



City of Gahanna

200 South Hamilton
Road
Gahanna, Ohio 43230

Signature

Ordinance: ORD-0048-2023

File Number: ORD-0048-2023

AN ORDINANCE TO ACCEPT A GENERAL WARRANTY DEED FROM PAUL MICHAEL WELSH AND STACI LYNN JOHNSON FOR 0.158 ACRES OF RIGHT-OF-WAY DEDICATION ALONG A PARCEL LOCATED AT 698 EAST JOHNSTOWN ROAD

WHEREAS, the City's 2019 Thoroughfare Plan defines right-of-way requirements for arterials, collectors, and residential streets; and

WHEREAS, in order to meet the right-of-way width requirements identified in the Thoroughfare Plan, an additional 9.85 feet of right-of-way is needed along parcel #025-001992; and

WHEREAS, the property located at 698 East Johnstown Road is not platted and does not meet the right-of-way width requirements identified in the Thoroughfare Plan; and

WHEREAS, with development activities taking place on this property, the City is requiring this accommodation as a part of its review and approval process; and

WHEREAS, this right-of-way dedication will lessen the City's requirements for purchasing additional right-of-way in the future when other necessary improvements are made in the right-of-way.

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 General Warranty Deed from Paul Michael Welsh and Staci Lynn Johnson for right-of-way dedication of 0.158 acres along Parcel No. 025-001992, 698 East Johnstown Road, in accordance with the terms set forth for property more particularly described in EXHIBIT A attached hereto and made a part herein.

Section 2. 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 regular meeting of the City Council on June 20, 2023, a motion was made by Bowers, seconded by Angelou, 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. Schnetzer, yes; Mr. Weaver, yes.

President _____

Stephen A. Renner

Date _____

6/20/2023

Attest by Jeremy A. Van Meter
Jeremy A. VanMeter
Clerk of Council

Date 6/20/2023

Approved by the Mayor Laurie A. Jadwin
Laurie A. Jadwin

Date 6.20.2023

Approved as to Form Raymond J. Mularski
Raymond J. Mularski
City Attorney

Date 6-20-2023

GENERAL WARRANTY DEED

Know all persons by these presents, that:

Paul Michael Welsh, unmarried, and Staci Lynn Johnson, unmarried,

the designated Grantor herein, for valuable consideration received hereby grant and assign in fee simple absolute with all general warranty covenants under Ohio Revised Code, Section 5302.06, to:

The City of Gahanna, Ohio, a municipal corporation,

the designated Grantee herein, whose tax-bill mailing address is 200 South Hamilton Road, Gahanna, Ohio, 43230, unless the Mortgagee provides written instructions to the County Treasurer to the contrary, all interest in the following real property:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

Property Address: 698 East Johnstown Road, Gahanna, OH 43230

Parcel Number: 025-001992-00

Prior Deed Reference: Instrument #202210030139318 of Franklin County Deed Records

TERMS AND CONDITIONS

1. This General Warranty Deed and all of its provisions are covenants forever (i) burdening, benefitting and running with the land of the Property in its chain-of-title, and (ii) inuring and binding to the benefit and detriment of Grantor and Grantee and their respective, applicable beneficiaries, heirs, administrators, executors, successors, and assigns.
2. Grantor forever releases and discharges Grantee from all just compensation claims under the Ohio Constitution, Article 1, Section 19, arising from granting the Property to Grantee. Grantor agrees this section survives the termination of this General Warranty Deed or any reversion of the Property.

3. Grantee (i) intends to immediately utilize the Property for public right-of-way purposes upon Grantor's execution of this General Warranty Deed, and (ii) will subsequently accept, dedicate, and name the Property as public right-of-way contingent upon the passage of appropriate legislation by Gahanna City Council.

The Grantors herein have read this Deed and hereby acknowledge the voluntary signing hereof.

NOTICE: This Deed was prepared at the parties' request without a marketable title search by the preparer and is subject to any liens or mortgages that may exist.

Executed on this 12 day of May, 2023.



