



# City of Gahanna

200 South Hamilton  
Road  
Gahanna, Ohio 43230

## Signature

Ordinance: ORD-0017-2023

File Number: ORD-0017-2023

### AN ORDINANCE TO ACCEPT PUBLIC SANITARY SEWER IMPROVEMENTS AND ASSOCIATED EASEMENTS FOR THE EVERETT APARTMENTS DEVELOPMENT PROJECT LOCATED AT 307-319 WEST JOHNSTOWN ROAD

**WHEREAS**, construction was recently completed on the Everett Apartments development project located at 307-319 West Johnstown Road; and

**WHEREAS**, Chapter 1107 of the Codified Ordinances of the City of Gahanna requires the City to formally accept new public infrastructure improvements that are completed as part of a private development; and

**WHEREAS**, now that improvements to sanitary sewer have been completed, and the Department of Engineering has issued a certificate of completion pursuant to Chapter 1105.07, the developer has requested the infrastructure to be accepted per Gahanna Code; and

**WHEREAS**, it is desirable for the City to officially accept deeds of easement for sanitary sewer associated with this project so that they can be recorded with the Franklin County Recorder.

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

**Section 1.** That this Council hereby accepts the public infrastructure improvements to sanitary sewer made as part of the Everett Apartments development project (SA-1084) as described by the developer and certified by the City in EXHIBIT A attached hereto and made a part herein.

**Section 2.** That this Council hereby accepts the Sanitary Sewer Easements in accordance with the terms set forth for property more particularly described in EXHIBIT B attached hereto and made a part herein.

**Section 3.** That this Ordinance shall be in full force and effect after passage by this Council and 30 days after signature of approval by the Mayor.

At a meeting of the City Council on April 17, 2023, a motion was made by Schnetzler, seconded by Bowers, that this Ordinance be Adopted. The vote was as follows:

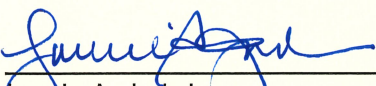
Ms. Angelou, yes; Ms. Bowers, yes; Ms. McGregor, yes; Ms. Padova, yes;  
Mr. Renner, yes; Mr. Schnetzler, yes; Mr. Weaver, yes.

President [Signature]  
Stephen A. Renner


Date 04/17/2023

Attest by [Signature]  
Jeremy A. VanMeter  
Clerk of Council

Date 4/17/2023

Approved by the Mayor   
Laurie A. Jadwin

Date 4-17-2023

Approved as to Form   
Raymond J. Mularski  
City Attorney

Date 4-17-2023

ORD-0017-2023  
EXHIBIT A

City Engineer  
City of Gahanna  
200 South Hamilton Road  
Gahanna, OH 43230

March 10<sup>th</sup>, 2023

RE: Everett Apartments (307 – 319 W. Johnstown Road) Sanitary Sewer Improvements

Dear Mr. Komlanc,

307 – 319 W Johnstown Road, LLC requests that the City of Gahanna accept the sanitary infrastructure improvements completed at The Everett Apartments / 307-319 West Johnstown Road. The improvements were completed as part of a new apartment community located near the intersection of W. Johnstown Road and S. Stygler Rd.

The sanitary sewer improvements are subject to the required warranty period. Please find included with this submittal the legal descriptions and surveys for the easements.

If you have any questions please do not hesitate to contact me at (614) 681 – 0200.

