

NOTICE OF FILING OF ANNEXATION PETITION

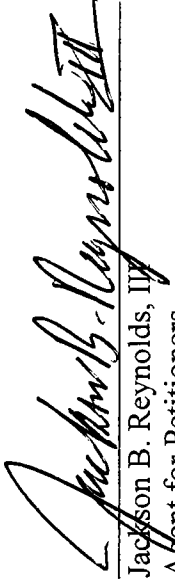
TO: Kim Banning, Council Clerk
City of Gahanna
200 South Hamilton Road
Gahanna, OH 43230

In accordance with the provisions of Section 709.03 of the Ohio Revised Code, you are hereby notified that, on the 6th day of September, 2017, the undersigned, as Agent for the Petitioners, filed an Annexation Petition in the office of the Board of County Commissioners of Franklin County, Ohio.


Said Petition prays for annexation to the City of Gahanna, Ohio, of 1.858 acres, more or less, in Jefferson Township.

A copy of said Petition, with description and plat, is attached hereto and made a part hereof.

Dated: 9/6/17


Jackson B. Reynolds, IV
Agent for Petitioners

RECEIPT OF THE AFOREMENTIONED DOCUMENT(S) IS HEREBY ACKNOWLEDGED
THIS 6th day of September, 2017.


CLERK'S OFFICE
Kayla Holbrook, Deputy
Clerk of Council

EXPEDITED TYPE II PETITION FOR ANNEXATION (SECTION 709.023)
TO THE CITY OF GAHANNA
OF 1.858 ACRES MORE OR LESS
IN THE TOWNSHIP OF JEFFERSON

TO THE BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, OHIO:

The undersigned, petitioners in the premises, and being ALL OF THE OWNERS OF REAL ESTATE in the territory hereinafter described, consisting of 1.858 acres with a total perimeter boundary of 1,377', more or less, in the Township of Jefferson which area is contiguous along 177' or 7.8% and adjacent to the City of Gahanna do hereby pray that said territory be annexed to the City of Gahanna according to the statutes of the State of Ohio and that no island of unincorporated area will be created by this annexation.

A full and accurate description and a plat of said territory so prayed to be annexed are attached hereto and made part hereof.

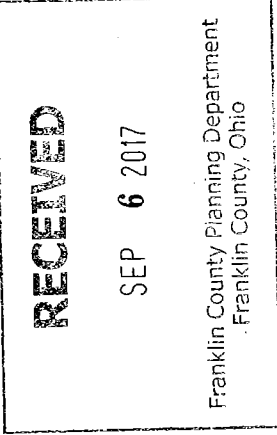
In support of said Petition, your petitioners state that there is/are within the territory so prayed to be annexed one (1) OWNER(S) OF REAL ESTATE.

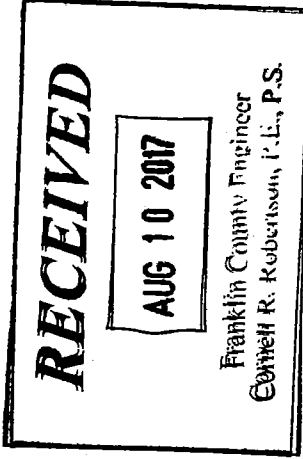
Jackson B. Reynolds, III, whose address is 37 West Broad Street, Suite 460, Columbus, Ohio 43215, is hereby appointed Agent for the undersigned Petitioner(s), as required by Section 709.02 of the Revised Code of Ohio. Said agent is hereby authorized to make any amendment and/or deletion which in his absolute and complete discretion is necessary or proper under the circumstances then existing, and in particular to make such amendment in order to correct any discrepancy or mistake noted by the Franklin County Engineer in his examination of the Petition and Plat. Said amendment shall be made by the presentation of an amended plat and description to the Board of County Commissioners on, before, or after the date set for hearing on this Petition.

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THE SPECIAL ANNEXATION PROCEDURE SET FORTH IN SECTION 709.023, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR SAID SPECIAL ANNEXATION PROCEDURE.

