

TEMPORARY ORDINANCE NO. 23-10

PERMANENT ORDINANCE NO. 21-10

AN ORDINANCE ADOPTING THE ZONING MAP FOR THE NAUMAN ANNEXATION

WHEREAS, on November 12, 2010, the Petitioner filed an Annexation Petition with the Fairfield County Commissioners seeking annexation of the .134 +/- acres into the City of Lancaster, and

WHEREAS, the City must pass an ordinance to establish the zoning; now, therefore

BE IT ORDAINED by the Council of the City of Lancaster, Fairfield County, State of Ohio

SECTION 1. That the zoning ordinance of the City of Lancaster, Ohio, be and the same is hereby revised to revised to establish zoning for the .134 +/- acres known as the Nauman Annexation as Commercial General.

SECTION 2. The City Engineer is directed to make the changes on the zoning map.

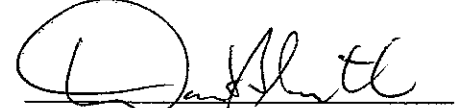
SECTION 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law after its passage by Council and approval by the Mayor.

Passed: 11/22/2010 after 1st reading. Vote: Yeas 8 Nays 0

Approved: 11/22/2010


President of Council

Clerk: Teresa Lee Sandy


Mayor

Offered by: Melody Bobbitt

Second by: Steve F. Jackson

Requested by Law Committee

I, Teresa Lee Sandy, Clerk of Council do hereby certify that on _____, 2010 and _____, 2010 the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council

**PETITION FOR ANNEXATION OF 0.134+ ACRES
FROM GREENFIELD TOWNSHIP TO THE CITY OF LANCASTER**

To the Board of Commissioners of Fairfield County, State of Ohio:

Now comes the undersigned Petitioner, being the sole owner of certain real property situated in the County of Fairfield, Township of Greenfield, which property is contiguous and adjacent to the City of Lancaster, to wit, see the legal description attached hereto as Exhibit "A."

The undersigned Petitioner requests that said real property be annexed to the City of Lancaster in accordance with the statutes of the State of Ohio, specifically §709.023, as a "Type Two" expedited proceeding. There is one (1) owner of real estate in the territory sought to be annexed.

The territory sought to be annexed with this Petition has a total perimeter boundary of 393.31 feet, a minimum of which 239.28 feet (60.8%) is contiguous to the City of Lancaster.

No island of unincorporated area is being created by this annexation.

Crabbe, Brown & James, LLP, 111 S. Broad Street, Suite 209, Lancaster, Ohio, 43130, is hereby authorized to act as Agent for the Petitioner in securing such annexation. Said Petitioner's Agent is hereby authorized to make any or all amendments and/or deletions to the Petition, map, plat or description which, in their absolute and complete discretion, are proper under the circumstances then existing. In addition, the Petitioner's Agent is authorized to make such amendments and/or deletions to the Petition, map, plat or description in order to correct any discrepancy or mistake noted by the County Engineer, or other, in their examination of the Petition, map, plat or description. Amendments to correct the map, plat or description may be made by the presentation of an amended map, plat or description to the Board of County Commissioners on, before or after the date set for hearing of this Petition.

An accurate map approved by the Fairfield County Engineer is attached hereto and made a part of this Petition as Exhibit "B."

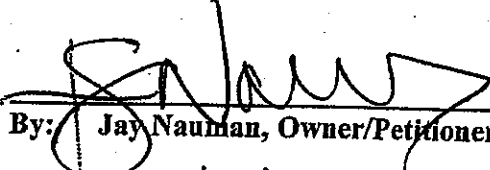
WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OR ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR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

RECEIVED

NOV 12 2010

**FAIRFIELD COUNTY
COMMISSIONERS**

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


By: Jay Nauman, Owner/Petitioner

Date: 11/8/10

*Owner of Parcel No.: 014-0097800, situated at the intersection of Ety and Columbus-Lancaster Roads.

PROPERTY OWNER OF TERRITORY TO BE ANNEXED:

Parcel No.: 014-0097800

Jay Nauman

0.134± Acres situated at the intersection of Ety and Columbus-Lancaster Roads.

Lancaster, Ohio 43130

Mailing Address:

Jay Nauman

1491 Meadows Drive

Lancaster, Ohio 43130

ADJACENT/SURROUNDING PROPERTY OWNERS (WITHIN 300 FEET):

Owner / Mailing Address / Parcel ID's:

Jay Nauman
1491 Meadows Drive
Lancaster, Ohio 43130
PIN: 053-13738.00
PIN: 063-00007.00

City of Lancaster
104 E. Main Street
Lancaster, Ohio 43130
PIN: 053-13742.00
PIN: 063-00002.00
PIN: 063-00008.00

State of Ohio
1125 Ety Road
Lancaster, Ohio 43130
PIN: 053-28210.00

Winderl/Kaminsky Properties Ltd.
1424 Ety Road NW
Lancaster, Ohio 43130
PIN: 014-01135.12
PIN: 014-00976.10
PIN: 063-00005.00
PIN: 063-00009.00

Milton J. Taylor Sr. Trustee
P.O. Box 10
Lancaster, Ohio 43130
PIN: 053-20036.58

John J. & Mariellen J. Hostasa
8362 Willow Bridge Place
Canal Winchester, Ohio 43110
PIN: 014-01135.10
PIN: 063-00004.00

Taylor Chevrolet Inc.
1900 Lancaster-Columbus Rd. NW
Lancaster, Ohio 43130
PIN: 053-20036.57

Lancaster Station, LLC
121 E. Sixth Ave., Suite 103
Lancaster, Ohio 43130
PIN: 053-13729.00

J & L Property Leasing LLC
4355 Williams Road
Groveport, Ohio 43125
PIN: 014-00976.00
PIN: 014-01135.11
PIN: 053-13739.00
PIN: 063-00006.00

Spires Motors Inc.
3820 Parkway Lane
Hilliard, Ohio 43026
PIN: 053-10047.10
PIN: 053-13741.00
PIN: 063-00013.00



TOBIN-McFARLAND SURVEYING, INC.