Sincerely,

307 – 319 W Johnstown Road LLC

*Mitchell Rubin*

Mitch Rubin  
Managing Member

**DESCRIPTION OF A 0.092 ACRE EASEMENT**

Situated in the State of Ohio, County of Franklin, City of Gahanna, located in Quarter Section 4, Township 1 North, Range 17 West, United States Military Lands, and being a part of that 2.851 acre tract described in a deed to William C. Morman and Michele M. Morman, of record in Instrument Number 201505080060116, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, and being further bounded and described as follows:

**BEGINNING** at a northwest corner of said 2.851 acre tract, being the southeast corner of that 1.717 acre tract described in a deed to 307-319 W Johnstown Road LLC, of record in Instrument Number 202104220071577;

Thence **North 03 degrees 55 minutes 32 seconds East**, along a west line of said 2.851 acre tract, along the east line of said 1.717 acre tract, a distance of **7.86 feet** to a point;

Thence across said 2.851 acre tract along the following three (3) described courses:

1. **South 38 degrees 07 minutes 03 seconds East**, a distance of **158.85 feet** to a point;
2. **South 51 degrees 52 minutes 57 seconds West**, a distance of **25.00 feet** to a point;
3. **North 38 degrees 07 minutes 03 seconds West**, a distance of **170.99 feet** to a point on a north line of said 2.851 acre tract, being on the south line of said 1.717 acre tract;

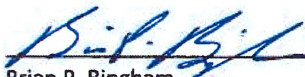
Thence **South 85 degrees 47 minutes 47 seconds East**, along a north line of said 2.851 acre tract, along the south line of said 1.717 acre tract, a distance of **26.70 feet** to the **POINT OF BEGINNING** for this description.

This description contains a total area of **0.092 acres**, of which 0.090 acres is located within Franklin County Auditor parcel number 025-002014, and 0.002 acres is located within Franklin County Auditor parcel number 025-000878.

Bearings described herein are based on North 62 degrees 38 minutes 41 seconds East for the southeast right-of-way line for Johnstown Road, measured from Grid North referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

This description was prepared by Brian P. Bingham, Registered Professional Surveyor Number 8438, based on an actual survey of the premise, and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.

  
Brian P. Bingham  
Registered Professional Surveyor No. 8438

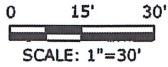


9/16/2021  
Date

**STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF GAHANNA  
 QUARTER SECTION 4, TOWNSHIP 1 NORTH, RANGE 17 WEST  
 UNITED STATES MILITARY LANDS**