NAME DATE ADDRESS

Dirken T. Voelker Trustee 8/16/17 1620 W. First Ave, Columbus, OH 43212
Dirken T. Voelker, Trustee of the 4200 East Johnstown Road Title Trust





ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
CORNELL R. ROBERTSON, P.E., P.S.
FRANKLIN COUNTY ENGINEER

By FM Date 8/10/17

July 19, 2017

**DESCRIPTION OF A 1.858± ACRE ANNEXATION
FROM JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO,
TO CITY OF GAHANNA, FRANKLIN CO., OHIO**

Situated in the State of Ohio, County of Franklin, Township of Jefferson, in Quarter Township 2, Township 1 North, Range 16 W., United States Military Lands, being the remaining portion of an original 2.000 acre tract (1.858 acres after right-of-way take) of land conveyed to Dirken T. Voelker, Trustee of the 4200 E. Johnstown Road Title Trust, by deed of record in Instrument 200802200025639, all records being to the Recorder's Office, Franklin County, Ohio, said annexation tract bounded and described as follows:

Beginning at a point in the south line of said original 2.000 acre tract, in the north line of an original 12.31 acre tract of land conveyed to Charles R. Conroy, Trustee, by deed of record in Instrument No. 199902180042168, in the easterly right-of-way line of E. Johnstown Road ~ State Route 62 (variable width), at the southeast corner of a 0.142 acre tract of land conveyed, out of said original 2.000 acre tract for E. Johnstown Road ~ State Route 62 roadway purposes, to The City of Gahanna, by deed of record in Instrument No. 199905130121787, and at the northeast corner of a 0.053 acre tract of land conveyed, out of said original 12.31 acre tract for E. Johnstown Road ~ State Route 62 roadway purposes, to The City of Gahanna, by deed of record in Instrument No. 199905190126051;

thence northerly crossing a portion of said original 2.000 acre tract, along the easterly right-of-way line of E. Johnstown Road ~ State Route 62 and along an easterly line of said 0.142 acre tract a distance of approximately 32 feet to a point;

thence northerly crossing a portion of said original 2.000 acre tract, along the easterly right-of-way line of E. Johnstown Road ~ State Route 62 and along an easterly line of said 0.142 acre tract a distance of approximately 145 feet to a point in the north line of said original 2.000 acre tract, at the northeast corner of said 0.142 acre tract and in the south line of an original 3.22 acre tract of land conveyed to Virginia C. Clarke, by deed of record in Instrument No. 199808250215960;

thence easterly along a portion of the north line of said original 2.000 acre tract and along a portion of the south line of said original 3.22 acre tract a distance of approximately 482 feet to a point;

thence southerly along the east line of said original 2.000 acre tract a distance of approximately 154 feet to a point;

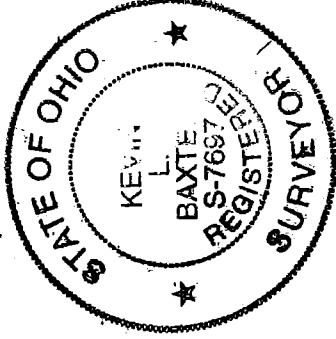
thence westerly along a portion of the south line of said original 2.000 acre tract a distance of approximately 565 feet to the place of beginning;

containing approximately 1.858 acres of land more or less.

The above description was prepared by Kevin L. Baxter, Ohio Surveyor No. 7697, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in July, 2017, and not from an actual field survey.

Kevin L. Baxter 7/19/17

Kevin L. Baxter
Ohio Surveyor #7697



4200 E. JOHNSTOWN ROAD TITLE TRUST

THIS AGREEMENT OF TRUST is made and entered into this 15th day of January, 2008, by and between Mo Dioun, hereinafter called the "Beneficiary", and Dirken T. Voelker, trustee, hereinafter called the "Trustee".

RECITALS

The Beneficiary has requested the Trustee to receive and hold legal title to the following real estate, 4200 E. Johnstown Road, Gahanna, Ohio. The Trustee has agreed to do so in accordance with the terms of this agreement.

THEREFORE, IT IS AGREED AS FOLLOWS:

1. This Trust shall be known as the 4200 E. Johnstown Road Title Trust.
2. The Trustee acknowledges that he holds title to the above described real estate in trust for the beneficiary in accordance with the provisions of this agreement.
3. The Trustee shall have no responsibility as to the condition of the property or sufficiency of the title thereto.
4. The Beneficiary represents that he is the owner of the entire beneficial interest in said real estate.
5. The Trustee shall at all times hold the bare legal title to said property, as Trustee hereunder, and shall execute no documents of any kind or character unless:
 - (a) requested to do so in writing by the Beneficiary.
 - (b) there is no personal liability upon Trustee in connection with or resulting from the execution of such document.
6. The Beneficiary shall at all times, during the period of this Trust and thereafter, hold, save and successfully defend the Trustee free and personally harmless from all claims, demands and losses of any kind or character which may arise out of or result from Trustee's service hereunder and acting as such Trustee. In any action against the Trustee, the Trustee is authorized to make this Trust public and to cause the Beneficiary to be made a party defendant in such matter. The Beneficiary agrees that, so long as this Trust is in existence, he will cause the Trustee to be named as an insured on a public liability insurance policy. A certificate of such insurance shall be furnished to the Trustee.
7. The Beneficiary hereby agrees to cause all records and books of this Trust to be properly kept, and to cause all tax returns and reports of any kind or character to be prepared and properly filed with any agency

