Meeting Agenda

September 16, 2019

7:00 PM

City Council

Bruce Jarvis – President
Mike Walker – Vice President
Jill Amos
Will Bennett
Bob Clark
Mike Coolman
Patrick Lynch
A. Call To Order

B. Pledge of Allegiance

C. Roll Call

D. Approval of Minutes

MIN-19-040 9-3-2019 Work Session Minutes (Work Session Minutes)
MIN-19-041 9-3-2019 City Council Minutes (Council Minutes)

E. Communications & Petitions

19-090 Constitution Week Proclamation (Proclamation)

F. Public Comments - Five Minute Limit Per Person

G. RESOLUTIONS

RES-19-021
Development
A Resolution Of Intent To Appropriate A Fee Simple Absolute Interest In 2.391 Acres, More Or Less, Located At West Waterloo Street, For The Public Purpose Of Constructing Roadway Improvements, Which Shall Be Open To The Public Without Charge, And Declaring An Emergency (Resolution, Attachment)
- Adoption

RES-19-022
Finance
A Resolution Accepting The Amounts And Rates Determined By The Budget Commission And Authorizing The Necessary Tax Levies And Certifying Them To The County Auditor (Resolution)
- Adoption

H. ORDINANCES

Third Reading

ORD-19-049
Public Service
An Ordinance To Accept Hill Road Right-Of-Way (Ordinance, Exhibit A, Exhibit B)
Sponsor: Lynch
- Adoption

Second Reading

First Reading

ORD-19-052
Development
An Ordinance Authorizing The Appropriation Of Property For The Public Purpose Of Constructing Roadway Improvements, Which Such Roadway Shall Be Open To The Public Without Charge, And Declaring An Emergency (Ordinance, Exhibit A, Exhibit B)
- Request waiver of second and/or third reading and adoption
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<td><strong>ORD-19-053</strong></td>
<td>An Ordinance To Amend Section 331.44 Of The Codified Ordinances Of The City of Canal Winchester <em>(Ordinance)</em> - <em>First Reading Only</em></td>
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<td><strong>Public Service</strong></td>
<td>An Ordinance To Authorize The Mayor And Finance Director To Enter Into Contracts With The Director Of Transportation For The Improvements Of State Route 674 <em>(Ordinance)</em> - <em>First Reading Only</em></td>
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### I. Reports

**Mayor's Report**

19-087 Mayor's Report

*Fairfield County Sheriff*

*Law Director*

*Finance Director*

*Public Service Director*

19-088 Project Updates

*Development Director*

### J. Council Reports

*Committee of the Whole - Monday, September 30, 2019 at 6 p.m.*

*Work Session/Council - Monday, October 7, 2019 at 6 p.m.*

*Work Session/Council - Monday, October 21, 2019 at 6 p.m.*

*CW Human Services - Mr. Lynch*

*CWICC - Mr. Clark*

*CWJRD - Mr. Bennett/Mrs. Amos*

*Destination: Canal Winchester - Mr. Walker*

### K. Old/New Business

### L. Adjourn to Executive Session (if necessary)

### M. Adjournment
Canal Winchester

Town Hall
10 North High Street
Canal Winchester, OH 43110

Meeting Agenda
September 3, 2019
6:30 PM

Council Work Session

Mike Walker – Chair
Jill Amos
Will Bennett
Bob Clark
Mike Coolman
Bruce Jarvis
Patrick Lynch
A. Call To Order  
Call to order @ 6:30pm

B. Roll Call  
Present 7 – Amos, Bennett, Clark, Coolman, Jarvis, Lynch, Walker

C. Also In Attendance  
Mayor Ebert, Matt Peoples, Lucas Haire

D. Request for Council Action  

RES-19-020 A Resolution To Adopt The Five-Year Capital Improvements  
Public Service Plan/Maintenance Of Effort For The Calendar Years 2020-2024 For The  
City Of Canal Winchester, Ohio (Resolution, Attachment)  
- Request to move to full Council

Peoples: Thank you Mr. Walker, attached in the packet is a resolution adopting the 5-year Capital  
Improvements Plan, and a copy of that; the first page is actually the maintenance of effort; this is a tally  
of our infrastructure, and the condition ratings that we have for each one of those; you can see that it’s  
separated by roads, bridges, culverts, water supply, wastewater collections, and storm water collections –  
we do not have our own solid waste disposal, so that is left blank; we do put some replacement and repair  
costs along with those, there’s a formula built into that; it’s based on the amount that we have in each  
one of those categories; the superintendents put these together, keep track of these assets for us; there’s a  
large difference between the roads from the last time we had this updated and this year; we did have  
49.5 center-line miles in the last adopted – since we’ve had that done, Bill Sims was working on a  
pavement condition rating; they’ve done a complete inventory of our assets, and only came up with 42.47;  
the number we’ve had was around long before I came; on all the subdivisions, when we add the roads, we  
just started adding to that number; this is the first time we’ve really had a very good rating on that; along  
with that, the ratings of good, fair, and poor were done by an outside firm; we’ll talk about the PCR report  
in just a second; the rest of these are just updated, adding in some of the excellent, good, fair, poor – we  
do n’t have anything critical, anything that would have to come up critical, we’re going to be fixing right  
away; we don’t want to sit on a list, and have it around for next year; that’s our philosophy; going down  
to the actual Capital Improvements Plan – the first section is the project we have done over the last couple  
of years; the 2018 projects, and so far in 2019; as you can see, a couple of those do last multiple years;  
most of those are in our street annual project that goes along with that; miscellaneous pavement repairs  
and sidewalk repairs and placements – we’ve been committed to funding those at at least $50,000 in  
pavement repairs, and then $25,000 in the sidewalks; that’s $25,000 that we’ve put in – we do assess  
residents for 50% of the cost of those; just going down through – we’ll go through some of the projects  
that are imminent; line number 27 is the Gender Road improvements, Phase V – we just talked about that;  
I missed one – Gender Road Urban Paving Program – that’s part of the ODOT process; we will have a  
resolution on the agenda for the next council meeting; just authorizing ODOT to continue to proceed with
Peoples: Going down a little bit further – we do have both the McGill Park grant projects; the Phase I and the trail connector; Phase I has been reported as being through the state – ODNR – and is waiting on the federal funds; there is no guarantee that they will approve it, obviously, but it did pass the state; we are expecting the trail connector grant to come back with word on that in October or November; Bill and Shane and I have met on some of the projects we are looking at for next year; what we’ve done in the past is gone through our annual street CIP and group a lot of them together; number 32 – Ashbrook Lanes – we’ve looked at that for the last 3 years; we give them a list of the projects that we are looking at – these are based on that PCR report that Bill Sims had done on the roadway projects, to give us a condition rating for where to prioritize our infrastructure improvements; we go through, and then we work with Amanda on how much money we project to spend – you’ll see that at the annual appropriations ordinance, that is sometime in November; we’ll start to actually dialing down, and putting the puzzle together on how much money we have, and how much money the projects are costing; after that, we go through and use that PCR into 2021 and beyond; we just start putting into there some of that PCR that are some of the ones that are rated fair and poor; the last couple of years, we’ve also included in there – they may or may not be rated as lower – some of the more impact projects; this year’s project was East Waterloo Street, from High Street out to the county line, going East; last year, we did a portion of High Street; going on past that, I do have a couple errors on here that I found as we were going through it; a couple of projects need to go back on there – one of them is the West Waterloo entry feature, which was in the downtown plan; it was identified in there; we’ll get that on here in one of the years; Winchester Boulevard and Prentiss School intersection modification – we’ve been looking at that for a while; and the High Street crossing, we talked about that – that is expected for this year, that is a partnership we have with the railroad, similar to what we did for Gender Road Phase IV.

