



City of Gahanna

200 South Hamilton Road
Gahanna, Ohio 43230

Signature

Ordinance: ORD-123-2020

File Number: ORD-123-2020

ORDINANCE ACCEPTING RIGHT OF WAY DEED FOR 0.123 +/- ACRES ALONG THE PROPERTY LOCATED AT 957 TAYLOR STATION ROAD.

WHEREAS, the Department of Public Service and Engineering requests acceptance of 0.123+/- acres of right of way dedication from Adams Pointe, LLC, along the property located at 957 Taylor Station Road; and

WHEREAS, this dedication relates to an ongoing construction project for Adams Pointe, a multi-family development and requires the widening of Taylor Station Road; and

WHEREAS, the widening project aligns with the Thoroughfare Plan that was adopted by Council.

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

Section 1. That this Council hereby accepts the Deed for the right of way dedication; said Deed attached to this ordinance as EXHIBIT A, and made a part herein.

Section 2. That this Ordinance shall be in full force and effect upon passage by this Council and 30 days after date of signature approval by the Mayor.

At a meeting of the City Council on 1/2/2021, a motion was made by Stephen A. Renner, seconded by Jamie Leeseberg, that this Ordinance be Adopted. The motion passed.

Yes: 7 Leeseberg, Renner, Schnetzer, Larick, McGregor, Angelou and Bowers

President Brian D. Larick
Brian D. Larick

Date 1/7/21

Attest by April Beggerow
April Beggerow, MPA, CMC
Clerk

Date 1/7/21

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

Date 1.5.21

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

Date 1-7-21

EXHIBIT A

GENERAL WARRANTY DEED

(R.C. §5302.05)

KNOW ALL PERSONS BY THESE PRESENT that ADAMS POINTE LLC, an Ohio limited liability company, (the "Grantor"), for One Dollar (\$1.00) and other good and valuable consideration, which Grantor acknowledges receipt and sufficiency, given by the CITY OF GAHANNA, OHIO, a municipal corporation, (the "Grantee"), whose tax mailing address is 200 South Hamilton Road, Gahanna, Ohio 43230, does forever grant to Grantee, its successors and assigns, all right, title, interest and estate to the following described real property (the "Property") in fee simple absolute with all general warranty covenants under Ohio Revised Code, Section 5302.06:

Property: 0.123 Acres +/-

[ALL RIGHT, TITLE, INTEREST & ESTATE IN FEE SIMPLE ABSOLUTE WITHOUT LIMITATION OF EXISTING PUBLIC RIGHT-OF-WAY ACCESS RIGHTS]

Property is situated in the State of Ohio, County of Franklin, Township of Jefferson, and further being described in the attached, Exhibit A, which is fully incorporated and made a part hereof.

| | |
|---------------------------------------|--|
| <u>Franklin County Tax Parcel(s):</u> | Split and R/W drop from 170-000814 |
| <u>Prior Record Reference(s):</u> | IN: 202001150006785 |
| <u>Property Address(es):</u> | 957 Taylor Station Road, Gahanna, Ohio 43230 |

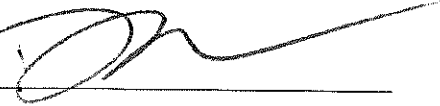
TERMS & CONDITIONS

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 I, 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.

GRANTOR'S EXECUTION

In witness whereof, Grantor, ADAMS POINTE LLC, an Ohio limited liability company, but its duly authorized representative Don Kenney, Jr., the Managing Member, who represents and warrants personally possessing legal authority and capacity to acknowledge this General Warranty Deed on behalf of Grantor, does voluntarily acknowledge this General Warranty Deed on behalf of Grantor on the effective date below.

ADAMS POINTE LLC,
an Ohio limited liability company

By: 

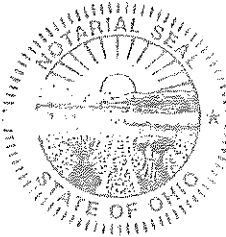
Print Name: Don Kenney, Jr.