requiring the same and to cause all payments to be made to such agencies as required. The Beneficiary shall at all times have full possession of said property and control over the management thereof.


8. In the event of the death or incapacity of the Trustee named herein, a Successor Trustee shall be appointed by the Beneficiary.

9. This Trust may be terminated at any time upon the request of the Beneficiary, but in any event, it shall terminate upon the 31st day of December, 2030. Upon such termination, the Trustee shall convey to the Beneficiary or his nominee any and all legal title held by the Trustee by a conveyance in the form of quit-claim. The Beneficiary shall bear the expense of any transfer tax that may be imposed upon such conveyance of title. The Trustee shall have no duty to inquire as to the rights of any parties who may claim ownership of the beneficial interest under the Beneficiary named herein, and a deed from the Trustee to the Beneficiary named herein shall fully and completely absolve the Trustee from any and all liability to third parties arising out of this Trust and the real estate which is the subject thereof.

IN WITNESS WHEREOF, Dirken T. Voelker, the Trustee, and Mo Dioun, Beneficiary, have hereunto set their hands on the day and year aforesaid.

Witnesses:




Dirken T. Voelker, Trustee
Mo Dioun

Prepared by
Dirken T. Voelker
Attorney at Law
1620 W. First Avenue
Columbus, Ohio 43212

requiring the same and to cause all payments to be made to such agencies as required. The Beneficiary shall at all times have full possession of said property and control over the management thereof.

8. In the event of the death or incapacity of the Trustee named herein, a Successor Trustee shall be appointed by the Beneficiary.

9. This Trust may be terminated at any time upon the request of the Beneficiary, but in any event, it shall terminate upon the 31st day of December, 2030. Upon such termination, the Trustee shall convey to the Beneficiary or his nominee any and all legal title held by the Trustee by a conveyance in the form of quit-claim. The Beneficiary shall bear the expense of any transfer tax that may be imposed upon such conveyance of title. The Trustee shall have no duty to inquire as to the rights of any parties who may claim ownership of the beneficial interest under the Beneficiary named herein, and a deed from the Trustee to the Beneficiary named herein shall fully and completely absolve the Trustee from any and all liability to third parties arising out of this Trust and the real estate which is the subject thereof.

IN WITNESS WHEREOF, Dirken T. Voelker, the Trustee, and Mo Dionis, Beneficiary, have hereunto set their hands on the day and year aforesaid.

Witnesses:

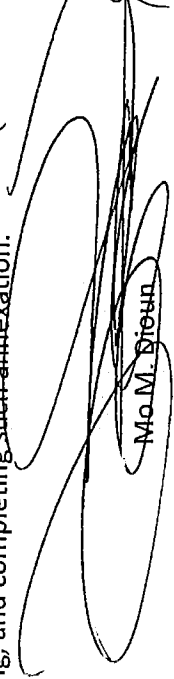
Jack Brown
Dirken T. Voelker
Mo Dionis
Dirken T. Voelker, Trustee

Prepared by
Dirken T. Voelker
Attorney at Law
1620 W. First Avenue
Columbus, Ohio 43212

CONFIRMATION OF POWERS OF THE TRUSTEE

The undersigned, Mo M. Dioun, is the beneficiary under that certain 4200 E. JOHNSTOWN ROAD TITLE TRUST under agreement dated January 15, 2008 between the undersigned as beneficiary and Dirken T. Voelker as trustee.

The undersigned confirms that he has, pursuant to the terms and provisions of the trust, directed the trustee, Dirken T. Voelker, to execute a petition for the annexation of certain real property held in the name of the trustee, to wit: real property located at and known for street numbering purposes as 4200 East Johnstown Road, Gahanna Ohio, and to take all necessary actions in furtherance of, pursuing, and completing such annexation.