Jarvis: Mr. Peoples, would you say that this is more of a budgeting document than an etched-in-stone work order? Peoples: It is a budgeting document for next year, but it is more for planning.

(Discussion ensued)

Peoples: West Waterloo Street – the extension of that is $15.5 million; Lynch: That’s the extension of that to Brice? Peoples: Yes, actually that $15.5 million is from 10 years ago, and that included everything from Kroger out; we’ve done a small portion of that over time, but with inflation on the cost, we have not evaluated that price since then.

Lynch: Question – the areas that are covered under the wastewater and water – are those covered from their own funds? Peoples: Yes; Lynch: They’re pretty much in black, anyways; we are able to cover those expenses without raising prices? Peoples: Right, both of the funds are what I’d call ‘healthy’; however, looking at each project – the water and wastewater projects are a little bit more programmed than some of the road process; the road – we try to put that puzzle together every year based on some of the conditions of all of the road infrastructure we have out there, and then also the park projects, and building projects.

(Discussion ensued)
Peoples: None of this is assuming any increase in any tax revenue – no increase in millage; that may be something for council to consider in the future, but at this point we do not figure any additional revenue, other than what’s planned with the income tax; Jarvis: Did I hear you say correctly that the Finance Director determines what can be spent in a given year, in 2020? With whatever project she thinks should be done in 2020, and if there’s more projects than money – how do you prioritize? Peoples: Just looking at some of the other – that’s part of balancing the budget; last year, we get a target in July; Ms. Jackson puts together the budget for the next year; we’ll use that as our guide going forward, so that for next year we’re looking at the same as what we did this year – it was about $750,000 for the street CIP; we are going forward with that, as we get into the actual appropriation phase of that in November, it fine-tunes a little bit more; it may be a little bit more, it may be less; we wait for that portion to finalize our contract documents; we’re bidding out in January, so we already know everything about where we are at with that fund balance; it’s just balancing the budget, and trying to figure out if there’s a building project out there, a park project – that type of thing, that we are going to prioritize one over the other.

Amos: Mr. Peoples, on things like the bike path rehabilitation – number 1 – it shows complete, but I know that the bike path is something that we revisit often; will it come back on, because we’ve had some residents say that we have some deterioration already; Peoples: On Dietz and Thrush, yeah we just did a grinding on it, and put a new surface; that was just last year; Amos: How often will they go out and check that? Peoples: There’s no set timeline on those; we are around, and on them – the crews are on the Groveport bike path, for example, doing some cleanup work; with Dietz – I haven’t seen anything on that; Amos: I have not, either, I just had someone mention it; they thought it had some issues.

Clark: Mr. Peoples, on the Winchester Boulevard/Prentiss School intersection – where are we in looking at planning for that, with OPUS coming in, and increased traffic with the hotel? Peoples: That was one of the ones we just talked about; Clark: What has been done at this point – I know there was some traffic signal optimizations going on, but other than that, what are we looking at, and how far out? Peoples: I do not have a timeframe on it; the intersection is still functioning as it’s designed; we are hoping that ODOT synchronization on Gender Road is going to open more time for it; there is 13 seconds for you to get out of Swan Cleaners – that side of the light – that’s during peak time; that’s typically up until 6 o’clock in the evening; that is the way it’s designed, and that’s the way it has to be in order for it to work; it cycles twice for every time the Gender Road/Winchester Boulevard signal cycles; it depends on the amount of traffic.

Haire: The traffic study that was conducted by the developer there suggested a few improvements; nothing was warranted in the initial build-year; they do an initial build-year, and then they do a 10-year horizon; in the 10-year horizon, there were some improvements warranted over that 10-year period; that included potentially doing some restriping within the existing Winchester Boulevard that would allow us to get more stacking to the west, at the Prentiss School intersection; that also included potentially relocating the traffic signal from Prentiss School further back to the Inn at Winchester Trail and Kroger entrance; Clark: What would you do with that intersection? Haire: We would modify the intersection to not allow through-traffic through the intersection.

Bennett: Mr. Peoples, should we add the other phases for McGill Park in here, for planning purposes? I
don’t know how many more phases we intend to have; is the Dietz park in this? Peoples: Westchester? It’s for this year, so it’s not marked as complete; Bennett: Oh, I see it – line 21.

Walker: As far as the pool parking expansion, I believe during the Steering Committee we were talking about – I can’t remember – flipping the parking on the other side; we’ve allotted $250,000 here for that; do you remember that, Mr. Haire? Haire: There was some discussion over redesigning Guiler Park; Walker: Right, and the parking would be on the other side; Haire: This would be parking to the west of the existing parking lot, is what this is referencing; Peoples: Just expanding the large lot that’s there to the west.

A motion was made by Bennett to move RES-19-020 to full council, seconded by Clark. The motion carried with the following vote:

Yes 7 – Bennett, Clark, Amos, Coolman, Jarvis, Lynch, Walker

ORD-19-050
An Ordinance To Amend The 2019 Appropriation Ordinance 18-040, Amendment #6 (Ordinance)
- Request to move to full Council

Peoples: We discussed that as Ms. Jackson’s last council meeting that she was here for, about storm water; we did not have the funds for that – we did not have the cost estimate for that from Franklin County; if you recall, it is a portion of storm sewer that is north of 33; basically, it goes through the eastside property that is between Cemetery Road and Bowen Road; it crosses into Franklin County jurisdiction, and City of Columbus jurisdiction, and then keeps going into Fairfield County; Franklin County had offered to do the construction, administration, and inspection on the project, if we would pay for it; they have a generic storm water repair and replacement project that they had bid out to contractors earlier on this year; we would just be tying into that bid, so it would be a publicly bid project that we are doing; it is roughly $95,000; it will be a little bit less if the City of Columbus ties on, or connects onto this project as well; they have no committed to it; if they do not commit to it, we will have to pay more of a mobilization cost; originally – I know this is a new version of this ordinance – Ms. O’Donnell was off on Friday, so the agenda was put together a little bit early on Thursday; we heard from Ms. Jackson on the amounts of the appropriation; we were going to take everything out of the storm water fund – that fund currently sits at about $160,000, taking $95,000 out of there was a substantial chunk, and would put it at a balance that she was not comfortable with; she was suggesting to take half of it out of the general fund, and transfer it into the storm water fund, and then use that $95,000 out of the storm water fund; that is both of these in section 1 and section 2; one of them is transferring general fund money to the storm water fund, to assist with that balance.