Professional Land Surveyors

111 West Wheeling Street
Lancaster, Ohio 43130
Phone (740) 687-1710
Fax. (740) 687-0877

Description of 0.134 Acres for Annexation

Situated in the State of Ohio, Fairfield County, Greenfield Township, Township 15, Range 19, Section 26.

Being part of the 0.46 acre tract described in a deed to Jay Nauman as recorded in official record 1427, page 3120, and being more fully described as follows:

Beginning at a point on the City of Lancaster corporation line as recorded in Ordinance 46-06, and on the east line of the aforementioned 0.46 acre tract, said point is located North 01°32'15" East a distance of 155.84 feet and North 33°01'09" East a distance of 31.60 feet from a railroad spike found at the southwest corner of section 26;

thence with the City of Lancaster corporation line (Ordinance 46-06) North 01°32'15" East a distance of 66.07 feet to a point;

thence continuing with the City of Lancaster corporation line (Ordinance 46-06) South 88°27'45" East a distance of 3.50 feet to a point;

thence continuing with the City of Lancaster corporation line (Ordinance 46-06) North 10°37'04" East a distance of 100.00 feet to a point on the City of Lancaster corporation line as recorded in Dedication Book 6, Page 211;

thence with the City of Lancaster corporation line (Dedication Book 6, Page 211), the south right-of-way line of Memorial Drive (formerly U.S. Route 33) and a curve to the right having a radius of 11384.16 feet, a central angle of 00°21'03", an arc length of 69.71 feet and a chord bearing South 59°46'59" East a distance of 69.71 feet to a 5/8 inch rebar previously set on the east line of the 0.46 acre tract;

thence South 33°01'09" West, passing a 3/4 inch iron pipe found at 152.26 feet, a total distance of 154.03 feet to the point of beginning, **containing 0.134 Acres, (5827 square feet).**

Bearings are based on the south line of Section 27 being North 88 degrees 53'07" West by a previous survey recorded in survey book 67, page 15993 and are used to denote angles only. Rebars set are 5/8 inch by 36 inches and have a yellow plastic identification cap stamped "Tobin-McFarland". For additional information see plat of survey made in conjunction with and considered an integral part of this description.

This description is based on a survey made in September of 2010 by Tobin-McFarland Surveying, Inc., and was prepared by Rodney McFarland, Registered Professional Surveyor No. 6416.



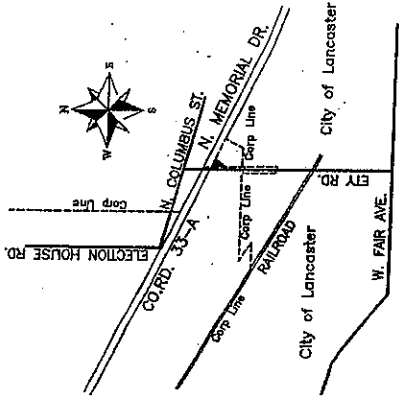
Rodney McFarland 9/22/10
Rodney McFarland, P.S. Date

September 16, 2010 originals are signed in blue ink

G-157



PLAT OF TERRITORY FOR ANNEXATION TO THE CITY OF LANCASTER



The territory to be annexed has a total perimeter boundary of 393.31 feet, a minimum of which 239.28 feet (60.8%) is contiguous to the City of Lancaster's existing corporation line.

Date: September 16, 2010



BY: *Rodney McFarland*
 Rodney McFarland Date
 Registered Surveyor No. 8418

TOBIN-MCFARLAND SURVEYING INC.
 111 West Wheeling Street
 Lancaster, Ohio 43130
 Ph. 740-687-1710 Fax 740-687-0877



MEMORIAL DRIVE
 (Previously US 33, FAI-33-10.81)

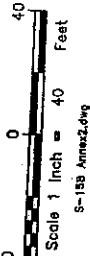
STATE OF OHIO FAIRFIELD COUNTY GREENFIELD TOWNSHIP SECTION 26 0.134 ACRES

Bearings are based on the south line of Section 27 being N 88°53'07"W by Survey 67/15993, Flood Zone C Panel 390158 0105 D

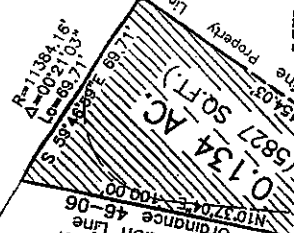
LEGEND

- ◆ 5/8" X 36" "Tobin-McFarland" rebar previously set.
- △ Railroad spikes found
- 3/4" iron pipe found

----- Proposed Corporation Line
 Existing Corporation Line



Joy Nauman
 OR 1427, Page 3120
 Parcel Six, 0.46 ac.(Orig.)
 0531373800



DEED REFERENCE:
 Joy Nauman
 OR 1427, Page 3120
 Parcel Six, 0.46 ac.(Orig.)
 PIN 014-00978-00

J&L Property Leasing, LLC
 OR 1440, Page 3430
 4,508 Acres
 01-40087600

Joy Nauman
 OR 1427, Page 3120
 Parcel Six, 0.46 ac.(Orig.)
 0530000700

The City of Lancaster
 OR 1445, Page 317
 0.359 ac.
 Survey Book 77, Page
 17389
 0630000800 &
 0531374200

SW CORNER
 SECTION 26