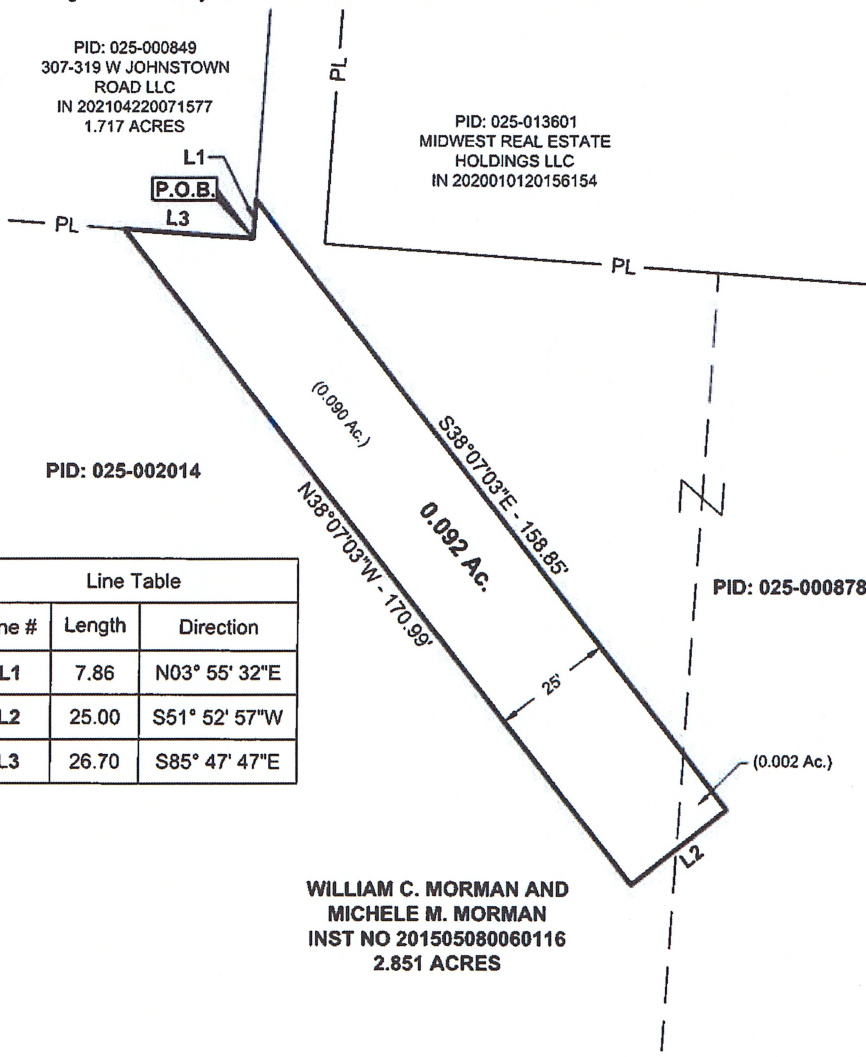
**BASIS OF BEARINGS**

Bearings described hereon are based on North 62 degrees 38 minutes 41 seconds East for the southeast right-of-way line for Johnstown Road, measured from Grid North, referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.



PID: 025-000849  
 307-319 W JOHNSTOWN  
 ROAD LLC  
 IN 202104220071577  
 1.717 ACRES

PID: 025-013601  
 MIDWEST REAL ESTATE  
 HOLDINGS LLC  
 IN 2020010120156154



PID: 025-002014

Line Table		
Line #	Length	Direction
L1	7.86	N03° 55' 32"E
L2	25.00	S51° 52' 57"W
L3	26.70	S85° 47' 47"E

**WILLIAM C. MORMAN AND  
 MICHELE M. MORMAN**  
 INST NO 201505080060116  
 2.851 ACRES

This easement exhibit was prepared by Brian P. Bingham, Registered Professional Surveyor No. 8438, is based on an actual field survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.

*Brian P. Bingham*

Brian P. Bingham  
 Registered Professional Surveyor No. 8438

9/16/2021  
 Date



DATE: 06/15/2021 11:04 AM  
 DRAWN BY: CRH  
 CHECKED BY: BPS  
 JOB NUMBER: 2021.00381

**BSR**



**0.092 ACRE SANITARY SEWER EASEMENT**  
 FOR  
 307-319 W JOHNSTOWN ROAD  
 GAHANNA, FRANKLIN COUNTY, OHIO

DATE:	06/15/2021
DRAWN BY:	CRH
CHECKED BY:	BPS
JOB NUMBER:	2021.00381

**1 of 1**

**DESCRIPTION OF A 0.205 ACRE EASEMENT**

Situated in the State of Ohio, County of Franklin, City of Gahanna, located in Quarter Section 4, Township 1 North, Range 17 West, United States Military Lands, and being a part of that 1.717 acre tract and that 0.924 acre tract, both as described in a deed to 307-319 W Johnstown Road LLC, of record in Instrument Number 202104220071577, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, and being further bounded and described as follows:

**BEGINNING** at the southeast corner of said 1.717 acre tract, being a northwest corner of that 2.851 acre tract described in a deed to William C. Morman and Michele M. Morman, of record in Instrument Number 201505080060116;

Thence **North 85 degrees 47 minutes 47 seconds West**, along the south line of said 1.717 acre tract, along the south line of said 0.924 acre tract, along a north line of said 2.851 acre tract, and along the north line of that 5.007 acre tract described in an affidavit of successor trustee for Colleen Howland, of record in Instrument Number 201711010153397, a distance of **245.35 feet** to the southwest corner of said 0.924 acre tract, being a southeast corner of a 16-foot wide tract described in a deed to Gilbert Figueroa, of record in Instrument Number 202002210026450;

Thence **North 04 degrees 07 minutes 07 seconds East**, along the west line of said 0.924 acre tract, along the east line of said 16-foot wide tract, a distance of **360.50 feet** to a point on the southeast right-of-way line for Johnstown Road;