A motion was made by Clark to move ORD-19-050 to full council, seconded by Bennett. The motion carried with the following vote:

Yes 7 – Clark, Bennett, Amos, Coolman, Jarvis, Lynch, Walker

ORD-19-051
An Ordinance Authorizing The Mayor And Finance Director To Seek Financial Assistance From The Ohio Public Works Commission For Funding
Of The Gender Road Improvements, Phase V Project, And Declaring An Emergency (Ordinance)

- Request to move to full Council

Peoples: Thank you Mr. Walker, based on Mr. Spencer’s presentation from earlier, the Gender Road Phase V project would include an intersection upgrade and a signal upgrade at Gender Road and Canal Street, with the addition of a turn lane, and the addition of a turn lane northbound on Gender Road to Winchester Boulevard; it also includes moving the bike path over – I think that was one of the biggest things that came out of that, is protecting the bike path the entire way; this would be an ordinance to authorize applications for the project with OPWC.

A motion was made by Bennett to move ORD-19-051 to full council, seconded by Coolman. The motion carried with the following vote:

Yes 7 – Bennett, Coolman, Amos, Clark, Jarvis, Lynch, Walker

E. Reports

Matt Peoples - Nothing in addition to my written report.

Lucas Haire - A few items on the Planning & Zoning Commission agenda for next week – there is a convenience store and fuel center on one of the COTA outparcels at Trillium Avenue and Gender Road; there is also a new location for a Bank of America branch on Winchester Boulevard, across the street from Firestone; Nifco completed their building on Friday in Canal Pointe, about 175,000 square feet there; they’ll be improving the interior of that over the next few weeks; it should be by the end of September, they’ll be occupying that space; the final plat for Turning Stone was released, and improvements were complete this past week; you should start to see some building permits and houses being constructed on Turning Stone Loop here in the coming weeks as well; OHM – which is a new company to Canal Winchester – finished their improvements at 7515 Hill Road, which is the formerly yellow warehouse across the street from Kingy’s; if you haven’t been out there, drive by and take a look – it’s an amazing improvement with some paint, and new windows; the interior is just as big of an improvement; it’s a good company to have, and hopefully they’ll be operating in the next few months.

F. Items for Discussion

G. Old/New Business

H. Adjournment

A motion was made by Bennett to adjourn, seconded by Amos. The motion carried with the following vote:

Yes 7 – Bennett, Amos, Clark, Coolman, Jarvis, Lynch, Walker

Adjourn @ 7:02p.m.
Canal Winchester

Town Hall
10 North High Street
Canal Winchester, OH 43110

Meeting Agenda

September 3, 2019
7:00 PM

City Council

Bruce Jarvis – President
Mike Walker – Vice President
Jill Amos
Will Bennett
Bob Clark
Mike Coolman
Patrick Lynch
A. Call To Order

Call to order @ 7:10pm

B. Pledge of Allegiance - Coolman

C. Roll Call

Present 7 – Amos, Bennett, Clark, Coolman, Jarvis, Lynch, Walker

D. Approval of Minutes

MIN-19-038

8-19-2019 Work Session Minutes (Work Session Minutes)

MIN-19-039

8-19-2019 City Council Minutes (Council Minutes)

A motion was made by Amos to approve MIN-19-038 and MIN-19-039, seconded by Coolman. The motion carried with the following vote:

Yes 7 – Amos, Coolman, Bennett, Clark, Jarvis, Lynch, Walker

E. Communications & Petitions

19-085 Mayor: This year approximately 174,650 men will be diagnosed with prostate cancer in the United States alone every year – that’s one man every 3.2 minutes and roughly 31,620 die this year from the disease – which 87 men every day; and whereas, in Ohio an estimated 5,340 new cases of prostate cancer will be diagnosed and an estimated 1,130 deaths will occur in 2019; and whereas, Men with relatives – father, brother, son – with a history of prostate cancer are twice as likely to develop the disease. Prostate cancer is most commonly diagnosed cancer in American Men and the third leading cause of cancer death behind lung and colon cancer; and whereas, 1 in 9 men are diagnosed with prostate cancer in his lifetime. 1 in 6 African American men will develop prostate cancer in his lifetime. Overall, African American men are 1.7 times more likely to be diagnosed with—and 2.3 times more likely to die from—prostate cancer than white men. Men who served in the military who have been exposed to chemicals and herbicides are at higher risk for developing prostate cancer; and whereas, Education regarding prostate cancer and early detection strategies is critical to saving lives, preserving, and protecting our families. The economic and social hardship it has on the families is huge; and now Therefore, I, Michael Ebert, Mayor of the City of Canal Winchester, Ohio do hereby designate the month of September 2019 as “Prostate Cancer Awareness Month” in the City of Canal Winchester and I encourage all male citizens to be proactive about their prostate health; in witness whereof, I have hereunto set my hand and caused the Seal of the City of Canal Winchester, Ohio to be affixed this 3rd day of September, in the year of our Lord Two Thousand Nineteen.

Mayor: The intended recipient this evening is not here – he is a prostate cancer survivor himself.

19-086 Chief Fasone, Madison Township Fire Department: We had the Labor Day festival, that went well – nothing that stands out in my mind; in the report, I changed it up a little bit; (unintelligible).
Coolman: I’d just like to say thanks for the assist this weekend over the Labor Day Festival, it was well attended and you folks were great assets to that.

Jarvis: There was one communication that I was aware of that we were all copied on this morning – there was a resident on West Mound Street with a concern about music being played at a commercial establishment; I didn’t personally experience that over the weekend, I think that was the timeframe that was being discussed; this is sort of a continuation of something that came in last year; I’m not sure if we were copied on it just as an FYI, because it was directed at a lot of different people – we can discuss it in old or new business if we need to.

F. Public Comments - Five Minute Limit Per Person

Larry Flowers, 421 West Waterloo Street: I stand before you this evening as the Vice President of Historical Society; exciting things happening with the Historical Society, I wanted to give you some updates and some exciting events that are coming; the Barber Museum continues to be very busy, to date nearly 1,500 have visited from 33 states, and 13 countries; we continually get items sent to us from around the world; last month, the National Shaving Mug Collectors Association had their quarterly meeting at the museum, and they were very impressed with the facilities and the collection that we have; things are going great there; we had a wonderful Labor Day weekend, I think any of you that had part in that – the weather wasn’t quite as nice Saturday, but on Sunday it turned out great; the marching band played a couple of concerts for us, we had a great crowd – we put out a donation jar, and got $175 just in donations; events we have coming up – October 18th and 19th at the historic complex we are going to have a Founders Day event; the 18th will be a Friday evening event – there will be some hors d’oeuvres and drinks; we have plans down the road to complete the interior of that building, and do some more work on the exterior of that building – we started some of those initial things already, including trapping varmints, and getting the building sealed up; Saturday will be a family day, with a lot of old-period vendors, a lot of kid’s activities, a lot of fun things – a lot of old-fashioned games; save that date, and finally – we appreciate the great support from the mayor and staff, and the different departments that help me especially when I have a problem up there; Dick Miller has been up there giving us some great advice about some of our trees; we were able to remove the old, ugly, overgrown shrubs around the Prentiss School – it was a big job, and it looks so much better with those shrubs gone; over the next few weeks, you’ll see grass planted around the building, and we are adding LED lighting in the overhang; a lot of great things happening, a lot of great things coming – don’t plan anything for October 18th and 19th.

