna and at the southeasterly corner of Lot No. 90 as conveyed by the City of Gahanna to the Gahanna Historical Society on September 20, 1973;

thence along the westerly line of High Street, SOUTH, 30.0 feet to an iron pin set at the intersection of said line with the easterly bank of Big Walnut Creek;

thence along the easterly bank of Big Walnut Creet, North 33° 41' West, 36.06 feet to an iron pin at the southwesterly corner of Lot No. 90 as conveyed to the Gahanna Historical Society;

Continued.....

City of Gahanna

- 2 -

October 12, 1979

thence along the southerly line of said Lot No. 90, EAST,  
20.0 feet to the place of beginning.

Subject to all easements of previous record.

Respectfully Submitted,

EVANS, MECHWART, HAMBLETON & TILTON, INC.

*W. H. Mechwart*

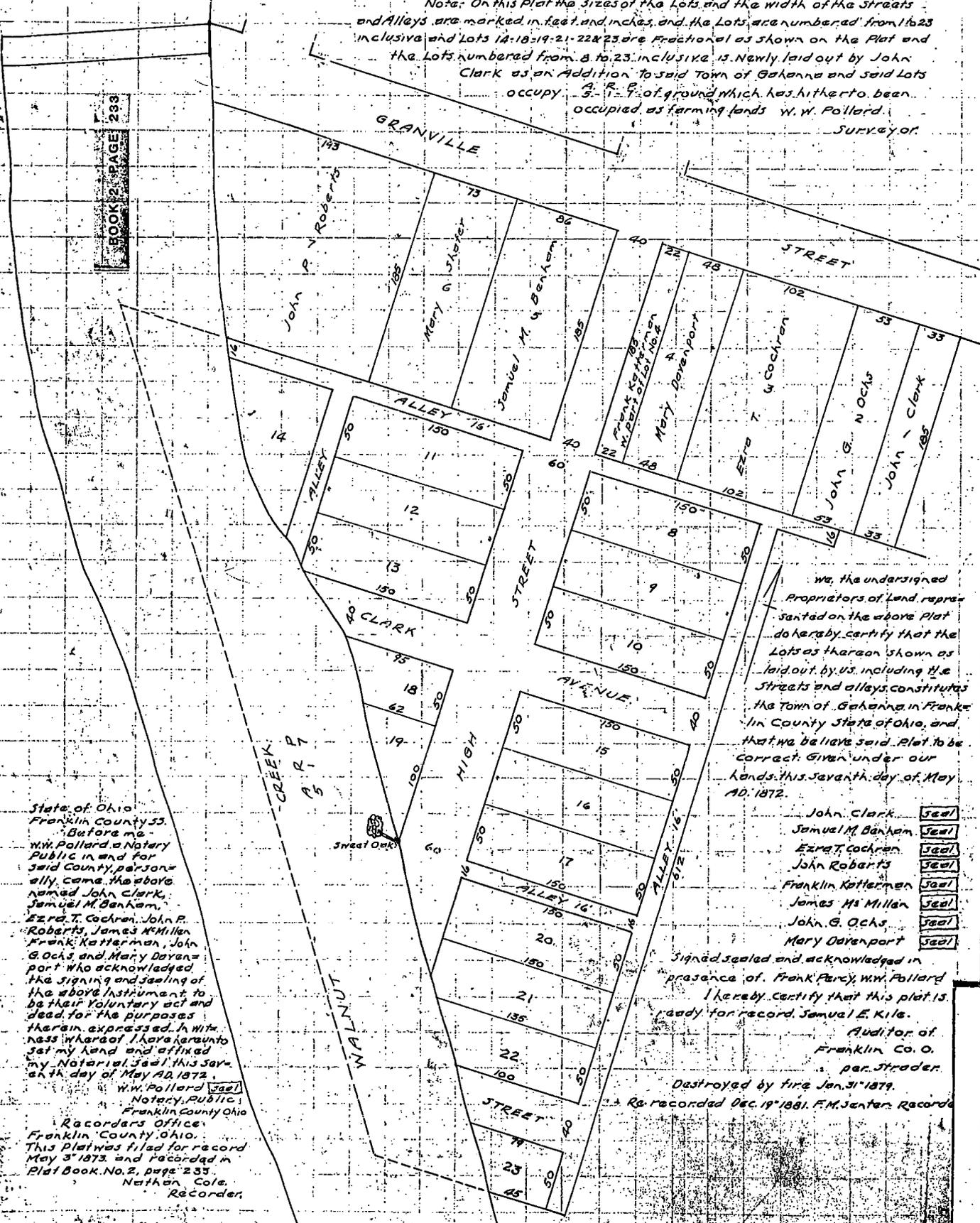
W. H. Mechwart,  
Registered Surveyor No. 4072

WHM/bw

# GAYHANNA

Note: On this Plat the sizes of the Lots and the width of the Streets and Alleys are marked in feet and inches, and the Lots are numbered from 1 to 23 inclusive and Lots 18-19-21-22 & 23 are Fractional as shown on the Plat and the Lots numbered from 8 to 23 inclusive is Newly laid out by John Clark as an Addition to said Town of Gayhanna and said Lots occupy 3/4 of ground which has hitherto been occupied as farming lands W. W. Pollard. Surveyor.

BOOK 2, PAGE 233



State of Ohio  
Franklin County ss.  
Before me  
Wm. Pollard, a Notary  
Public in and for  
said County, personally  
came the above  
named John Clark,  
Samuel M. Bankam,  
Ezra T. Cochran, John R.  
Roberts, James M. Millen,  
Frank Ketterman, John  
G. Ochs and Mary Davenport  
who acknowledged  
the signing and sealing of  
the above instrument to  
be their voluntary act and  
deed for the purposes  
therein expressed. In witness  
whereof I have hereunto  
set my hand and affixed  
my Notarial Seal this  
sixth day of May AD. 1872.

W. W. Pollard [Seal]  
Notary Public  
Franklin County Ohio  
Recorders Office  
Franklin County Ohio.  
This Plat was filed for record  
May 3<sup>rd</sup> 1873 and recorded in  
Plat Book No. 2, page 233.  
Nathan Cole,  
Recorder.

We, the undersigned  
Proprietors of Land represented on the above Plat do hereby certify that the Lots as thereon shown as laid out by us, including the Streets and alleys, constitutes the Town of Gayhanna in Franklin County State of Ohio, and that we believe said Plat to be correct. Given under our hands this seventh day of May AD. 1872.

- John Clark [Seal]
- Samuel M. Bankam [Seal]
- Ezra T. Cochran [Seal]
- John Roberts [Seal]
- Franklin Ketterman [Seal]
- James M. Millen [Seal]
- John G. Ochs [Seal]
- Mary Davenport [Seal]

Signed, Sealed and acknowledged in presence of Frank Percy, W. W. Pollard I hereby certify that this plat is ready for record. Samuel E. Kils.  
Auditor of Franklin Co. O.  
per Strader.

Destroyed by fire Jan. 31<sup>st</sup> 1879.  
Re-recorded Dec. 19<sup>th</sup> 1881. F. M. Jenter, Recorder.

Compared with original Plat  
I certify the above to be correct  
R. L. Jenter