Paul Michael Welsh



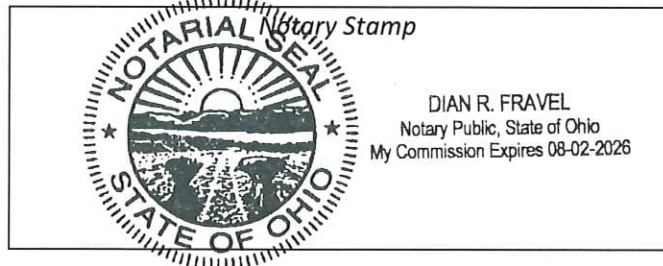
Staci Lynn Johnson

State of Ohio)
County of Franklin

The foregoing instrument was acknowledged before me, for the purpose(s) stated herein, this 12 day of May, 2023, by Paul Michael Welsh and Staci Lynn Johnson.



Notary Public



This instrument prepared by:
William Fergus, Jr., Esq.
Northwest Law
1160 Dublin Road, Suite 500
Columbus, OH 43215

After recording, return to:
Northwest Law
c/o Bill Fergus
1160 Dublin Road, Suite 500
Columbus, OH 43215

File #NWL-2411

EXHIBIT "A"
(File #NWL-2411)

Situated in the State of Ohio, County of Franklin, City of Gahanna, and being part of Quarter Township 1, Township 1, Range 17 of the United States Military Lands and being part of a 1.000 acre tract of land conveyed to Paul Michael Welsh and Staci Lynn Johnson by Instrument Number 202210030139318 and being more particularly described as follows:

COMMENCING from an aluminum disk in concrete found (FCGS 1819) at an angle point on the centerline of Johnstown Road (U.S. Route 62) (Right of Way Varies);

Thence along the center line of Johnstown Road, South 33° 53' 57" West, for a distance of 242.71 feet to a point being referenced by a mag nail found South 32° 43' 26" West a distance of 0.80 feet, said point also being the southwesterly corner of a 5.291 acre tract of land conveyed to HTA-Gahanna, LLC, A Delaware Limited Liability Company by Instrument Number 201610140140570 and being the POINT OF BEGINNING;

Thence leaving said centerline and along the southerly line of said 5.291 acre tract, South 85° 35' 18" East, for a distance of 45.95 feet (passing an iron pin found at 34.84 capped "Landmark Survey") to an iron pin set;

Thence leaving said southerly line of said 5.291 acre tract and across the grantor's property, South 33° 53' 57" West, for a distance of 175.71 feet to an iron pin set on the northerly line of a 1.25 acre tract of land conveyed to Legion Investments LLC and Homes Buyers NV LLC by Instrument Number 202202020019566;

Thence along said northerly line of 1.25 acre tract, North 85°35'18" West, for a distance of 45.95 feet (passing an iron pin found at 9.85 feet capped "Landmark Survey") to a point being the northwesterly corner of said 1.25 acre tract and being on the centerline of Johnstown Road, being referenced by a mag nail found South 58° 43' 59" West a distance of 1.92 feet;

Thence along the centerline of Johnstown Road, North 33° 53' 57" East for a distance of 175.71 feet to the POINT OF BEGINNING and containing 0.158-Acres, more or less, of which 0.125 are within the present road occupied for a net acreage of 0.033 acres, more or less, and being subject to all legal rights of way, easements, and agreements of record.

This description was prepared by David R. Himmelman, Ohio Professional Surveyor Number 8862 from an actual field survey performed in February 2023.

The bearings shown upon this plat are based on the centerline of East Johnstown Road being S 33° 53' 57" W as referenced to the Ohio State Plane Coordinate System (South Zone) NAD 83 (NSRS 2011).

Iron pins set are 5/8"x30" rebar topped by a yellow plastic identification cap, stamped "Korda Nemeth Engineering"



Description of 0.158 Acres

Situated in the State of Ohio, County of Franklin, City of Gahanna, and being part of Quarter Township 1, Township 1, Range 17 of the United States Military Lands and being part of a 1.000 acre tract of land conveyed to Paul Michael Welsh and Staci Lynn Johnson by Instrument Number 202210030139318 and being more particularly described as follows:

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Thence leaving said centerline and along the southerly line of said 5.291 acre tract, **South 85° 35' 18" East**, for a distance of **45.95 feet** (passing an iron pin found at 34.84 capped "Landmark Survey") to an iron pin set;