Jarvis: I don’t want to mention names, because I know I’ll forget someone’s name – I’ll just say you and the other officers of the Historical Society have breathed new life into the organization; there was a period of time there where I thought it might go under; thanks to you, your efforts, and the overall team, you have done a great job – things are looking good, and there’s always something going on; Flowers: Thank you, I have to give thanks to Patty Flowers, because she’s the one always maintaining the flower beds; it’s been a group effort, not any one person; we are getting to expand our board of trustees at our annual meeting on October 1st – we came to realize that if we make people trustees, they have to show up for things; we are getting a lot of young people interested in the history.

(Discussion ensued)

Jim Bohnlein, 6320 Rossmore Lane: Mr. President, you were vague on the one email that you said they got
from – can you expand on that a little bit? Jarvis: In what way? It came from a resident – it was on West Mound Street, just one street over from West Waterloo; she felt that the noise from Loose Rail Brewing Company when they had the bands was excessive; I don’t have any first-hand knowledge of it; Bohnlein: But no complaints about the BrewDog festival? That was okay, no complaints? Mayor: None, we had none; Bohnlein: I was just hoping there wouldn’t have been any, because I think it was a very good asset to the community, to the city, and a tremendous amount of people that came – I’m sure it helped the city expand their publicity, and it can do nothing but help things; I was really pleased, and the fireworks were terrific; I think they’re a good neighbor, and want to be a good neighbor; I was just pleased about that – I was hoping it wouldn’t be that; Walker: I believe we actually doubled our population that day, it was 8,500 in attendance; Haire: For clarification, we did get one online complaint from a resident of Connar Avenue.

G. RESOLUTIONS

RES-19-020
Public Service
A Resolution To Adopt The Five-Year Capital Improvements Plan/Maintenance Of Effort For The Calendar Years 2020-2024 For The City Of Canal Winchester, Ohio (Resolution, Attachment)
- Adoption

A motion was made by Bennett to adopt RES-19-020, seconded by Amos.
The motion carried with the following vote:

Yes 7 – Bennett, Amos, Clark, Coolman, Jarvis, Lynch, Walker

H. ORDINANCES

Third Reading

ORD-19-045
Public Service
An Ordinance To Authorize The Mayor To Provide Consent To The Director Of The Ohio Department of Transportation Necessary For The Bridge Inspection Program Services (Ordinance)
- Adoption

A motion was made by Coolman to adopt ORD-19-045, seconded by Walker. The motion carried with the following vote:

Yes 7 – Coolman, Walker, Amos, Bennett, Clark, Jarvis, Lynch

Second Reading

ORD-19-047
Development
Sponsor: Amos
An Ordinance Authorizing The Mayor And Clerk To Accept And Execute The Plat For Canal Cove Section 6 (Ordinance, Recommendation, Exhibit)
- Request waiver of third reading and adoption

A motion was made by Amos to waive the 3rd reading for ORD-19-047,
Jarvis: Mr. Haire, I believe that is due to readiness, and trying to take advantage of what’s left in the building season? Haire: Correct, the improvements for that development have been complete – the roadways are complete, there are some final punch-out items to complete, but we will hold off on the signatures until those are complete; generally, in past practice, when their improvements are complete, we typically waive the 2nd or 3rd readings, and get these approved; they have a number of homeowners that are waiting to get their construction started there.

The motion carried with the following vote:

Yes 7 – Amos, Coolman, Bennett, Clark, Jarvis, Lynch, Walker

A motion was made by Amos to adopt ORD-19-047, seconded by Lynch. The motion carried with the following vote:

Yes 7 – Amos, Lynch, Bennett, Clark, Coolman, Jarvis, Walker

ORD-19-048
Development
Sponsor: Coolman

An Ordinance Authorizing The Mayor And Clerk To Accept And Execute The Plat For Canal Cove Section 7 (Ordinance, Recommendation, Exhibit)

- Request waiver of third reading and adoption

A motion was made by Coolman to waive the 3rd reading for ORD-19-048, seconded by Walker. The motion carried with the following vote:

Yes 7 – Coolman, Walker, Amos, Bennett, Clark, Jarvis, Lynch

A motion was made by Coolman to adopt ORD-19-048, seconded by Walker. The motion carried with the following vote:

Yes 7 – Coolman, Walker, Amos, Bennett, Clark, Jarvis, Lynch

ORD-19-049
Public Service
Sponsor: Lynch

An Ordinance To Accept Hill Road Right-Of-Way (Ordinance, Exhibit A, Exhibit B)

- Second Reading Only

First Reading

ORD-19-050
Finance

An Ordinance To Amend The 2019 Appropriation Ordinance 18-040, Amendment #6 (Ordinance)

- Request waiver of second and/or third reading and adoption

A motion was made by Clark to waive the 2nd and 3rd readings for ORD-19-050, seconded by Coolman. The motion carried with the following vote:
A motion was made by Clark to adopt ORD-19-050, seconded by Coolman. The motion carried with the following vote:

Yes 7 – Clark, Coolman, Amos, Bennett, Jarvis, Lynch, Walker

ORD-19-051
Finance

An Ordinance Authorizing The Mayor And Finance Director To Seek Financial Assistance From The Ohio Public Works Commission For Funding Of The Gender Road Improvements, Phase V Project, And Declaring An Emergency (Ordinance)

- Request waiver of second and/or third reading and adoption

A motion was made by Bennett to waive the 2nd and 3rd readings for ORD-19-051, seconded by Clark. The motion carried with the following vote:

Yes 7 – Bennett, Clark, Amos, Clark, Jarvis, Lynch, Walker

Lynch: Reasons for waiving? Peoples: To meet the application deadline that I believe is September 11th.

A motion was made by Bennett to adopt ORD-19-051, seconded by Amos. The motion carried with the following vote:

Yes 7 – Bennett, Amos, Clark, Coolman, Jarvis, Lynch, Walker

I. Reports

Mayor's Report

19-082
Mayor's Report

Mayor: Lucas and I attended the Fairfield County Economic and Workforce Development Summit on August 27th; it’s very apparent to me that Fairfield County, including Lancaster and Canal Winchester, are a large reason for the economic development in this area to be so successful – as successful as it is, in recent years – that’s a matter of communities working together, instead of against each other.

Law Director - No executive session, no report – happy to answer any questions; Bennett: I wanted to follow-up on the hands-free ordinance; last meeting, I had a note to Mr. Hollins, just wanted to follow-up on that; Boggs: There is a memo on the system – I don’t know if Gene has given it the final go-ahead yet, but I know that it is – if not complete – very close to complete, I’ve seen it; Bennett: Okay, any timing on when that might be on a council agenda? Boggs: I do not have that timing, I can tell Gene the sooner, the better.