Print Title: Managing Member

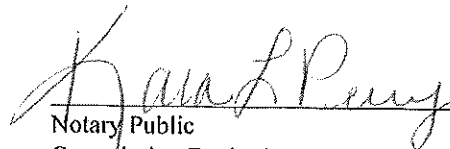
State of Ohio)

County of Franklin)

Be it remembered on April 3rd, 2020, I affixed my seal evidencing this instrument was acknowledged before me by Don Kenney, Jr., the Managing Member, on behalf of Grantor, Adams Pointe LLC, an Ohio limited liability company.



Kara L. Perry
Notary Public, State of Ohio
MY COMMISSION EXPIRES: 8/9/20



Notary Public
Commission Expiration Date: 8/9/20

This Instrument Prepared By:
Underhill & Hodge LLC
8000 Walton Parkway, Suite 260
New Albany, Ohio 43054



Right-of-Way Description
-0.123 Acres-
West of Taylor Station Road
South of Taylor Road
-1-

Situated in the State of Ohio, County of Franklin, Township of Jefferson, being part of Quarter Township 3, Township 1, Range 16, United States Military District and containing 0.123 acres of land, said 0.123 acres being part of that Original 1 acre tract of land as conveyed to RAW RE, LLC of record in Instrument No. 201707280103597 (APN: 170-000815), being part of an Original 1 acre tract of land as conveyed to RAW RE, LLC of record in Instrument No. 201707280103596 (APN: 170-000814) and part of a third Original 1 acre tract of land as conveyed to RAW RE, LLC of record in Instrument No. 201707280103597 (APN: 170-000868), said 0.123 acres being more particularly described as follows;

Beginning for Reference, at a Franklin County Geological Survey Monument "5319 Reset" at an angle point in the centerline of Taylor Station Road (R/W-Varies), said monument being S 03°40'56" W, 743.49 feet from Franklin County Geological Survey Monument "5517 Reset", said FCGS Monument "5319 Reset" being at an angle point in the easterly line of a 0.056 acre tract described as Parcel 5WD as conveyed to Franklin County Commissioners of record in Instrument Number 200012080248238;

Thence **S 28° 17' 06" W**, along the southeasterly line of said Parcel 5WD and along the centerline of said Taylor Station Road (R/W-Varies), **29.47 feet** to a pk nail set at a southerly corner of said Parcel 5WD, said pk nail being the easterly corner of said Original 1 acre tract (APN: 170-000868), the **True Point of Beginning**;

Thence **S 28° 17' 06" W**, along the southeasterly line of said Original 1 acre tract (APN: 170-000868) and continuing along the centerline of said Taylor Station Road (R/W-Varies), **78.55 feet** to a pk nail set at the southeasterly corner of said Original 1 acre tract (APN: 170-000868) and being the northeasterly corner of a 1 acre tract (APN: 170-000770) conveyed to RAW RE LLC of record in Instrument Number 201707280103597;

Thence **N 85° 25' 27" W**, along the southerly line of said 1 acre tract (APN: 170-000868) and along the northerly line of said 1 acre tract (APN: 170-000770), **43.69 feet** to an rebar set at an angle point;

Thence **N 28° 17' 06" E**, across said 1 acre tract (APN: 170-000868), **116.87 feet** to a rebar set at an angle point;

Thence **N 03° 40' 56" E**, across said Original 1 acre tract (APN: 170-000814) and said Original 1 acre tract (APN: 170-000815), **331.42 feet** to a rebar set in the northerly line of said Original 1 acre tract (APN: 170-000815) and in the southerly line of a 1.73 acre tract of land conveyed to Mark Sweatland of record in Instrument Number 200403240063778;

Thence **S 85° 52' 01" E**, along said common line, **5.00 feet** to a rebar set at the northeasterly corner of said Original 1 acre tract (APN: 170-000815), the southeasterly corner of said 1.73 acre tract and also being the southwesterly corner of a 0.590 acre tract of land conveyed to the Franklin County Commissioners described as Parcel 22WD of record in Instrument Number 200106150135180 and a northwesterly corner of a 0.117 acre tract of land conveyed to the Franklin County Commissioners described as Parcel 4WD of record in Instrument Number 200010170210595;