Thence leaving said southerly line of said 5.291 acre tract and across the grantor's property, **South 33° 53' 57" West**, for a distance of **175.71 feet** to an iron pin set on the northerly line of a 1.25 acre tract of land conveyed to Legion Investments LLC and Homes Buyers NV LLC by Instrument Number 202202020019566;

Thence along said northerly line of 1.25 acre tract, **North 85°35'18" West**, for a distance of **45.95 feet** (passing an iron pin found at 9.85 feet capped "Landmark Survey") to a point being the northwesterly corner of said 1.25 acre tract and being on the centerline of Johnstown Road, being referenced by a mag nail found South 58° 43' 59" West a distance of 1.92 feet;

Thence along the centerline of Johnstown Road, **North 33° 53' 57" East** for a distance of **175.71 feet** to the **POINT OF BEGINNING** and containing **0.158-Acres**, more or less, of which 0.125 are within the present road occupied for a net acreage of 0.033 acres, more or less, and being subject to all legal rights of way, easements, and agreements of record.



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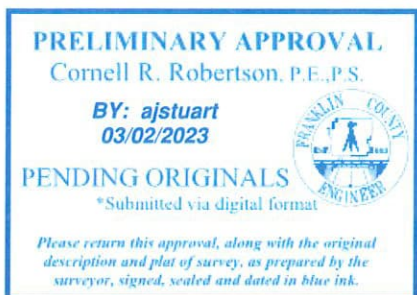
David R. Himmelman, P.S.8862
Korda-Nemeth Engineering Inc.



March 2, 2023

Date

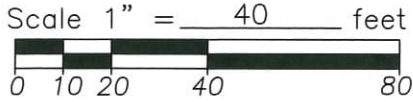
Rev:



PLAT OF SURVEY

BEING PART OF QUARTER TOWNSHIP 1, TOWNSHIP 1, RANGE 17, U.S.M.L., AND PART OF
 1.000 ACRE TRACT CONVEYED TO PAUL MICHAEL WELSH AND STACI LYNN JOHNSON BY
 INSTRUMENT NUMBER 202210030139318,
 CITY OF GAHANNA, FRANKLIN COUNTY, STATE OF OHIO.

Basis of Bearings: The bearings shown upon this plat are based on the centerline
 of Johnstown Road being S 33° 53' 57" W as referenced to the Ohio State Plane
 Coordinate System (South Zone) NAD 83 (NSRS 2011).



POINT OF
 COMMENCEMENT
 FRANKLIN COUNTY
 MOUNMENT "FCGS 1819"

HTA-GAHANNA, LLC
 A DELAWARE LIMITED
 LIABILITY COMPANY
 5.291 ACRES
 INST. NO. 201610140140570

PAUL MICHAEL WELSH AND
 STACI LYNN JOHNSON
 1.000 ACRES
 INST. NO. 202210030139318

LEGION INVESTMENTS LLC AND
 HOMES BUYER NV LLC
 1.25 ACRES
 INST. NO. 202202020019566

REFERENCES:

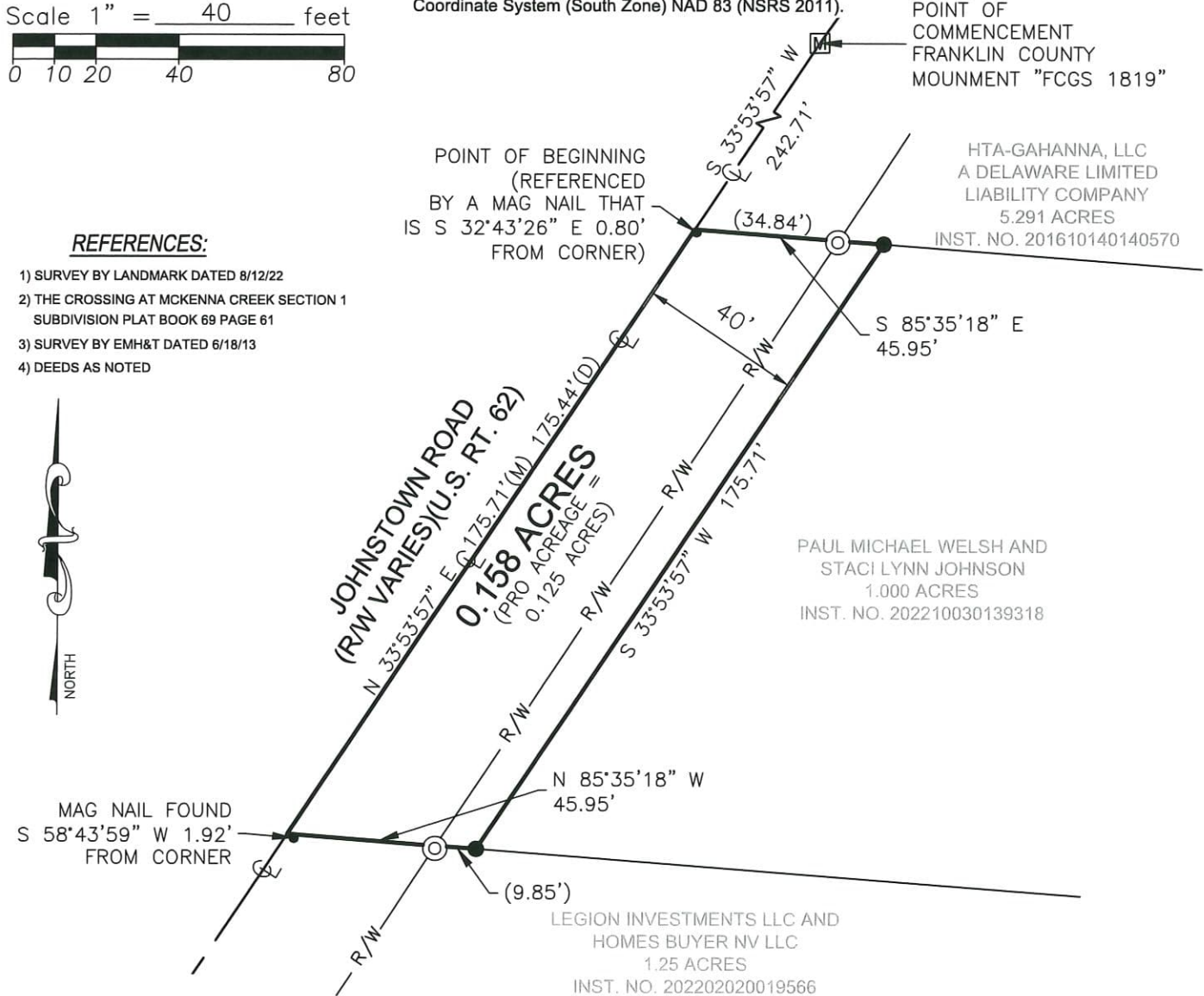
- 1) SURVEY BY LANDMARK DATED 8/12/22
- 2) THE CROSSING AT MCKENNA CREEK SECTION 1
 SUBDIVISION PLAT BOOK 69 PAGE 61
- 3) SURVEY BY EMH&T DATED 6/18/13
- 4) DEEDS AS NOTED



MAG NAIL FOUND
 S 58°43'59" W 1.92'
 FROM CORNER

POINT OF BEGINNING
 (REFERENCED
 BY A MAG NAIL THAT
 IS S 32°43'26" E 0.80'
 FROM CORNER)

JOHNSTOWN ROAD
 (R/W VARIES)(U.S. RT. 62)
 0.158 ACRES
 (PRO ACREAGE =
 0.125 ACRES)



FLOOD DATA:

All lots delineated on this plat are located in flood Zone "X"
 per F.E.M.A. Community Panel No.39049C0211K J dated June 17, 2008.

CERTIFICATION:

I hereby certify that this plat is a true and correct representation of a
 survey performed under my responsible direction and supervision and is
 correct to the best of my knowledge.

REGISTERED SURVEYOR NO.8862

03/02/23

DATE



LEGEND:

- ⊗ - Post found
- - 3/4" Ø Iron pipe fnd.
- ⊠ - 3/4" Sq. iron bar fnd.
- - 5/8"x30" Iron pin set
- ⊙ - 5/8" Iron pin found
- △ - Railroad spike found
- ▲ - Railroad spike set
- - Survey nail found
- - Survey nail set
- - Stone found
- ⊠ - Monument box assembly found
- (M) - Measured
- (D) - Deed