Public Service Director

19-083
Public Service Project Updates, Construction Services Update
Peoples: Thank you Mr. Jarvis, just one thing to highlight from my written report – I attended a meeting at SWACO regarding their consortium #2; they have 3 consortiums that have banding entities together in Franklin County, and bidding out contracts for trash services; the consortium #2 includes Groveport and Madison Township – we’re just getting a little bit of information on how that process works with the consortium, in anticipation for the contract expiration with Waste Management; that is in August of 2020; the consortium #2 does not go into effect until January of 2021; there would be a gap in there, if we were to choose something like that; that is an option that we may have in the future; we have had some very preliminary discussions with Waste Management of the contract is expiring, ‘let’s talk’; it is on the horizon, and we will be starting to work through that process, trying to figure out how things will work in the future; Jarvis: This would work like the employee healthcare consortium? Peoples: Very similar, yes; it would be all of our own rates, very specific to us; we can add and subtract as we see fit, on all of our services; it would be a contract specifically with Canal Winchester, and whoever that waste hauler would be; Jarvis: it’s normally supposed to control costs, right? Peoples: It’s designed to have everyone – especially with Groveport and Madison Township being in the same geographic area – to line up with trucks being down here 3 days a week in this entire area, those are the type of things – Clark: Would we need to contract with whoever they contract with – Groveport – to get that economy scale? Peoples: They bid it out, SWACO puts those contracts together and bids them out themselves, with all of the provisions from each individual entity included in that; one hauler may get – I’m not positive about if one hauler could get Madison Township, and one gets Groveport.

(Discussion ensued)

Peoples: We’re quite some time from negotiating this, they’re just setting it up.

Development Director

**19-084** Development Report

Haire: Just one other item I wanted to add from my written report – Miltech is a company that’s currently under construction in Canal Pointe, for a new 60,000 square foot facility; they had a massive fire at their existing location in the City of Columbus on August 16th, and it was a complete loss; we were able to assist them over the last few weeks in finding a temporary location, and that is 108 North High Street – it’s the warehouse just north of the railroad tracks on High Street; they’ve leased 15,000 square feet there, and as of today they are in operations there; it’s taken about 2 weeks to get that done, and they are running a limited operation there; happy to assist them, and hope to get them going so they can get that complete in the December/January timeframe; they’ve got about 12 people working there currently, it’ll be 24 in the next week once they move their office operations; Lynch: So that’s a temporary occupancy, then? Haire: It is; Lynch: Any chance of getting them to stay? Haire: They’ve got a beautiful building under construction right now, it’s 60,000 square feet.

Clark: It’s really well-done – that’s not always easy, to get a place like that, good job.

J. Council Reports

Rules Committee - Monday, September 16, 2019 at 5 p.m.
Lynch: I have several topics, actually – I think one of them would be the Bed Tax distribution; as we are getting more hotels here, our pot keeps growing; I know that a percentage goes to Destination (Canal Winchester); we need to, instead of a percentage, look at a specific amount, or however we want to work that; I think we should also earmark this money for specific improvements for the community; I know that it goes into the general fund, but since we are getting substantial amounts, maybe we look at general improvements over the next several years, as to how we can implement those based on this money; it’s supposed to be going back into the community, to improve the community, in order to draw more people here; what if we earmark some projects that that can go to?

(Discussion ensued)

Jarvis: It is worth talking about, but I’m not sure without Amanda in the picture whether we should discuss that; Haire: We have good estimates of what the new hotel will generate, and we’ve got an idea of what they’re generating currently; Jarvis: Okay, it may not be overly structured, but we will have some facts; Lynch: Something we can plan for down the road.

Lynch: One of the things that there’s been a lot of talk about – the Madison Township police coverage, as to what they cover and don’t cover; I think that would be a good topic to get everyone together, to talk about how we can work together with them in a greater capacity – it might even be good to have a representative in here.

Lynch: The residents of Canal Winchester are paying $500,000 a year to Madison Township, which is about half of what we are paying to our existing force; Mayor: That includes every service they have; Lynch: They provide outstanding service, I don’t question that at all; what I’m getting at is that the residents are paying Madison Township are paying $500,000 or more, and we’re paying $1.2 million over here – if you look at the math, Madison Township should be supplying at least one-third of our police protection, based on the ratios of what we pay; how can we get them to provide one-third of the coverage we should be getting here in Canal Winchester? Just broad, high-level thinking.

Lynch: I’ve talked to the officers on the street – they want to be here, they want to cover our area; I don’t know where the hold-up is, whether it’s manpower – I don’t know; Jarvis: It might be more to do with coordination between two different entities doing the same thing; Lynch: When you look at dollars that residents are paying, we should be getting at least one-third of our protection; Mayor: There is nothing stopping them now; Lynch: Something is, what it is I don’t know; Walker: This was approached two years ago – I spearheaded a meeting; we had our council, we had the chief – it was about the mark system at the time, and combining the radio services, which I believe they are now; Mr. Hollins was there, Ms. Jackson, Mr. Peoples, and then there was 2 other meetings after that; I know they had wanted to wait until they had everyone in their position at that time; Lynch: They should, by now; Walker: Yeah, that was approximately a year and a half ago, when they were put in, the new people; from that point on, I don’t know where it landed; I know we don’t see them enough, their presence – I don’t know why that is; Lynch: We’re getting reports from them now – one or two meetings ago, we got a report from Madison Township; to my understanding, we’ll be getting monthly reports from them, as we do from Sargent Cassel; if I remember correctly, they are covering 5% of the traffic calls here in Canal; technically, they should be covering 1/3 of all of our calls; basically, all I’m after is that the people of Canal Winchester get what they pay for; Walker: You’re absolutely right – that’s why we had approached it back then, because we should be getting our money’s worth, as well; it sounds like you had heard some things about why they...
Bennett: Mr. Lynch, I’m curious as to how much of $500,000 makes up their budget; I know how much it would be for us – but a percentage of their budget, I think it might skew; Lynch: I think they have about a $2 million budget, if I remember correctly; fire is $10 million; Mayor: I don’t know the number, but it’s more than 2; Bennett: I think the question becomes what is the percentage of their budget, and how much we make of it.

(Discussion ensued)

Jarvis: I’m going to suggest – just because we aren’t quite organized internally, yet – before we invite someone from Madison Township, we figure out what our position is on the topic; Lynch: It needs to be talked about, again for our residents.

Bennett: Mayor Ebert, have there been any additional meetings with Madison Township since – Mayor: I think we had, since that meeting, I think there was one informal meeting that wasn’t really a sit-down, talk about the police department; it just came up in the meeting; Bennett: How long ago was that? Mayor: 6 months ago.

Lynch: The only other one is trash and recycling, but Mr. Peoples is working on that, so I don’t think we need to do that until more information comes forward.