Thence **S 03° 40' 56" W**, along the easterly lines of said Original 1 acre tract (APN: 170-000815), said Original 1 acre tract (APN: 170-000814) and said Original 1 acre tract (APN: 170-000868) and along the westerly lines of said Parcel 4WD, a 0.116 acre tract of land conveyed to the Franklin County Commissioners described as 20WD of record in Instrument Number 200010170210597 and a 0.056 acre tract of land conveyed to the Franklin County Commissioners described as Parcel 5WD of record in Instrument Number 200012080248238,

Right-of-Way Description
-0.123 Acres-
West of Taylor Station Road
South of Taylor Road
-2-

356.49 feet to a rebar set at the easterly corner of said 1 acre tract (APN: 170-000868) and southwesterly corner of said Parcel 5WD;

Thence **S 61° 42' 54" E**, along the northeasterly line of said Original 1 acre tract (APN: 170-000868) and along the southwesterly line of said Parcel 5WD, **25.00 feet** to the **True Point of Beginning** and containing **0.123 acre** more or less, being 0.017 acre out of APN: 170-000815, 0.017 acre out of APN: 170-000814 and 0.090 acre out of APN: 170-000868 of which 0.048 acre being present right-of-way.

The above description was prepared by Advanced Civil Design Inc. on November 18, 2019 and is based on existing County Auditor records, County Recorder records and a field survey in July of 2019.

All iron pins set are 5/8" diameter rebar, 30" long with a plastic cap inscribed "Advanced 7661".

Bearings are based on the bearing of N28°17'06"E for the centerline of Taylor Station Road between Franklin County Geodetic Survey monuments 5343 and 5319 reset (Ohio State Plane Coordinate System, South Zone, NAD83, NSRS 2007) as established using a GPS survey.

All references used in this description can be found at the Recorder's Office Franklin County Ohio.

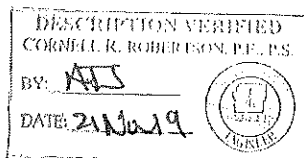
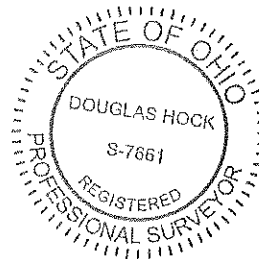
ADVANCED CIVIL DESIGN INC.

Douglas R. Hock
Douglas R. Hock, P.S. No. 7661

Date: 11/20/19

Z:\18-0027-414\survey\0.123 ac r-w desc.doc

Split
0.017 acre
out of
(170)
815
+
split
0.017 acre
out of
(170)
814
+
split
0.090 acre
out of
(170)
868