Thence **North 62 degrees 38 minutes 41 seconds East**, across said 0.924 acre tract, along the southeast right-of-way line for said Johnstown Road, a distance of **17.59 feet** to a point;

Thence **South 04 degrees 07 minutes 07 seconds West**, continuing across said 0.924 acre tract, along a line parallel to and 15.00 feet easterly from the west line of said 0.924 acre tract, a distance of **354.71 feet** to a point;

Thence **South 85 degrees 47 minutes 47 seconds East**, continuing across said 0.924 acre tract, across said 1.717 acre tract, along a line parallel to and 15.00 feet northerly from the south line of said 0.924 acre and 1.717 acre tracts, a distance of **230.30 feet** to a point on the east line of said 1.717 acre tract, being on a west line of said 2.851 acre tract;


Thence **South 03 degrees 55 minutes 32 seconds West**, along the east line of said 1.717 acre tract, along a west line of said 2.851 acre tract, a distance of **15.00 feet** to the **POINT OF BEGINNING** for this description.

This description contains a total area of **0.205 acres** within Franklin County Auditor parcel number 025-000849.

Bearings described herein are based on North 62 degrees 38 minutes 41 seconds East for the southeast right-of-way line for Johnstown Road, measured from Grid North referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

This description was prepared by Brian P. Bingham, Registered Professional Surveyor Number 8438, based on an actual survey of the premise, and is true and correct to the best of my knowledge and belief.

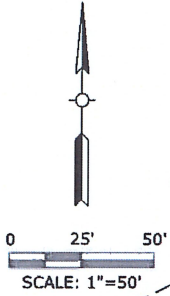
American Structurepoint, Inc.

  
Brian P. Bingham  
Registered Professional Surveyor No. 8438



10/4/2021  
Date

**STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF GAHANNA  
 QUARTER SECTION 4, TOWNSHIP 1 NORTH, RANGE 17 WEST  
 UNITED STATES MILITARY LANDS**



**JOHNSTOWN ROAD**  
 (PUBLIC - VARIABLE WIDTH)

**BASIS OF BEARINGS**

Bearings described hereon are based on North 62 degrees 38 minutes 41 seconds East for the southeast right-of-way line for Johnstown Road, measured from Grid North, referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

Line Table		
Line #	Length	Direction
L1	17.59	N62° 38' 41"E
L2	15.00	S03° 55' 32"W

PID: 025-000872  
 THE LOYAL ORDER OF MOOSE  
 GAHANNA LODGE #2463  
 IN 200208060192920

PID: 025-02203  
 GILBERT FIGUEROA  
 IN 202002210026450

PID: 025-000849  
 307-319 W JOHNSTOWN  
 ROAD LLC  
 INST NO 202104220071577

0.924 ACRE  
 TRACT

1.717 ACRE  
 TRACT

PID: 025-000847  
 COLLEEN HOWLAND, TR  
 IN 201711010153397

PID: 025-002014  
 WILLIAM C. MORMAN &  
 MICHELLE M. MORMAN  
 IN 2015050800600116

This easement exhibit was prepared by Brian P. Bingham, Registered Professional Surveyor No. 8438, is based on an actual field survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.

*B.P.B.*  
 Brian P. Bingham  
 Registered Professional Surveyor No. 8438

*10/4/2021*  
 Date



P.O.B.

DRAWING FILE: G:\2021\0110\1101\_0153397\025-000847-025-000849-025-000872-025-002014-025-02203-AC SANITARY SEWER EASEMENT.dwg  
 PLOT DATE: 10/20/21 4:02 PM  
 PLOT SCALE: 1"=50'

**BSR**



0.205 ACRE SANITARY SEWER EASEMENT  
 FOR  
 307-319 W JOHNSTOWN ROAD  
 GAHANNA, FRANKLIN COUNTY, OHIO

DATE:	09/27/2021
DRAWN BY:	CRH
CHECKED BY:	BPB
JOB NUMBER:	2021.00381

**1 of 1**