Walker: I do have one question – how many years has it been that the citizens have been paying that? Mayor: A long time; the police department was established around 1972, probably since then; not that amount this whole time, but some portion of that.

(Discussion ensued)

Work Session/Council - Monday, September 16, 2019 at 6 p.m.

Committee of the Whole - Monday, September 30, 2019 at 6 p.m. (TENTATIVE)

Work Session/Council - Monday, October 7, 2019 at 6:30 p.m.

CW Human Services - Mr. Lynch: Met with Aletha last week; we were talking about some of the projects that we are working on – the book bag project has increased this year by 20-30%; they are getting geared up for their Thanksgiving dinners, as well as the adopt-a-family; we talked about some of the senior transportation – that seems to be going very well, it’s very well organized; they are planning lots of trips, and making very good use of that money; they are running into some challenges with the budget for the maintenance of their vehicles, they have had some high-ticket repairs done; I don’t know what we provide them on a yearly basis, it might need to be revisited to see what we can do to help them out; they are just doing a stand-up job over there; I asked them about volunteers, they said they get more than they can possibly handle; Jarvis: Did they indicate that they wanted to bring a proposal to the city for consideration? Lynch: I think we need to get more information on it.

Clark: What’s the latest with the sign that they were wanting – is it all done? Lynch: That’s a good question; that didn’t come up, I have driven by and the foundation is there, and the brick is there – what
they’re waiting on, I don’t know; Mr. Coolman, would you have any insight on that? Coolman: I believe they are getting bids on how to get electric to it, and the design.

CWICC - Mr. Clark: Our next meeting is Wednesday, October 30th – it will be 11:30am at the Interurban Building.

CWJRD - Mr. Bennett/Mrs. Amos: Thank you Mr. Jarvis; coming up, Mr. Wildman will be reaching out to folks – he’s got an interview window setup for the 16th, 17th, and 18th, and then a second window for September 26th and 27th; hopefully, he will be reaching out and trying to setup appointments with some key stakeholders; look for that coming soon; other than that, we have an executive board meeting on September 19th, Town Hall, at 7pm.

Destination: Canal Winchester - Mr. Walker: Farmers Market will continue on through the end of September, and the next meeting will be September 24th, 6:30pm at the Interurban.

K. Old/New Business

Mayor: I’d just like to say something about Labor Day this past weekend; even with all of the inclement weather we had, and the lightning we had – Sunday evening, the last band played up to about 6:30pm, and the rest of the night was watching the sky; a lot of lightning – about the time we thought we were going to start back up, it was lightning again; we finally called it off at about 10 o’clock for the bands; Walker: It was 10:15pm, which was 2-3 hours later than some other festivals; with the lightning, we had to shut it down; Mayor: That’s not very good on the band equipment – a lot of people were still here, they didn’t mind it; it wasn’t raining too much then, it was just the lightning; there was a lot of people still here; I think we made up for it on Monday, though – Monday was a huge crowd, all the way through; there was a lot of people standing for the parade; Saturday, the opening day – it doesn’t officially open until 12pm, and they were here at 10:30, so the vendors opened at 10:30; overall, it was a good weekend with the issues.

Walker: According to Mr. Coolman, a lot of the food vendors were running out; Coolman: For the first time in probably 5-6 years, all of our seasoned vendors that have been here – seasoned means they’ve been here for 20+ years, we have a handful that have been here and are favorites – they love their spots, and they don’t want to move; they pretty much know how to gauge, and they were the ones – as well as some new ones – they ran out of food at 4:30pm on Monday, and we go until 6pm; what’s nice about our community is that they help each other out – the one vendor that ran out, the vendor next door gave them what they needed; when they ran out, they gave them what they needed; it makes you feel good, everybody is helping one another.

(Discussion ensued)

Jarvis: The cleanup was excellent as usual; Mayor: We’re hoping for next year, for the 100th, it’ll be bigger and better than ever.

L. Adjourn to Executive Session (if necessary)
M. Adjournment

A motion was made by Bennett to adjourn, seconded by Lynch. The motion carried with the following vote:

Yes 7 – Bennett, Lynch, Amos, Clark, Coolman, Jarvis, Walker

Adjourn @ 8:07p.m.
Whereas: September 17, 2019 marks the two hundred and thirty second anniversary of the drafting of the Constitution of the United States of America by the constitutional Convention; and

Whereas, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

Whereas, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

Whereas, public law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designation September 17 through 23 as constitution week;

Now Therefore, I, Michael Ebert, by virtue of the authority vested in me as the Mayor of the City of Canal Winchester, Ohio, do hereby proclaim September 17 through 23, 2019 to be

Constitution Week

in the City of Canal Winchester, and I ask our citizens to reaffirm the ideals the Framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of Canal Winchester, Ohio, to be affixed this 17th day of September in the year of our Lord two thousand nineteen.

Michael Ebert, Mayor
RESOLUTION NO. 19-021

A RESOLUTION OF INTENT TO APPROPRIATE A FEE SIMPLE ABSOLUTE INTEREST IN 2.391 ACRES, MORE OR LESS, LOCATED AT WEST WATERLOO STREET, FOR THE PUBLIC PURPOSE OF CONSTRUCTING ROADWAY IMPROVEMENTS, WHICH SHALL BE OPEN TO THE PUBLIC WITHOUT CHARGE, AND DECLARING AN EMERGENCY

WHEREAS, the City of Canal Winchester City Council has determined that it is necessary to acquire certain property for the public purpose of quieting title and improving Waterloo Street (“the Project”); and

WHEREAS, said Project requires the City to obtain a fee simple interest from the heirs of Robert S. Wood, deceased, as described and depicted in the attached legal descriptions and surveys, said property being located in the City of Canal Winchester, County of Franklin, and State of Ohio;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Canal Winchester, Franklin and Fairfield Counties, State of Ohio:

SECTION 1. That Council hereby considers it necessary and declares its intention to appropriate, for the public purpose of quieting title and making or repairing a road, which shall be open to the public, without charge, a 2.391 acre, more or less, tract in fee simple, said property interest being situated in the City of Canal Winchester, Franklin County, Ohio, as more particularly described on the legal description and accompanying survey plat attached hereto as Exhibits A and B and incorporated herein by reference.

SECTION 2. That the Mayor shall forthwith cause written notice of the passage of this Resolution to be given to the owners and persons in possession and having an interest of record in the premises, such notice to be served and returned according to law.

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety or welfare, such necessity arising from the need to begin appropriation proceedings for the expeditious completion of the Project; WHEREFORE, this Resolution shall take effect and be in force from and after its passage.