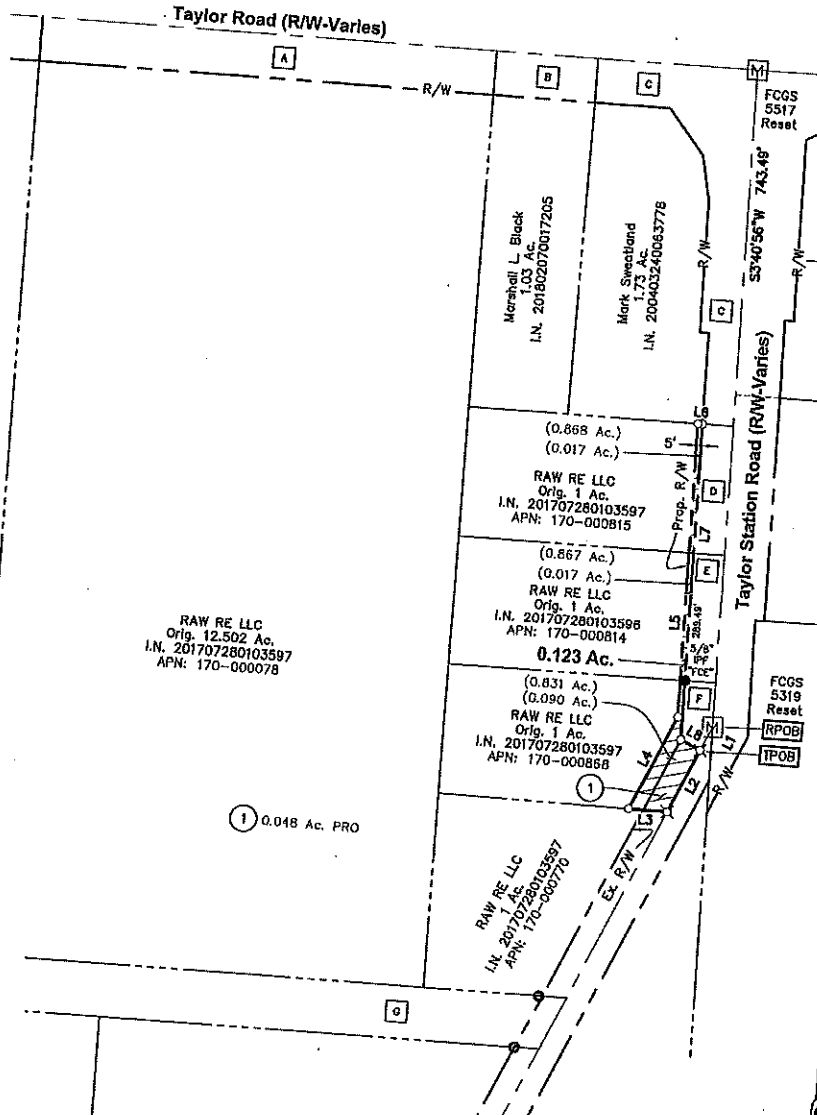
- A** Franklin County Commissioners Parcel 19WD 0.590 Ac. I.N. 200010170210598
- B** Franklin County Commissioners Parcel 24WD 0.127 Ac. I.N. 200103190054631
- C** Franklin County Commissioners Parcel 22WD 0.590 Ac. I.N. 200106150135180
- D** Franklin County Commissioners Parcel 4WD 0.117 Ac. I.N. 200010170210595
- E** Franklin County Commissioners Parcel 20WD 0.118 Ac. I.N. 200010170210597
- F** Franklin County Commissioners Parcel 5WD 0.056 Ac. I.N. 200012080246238
- G** City of Gahanna I.N. 201301020000607 2.978 Ac.

Right-of-Way Exhibit ~ 0.123 Ac.

Jefferson Township, Franklin County, Ohio
Range 16, Township 1, Quarter Township 3,
United States Military District

Legend

- Iron Rod Found
- Iron Pipe Found
- ✕ PK Nail Found
- ⊠ FCGS Monument Found
- Iron Pin Set
- ✕ PK Nail Set
- △ RR Spike Set



| LINE TABLE | | |
|------------|-------------|----------|
| LINE | BEARING | DISTANCE |
| L1 | S28°17'06"W | 29.47' |
| L2 | S28°17'08"W | 78.55' |
| L3 | N85°25'27"W | 43.69' |
| L4 | N28°17'06"E | 116.87' |
| L5 | N03°40'56"E | 331.42' |
| L6 | S85°52'01"E | 5.00' |
| L7 | S03°40'56"W | 356.49' |
| L8 | S61°42'54"E | 25.00' |

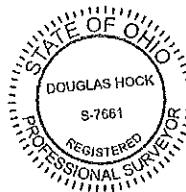
This drawing is based on existing Auditor's and Recorder's records and an actual field survey by Advanced Civil Design, Inc. in July of 2019.

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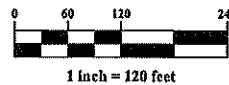
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ADVANCED CIVIL DESIGN, INC.

Douglas R. Hock 11/26/19
 Douglas R. Hock Date:
 Professional Surveyor No. 8241



GRAPHIC SCALE



| | |
|------------------|----------------------|
| DRAWN BY: DRB | JOB NO.: 18-0027-114 |
| DATE: 11/18/2019 | CHECKED BY: BCK |

ADVANCED CIVIL DESIGN
ENGINEERS

422 Beecher Road
Gahanna, Ohio 43230
ph 614.428.7750
fax 614.428.7755