Mo M. Dioun
Date: 2/21/17

PROPERTY OWNER

Dirken T Voelker, Trustee of the
4200 East Johnstown Road Title Trust
1620 West 1st Avenue
Columbus, OH 43212
170-001834

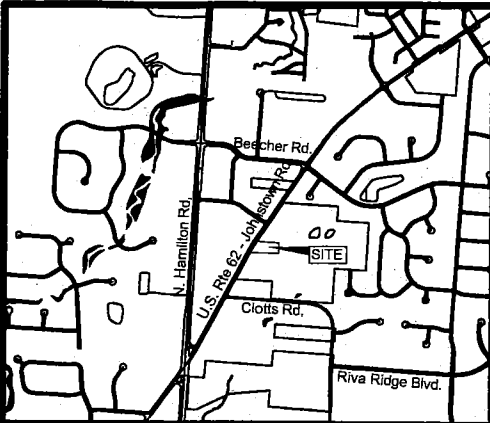
Virginia C Clarke
4220 East Johnstown Road
Columbus, OH 43230-1817
170-000196

Charles R Conroy
4150 East Johnstown Road
Gahanna, OH 43230-1815
170-000491

Forum Center LLC
P.O. Box 495
Marion, OH 43302
025-008948
025-013445

SURROUNDING PROPERTY OWNERS

stonehenge-johnstown-anx.ltr (nct)
8/11/17 S:Docs/s&hannex/2017



LOCATION MAP
NO SCALE

E. JOHNSTOWN ROAD
STATE ROUTE 62
(VARIABLE WIDTH)

THE CITY OF GAHANNA, OHIO
0.3509 AC.
O.R. 21474, PG. H 05

THE CITY OF GAHANNA
0.122 AC.
INSTR. NO. 199905130121768

THE CITY OF GAHANNA
0.142 AC.
INSTR. NO. 199905130121787

CITY OF GAHANNA
ORD. NO. 99-368
INSTR. NO. 200008110161533

JEFFERSON TOWNSHIP

PLACE OF 1.858+/-
ACRE ANNEXATION

CHARLES R. CONROY, TRUSTEE
10.257 AC.
INSTR. NO. 199902180042168
P.N. 170-000491

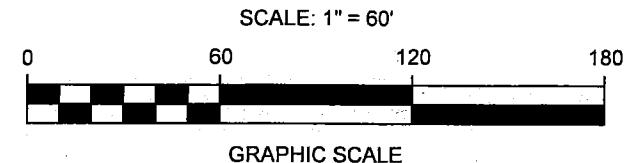
THE CITY OF GAHANNA
0.053 AC.
INSTR. NO. 199905190126051

MARY L. JOHNSON & CHARLES
R. CONROY
O.R. 31321, PG. C 01
P.N. 170-000463

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
CORNELL R. ROBERTSON, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By *CR* Date *8/10/17*

PARCEL II
PARCEL I

VIRGINIA C. CLARKE
3.098 AC.
INSTR. NO. 199808250215960
P.N. 170-000196



CHARLES R. CONROY, TRUSTEE
10.257 AC.
INSTR. NO. 199902180042168
P.N. 170-000491

LEGEND

- Existing City of Gahanna Corporation Line
- Proposed City of Gahanna Corporation Line
- Area to be Annexed

NOTE:

This plat was prepared by Bird + Bull, Inc. from the best available Court House records in July, 2017, and not from an actual field survey.

This annexation does not create an unincorporated area of the township completely surrounded by the territory proposed for annexation.

Total perimeter of annexation is 1,377 feet of which 177 feet is contiguous with City of Columbus resulting in 7.8% of perimeter contiguity.

RECEIVED

AUG 10 2017

Franklin County Engineer
Cornell R. Robertson, P.E., P.S.

PROPOSED ANNEXATION
1.858 ACRES
FROM
JEFFERSON TOWNSHIP, FRANKLIN COUNTY
TO
CITY OF GAHANNA, FRANKLIN COUNTY, OHIO
QTR. TWP. 2, T. 1 N., R. 16 W., U.S.M.L.

JULY 19, 2017

17-048

Bird+Bull
Engineers & Surveyors
3500 Snouffer Rd., Ste. 225
Columbus, Ohio 43235
Ph: (614) 761-1661
Fax: (614) 761-1328
WWW.BIRDBULL.COM

H:\Jobs\2017\048\CAUD\SURVEY\Exhibit 4\2017Johnstown-Annex.dwg 05/10/2017