DATE PASSED _____________________         ______________________________
PRESIDENT OF COUNCIL

ATTEST ___________________________         ______________________________
CLERK OF COUNCIL                  MAYOR
I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen (15) days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

Clerk of Council
DESCRIPTION OF A 2.391 ACRE TRACT
BEING A PORTION OF W. WATERLOO STREET, EAST OF GENDER ROAD
CITY OF CANAL WINCHESTER, FRANKLIN CO., OHIO

Situated in the State of Ohio, County of Franklin, City of Canal Winchester, in Section 24, Township 11 North, Range 21 West, Congress Lands, and being a portion of an original 35.35 acre tract of land conveyed, as Parcel IV, to Robert S. Wood, by deed of record in Official Record 30958, Page D 16, all references being to the Recorder’s Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a 3/4” I.D. iron pipe set within the current right-of-way of W. Waterloo Street ~ Relocated S.R. 674 (variable width) per Ohio Department of Transportation Centerline Plat for Fra-33-(26.21-30.13) Columbus ~ Lancaster Road, in the north line of said original 35.35 acre tract and in the south line of an original 36.8 acre tract of land conveyed to Frank R. Schimm, by deeds of record in Deed Book 1314, Page 264 and Deed Book 2325, Page 330 and at the northwest corner of 0.914 acre tract of land conveyed, for Gender Road and W. Waterloo Street ~ Relocated S.R. 674 roadway purposes as Parcel 19 WD (FRA-33-29.53), to State of Ohio, by deed of record in Deed Book 3097, Page 307, said iron pipe being N 85° 25' 21" W a distance of 284.80 feet from a point in the centerline of Gender Road at centerline station 33+15.30 as shown upon sheet 28 of 36 of Ohio Department of Transportation Centerline Plat for Fra-33-(26.21-30.13) Columbus ~ Lancaster Road, said iron pipe also being N 77° 53' 48" W a distance of 286.47 feet from a 1/2" solid iron pin found at the centerline intersection of W. Waterloo Street ~ Relocated S.R. 674 with Gender Road;

thence S 85° 25' 21" E along a portion of the north line of said original 35.35 acre tract and along a portion of the south line of said original 36.8 acre tract a distance of 1,209.41 feet to a 3/4” I.D. iron pipe set at the southeast corner of said original 36.8 acre tract;

thence S 52° 32' 01" W passing through the residual of said original 35.35 acre tract and along the southeasterly line of said original 36.8 acre tract, extended southwesterly, a distance of 140.21 feet to a 3/4” I.D. iron pipe set in the southerly right-of-way line of W. Waterloo Street ~ Relocated S.R. 674 and in a north line of an original 6.137 acre tract of land conveyed to Waterloo Crossing OP, LLC, by deed of record in Instrument No. 201208160119984;

thence N 83° 00' 54" W along the southerly right-of-way line of W. Waterloo Street ~ Relocated S.R. 674 and along a portion of a north line of said original 6.137 acre tract a distance of 89.53 feet to a 3/4” I.D. iron pipe set;

thence N 85° 36' 35" W along the southerly right-of-way line of W. Waterloo Street ~ Relocated S.R. 674, along a portion of a north line of said original 6.137 acre tract, along a northerly right-of-way line of Waterloo Street (this section being 100 feet in width), as shown upon the plat entitled Winchester Boulevard, Waterloo Street, and Canal Street Dedication and Easements, of record in Plat Book 102, Pages 38-40 and along a north line of a 0.676 acre tract of land conveyed to Waterloo Crossing OP, LLC, by deed of record in Instrument No. 201208160119984 a distance of 500.00 feet to a 3/4” I.D. iron pipe set;

thence N 84° 39' 18" W along the southerly right-of-way line of W. Waterloo Street ~ Relocated S.R. 674, along a north line of said 0.676 acre tract, along a north of Waterloo Street (this section being 70 feet in width), as shown upon said plat entitled Winchester Boulevard, Waterloo Street, and Canal Street Dedication and Easements and along a north line of the 1.789 acre tract of land conveyed to Mildred Golph Family Partnership, by deed of record in Instrument No. 201608230111312 a distance of 515.53 feet to a 3/4” I.D. iron pipe found at the northwest corner of said 1.789 acre tract, at the northeast corner of a 0.938 acre tract of land conveyed to AT Canal Winchester OH, LLC, by deed of record in Instrument No. 201611110157038 and at a southeast corner of said 0.914 acre tract;

thence N 04° 20' 11" E crossing a portion of the right-of-way of W. Waterloo Street ~ Relocated S.R. 674, and along an east line of said 0.918 acre tract a distance of 84.86 feet to the place of beginning;
October 26, 2017

containing 2.391 acres of land, more or less, and being subject to all highways, easements and restrictions of record. Of said 2.391 acres, all are within W. Waterloo Street ~ Relocated S.R. 674 Right-of-Way.

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 an actual field survey, performed under his supervision, in October, 2017. 3/4" I.D. iron pipe set are 30" in length with a plastic cap stamped "BIRD & BULL, INC.". Basis of bearings is the centerline of W. Waterloo Street ~ Relocated S.R. 674, being S 85° 36; 35" W, derived from VRS observations referencing monument, PID designation of AJ7184 and CORS_ID of COLB, Ohio South Zone, NAD 83 (2011 Adj.), and all other bearings are based upon this meridian.

Kevin L. Baxter ~ Ohio Surveyor #7697
EXHIBIT OF A 2.391 ACRE TRACT
BEING THE RIGHT-OF-WAY OF W. WATERLOO STREET, EAST OF GENDER ROAD, CITY OF CANAL WINCHESTER, FRANKLIN CO., OHIO
(SEC. 24, T. 11 N., R. 21 W., CONGRESS LANDS)

SCALE: 1" = 50'

OCTOBER 18, 2017

Bird-Bull
3500 Snuffer Road, Ste. 210
Columbus, Ohio, 43235
Ph: (614) 761-1961

Kevin L. Baxter ~ Ohio Surveyor No. 7697
17-122
RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

(CITY COUNCIL) 
OHIO REVISED CODE, SECTION 5705.34, 5705.35

The Council of the City of CANAL WINCHESTER, Franklin County Ohio, met in __________ session on the ______ day of ______, 2019, at the office of __________________________ with the following members present:

________________________________________

________________________________________

________________________________________

________________________________________

________________________________________

________________________________________

________________________________________

________________________________________

moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2020, and

WHEREAS, The Budget Commission of Franklin County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of CANAL WINCHESTER Franklin County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted: and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation for tax year 2019 (collection year 2020) as follows:
**SCHEDULE A**

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY APPROVED BY THE BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

<table>
<thead>
<tr>
<th>FUND</th>
<th>Amount to be Derived from Levies Outside 10 Mill Limitation</th>
<th>Amount Approved by Budget Commission Inside 10 Mill Limitation</th>
<th>County Auditor's Estimate of Full Tax Rate to Be Levied Inside 10 Mill Limit 10 Mill Limit</th>
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<tr>
<td>General</td>
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<td>$506,159.10</td>
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<td>General Fund Charter</td>
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<td>Bond Retirement Charter</td>
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<td>Police/Fire Pension</td>
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<td>Capital Improvement Charter</td>
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<td>Road &amp; Sidewalk Fund</td>
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<td>TOTAL</td>
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<td>$506,159.10</td>
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and be it further

RESOLVED, That the Clerk of this Council be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

_________ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

______________________________
______________________________
______________________________
______________________________
______________________________
______________________________

Adopted the __________ day of ________, 2019.

Attest:

Clerk of Council

President of Council

CANAL WINCHESTER
Franklin County, Ohio.
CERTIFICATE OF COPY
ORIGINAl ON FILE

The State of Ohio, Franklin County, ss.

I, _____________________________, Clerk of the Council of the City of
CANAL WINCHESTER within and for said County, and in whose
custody the Files and Records of said Council are required by the Laws of State of Ohio to be kept
do hereby certify that the foregoing is taken and copied from the original

__________________________________________________________________________

__________________________________________________________________________

now on file, that the foregoing has been compared by me with said original
document, and that the same is a true and correct copy thereof.

WITNESS my signature, this ____________ day of ______________________, 2019.

______________________________
Clerk of Council

______________________________
CANAL WINCHESTER

Franklin County, Ohio.
ORDINANCE NO. 19-050

AN ORDINANCE TO ACCEPT HILL RD. RIGHT-OF-WAY

WHEREAS, Westport Homes, the owner of property located on Hill Rd. identified as Parcel No. 0370240900, upon which Westport Homes reserved for road right-of-way; and,

WHEREAS, Westport Homes desires to dedicate the 0.210-acre parcel of land to the City of Canal Winchester for road right-of-way purposes; and,

WHEREAS, the Director of Public Service recommends acceptance of the dedication.

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

SECTION 1. That Council does hereby accept and dedicate the 0.210-acre parcel of land described in Exhibit A and depicted in Exhibit B for road right-of-way purposes.

SECTION 2. That Council hereby authorizes and directs the Law Director to record an appropriate General Warranty Deed from Westport Homes, evidencing the acceptance of the road right-of-way dedication as authorized herein.

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

DATE PASSED _________________________  _____________________________
PRESIDENT OF COUNCIL

ATTEST _______________________________  _____________________________
CLERK OF COUNCIL   MAYOR

DATE APPROVED ____________

APPROVED AS TO FORM:

_______________________________________
LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

____________________________
Clerk of Council/Finance Director
0.210 ACRE

Situated in the State of Ohio, County of Fairfield, Township of Violet, in Section 29, Township 15, Range 20, Congress Lands, being part of that 13.201 acre tract of land conveyed to D.R. Horton – Indiana, LLC by deed of record in Official Record 1779, Page 2884 (all references are to the records of the Recorder’s Office, Fairfield County, Ohio) and more particularly bounded and described as follows:

BEGINNING at an iron pin set at the southeasterly corner of the subdivision entitled “Canal Cove Section 5”, of record in Plat Cabinet 3, Slot 45, in the northerly right of way line of Hill Road (County Road 18);

Thence South 81° 44' 01" East, with said northerly right of way line, a distance of 305.57 feet to an iron pin set in the westerly line of that 20 acre tract conveyed as Tract 2 to Gary C. Peterson and Patricia L. Peterson by deed of record in Official Record 1783, Page 250;

Thence South 04° 46' 24" West, with said westerly line, a distance of 30.06 feet to a 1" solid iron pin found in the centerline of said Hill Road;

Thence North 81° 44' 01" West, with said centerline, a distance of 305.57 feet to a mag nail set at the southwesterly corner of said 13.201 acre tract;

Thence North 04° 46' 24" East, with the westerly line of said 13.201 acre tract, a distance of 30.06 feet to the POINT OF BEGINNING, containing 0.210 acre of land, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings herein are based on the Ohio State Plane Coordinate System as per NAD 83. Control for the bearings was from coordinates of monument numbers 4442 and 7761, established by the Franklin County Engineering Department, using global positioning procedures and equipment.

This description is based on documents of record, prior plats of survey and observed evidence located by an actual field survey performed in November 2016.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Matthew A. Kirk                                         Date
Professional Surveyor No. 7865

MAKsy
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SURVEY OF ACREAGE PARCEL
SECTION 29, TOWNSHIP 15, RANGE 20
CONGRESS LANDS
TOWNSHIP OF VIOLET, COUNTY OF FAIRFIELD, STATE OF OHIO

BY
Matthew A. Kirk
Professional Surveyor No. 7865

**SURVEY OF ACREAGE PARCEL**

**SECTION 29, TOWNSHIP 15, RANGE 20**

**CONGRESS LANDS**

**TOWNSHIP OF VIOLET, COUNTY OF FAIRFIELD, STATE OF OHIO**

**Date:**
July 30, 2019

**Scale:**
1" = 50'

**Job No:**
2018-0963

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**BASIS OF BEARINGS:**

The bearings shown on this survey are based on the Ohio State Plane Coordinate System as per NAD83. Control for the bearings was from coordinates of Monument Numbers 4442 and 7761 established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.

**SURVEY NOTE:**

This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey.

**GRAPHIC SCALE (in feet):**

- 50
- 0
- 50
- 100

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Matthew A. Kirk
Professional Surveyor No. 7865
ORDINANCE NO. 19-052

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF PROPERTY FOR THE PUBLIC PURPOSE OF CONSTRUCTING ROADWAY IMPROVEMENTS, WHICH SUCH ROADWAY SHALL BE OPEN TO THE PUBLIC WITHOUT CHARGE, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Canal Winchester City Council has determined that it is necessary to acquire certain property for the public purpose of quieting title and improving Waterloo Street (“the Project”); and

WHEREAS, the Project requires that the City obtain a fee simple interest from the heirs and assigns of Frank Schirm, as described and depicted in the attached legal description and survey, said property being located in the City of Canal Winchester, County of Franklin, and State of Ohio; and

WHEREAS, the property in question is presently occupied by roadway subject to a highway easement to the benefit of the City; and

WHEREAS, Council previously passed Resolution No. 18-003, stating its intent to proceed with appropriation of said property; and,

WHEREAS, since passage of Resolution No. 18-003, the City has complied with the statutory requirements of Chapters 719 and 163 of the Revised Code related to the appropriation of property; and

WHEREAS, the City has procured an appraisal of the fair market value estimate of the fee simple interest in the 0.463-acre property, and said appraisal has determined the fair market value estimate of such interest to be three hundred dollars ($300.00);

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Canal Winchester, Franklin and Fairfield Counties, State of Ohio:

SECTION 1. That Council considers it necessary and declares its authorization to appropriate, for the public purpose of constructing a roadway project which shall be open to the public without charge, the property from the property owner identified above, being a fee simple interest, preserving rights of access, in the 0.463-acre property described in the attached Exhibit A.

SECTION 2. That Council hereby authorizes and directs such appropriations to proceed. The City, through its counsel, is hereby authorized to file a petition for appropriation in the Franklin County Court of Common Pleas should it become necessary, and to utilize the quick-take procedures pursuant to R.C. 163.06.

SECTION 3. Council further hereby authorizes and directs the Mayor, the Director
of Law, the Director of Finance, the Clerk of Council, or other appropriate officers of the City to take any other lawful actions necessary to appropriate or acquire the property identified in Section 1, including the authority to reach a reasonable administrative resolution with the property owner to acquire the property interests in an amount greater than the appraised value without further Council action required.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety or welfare, such necessity arising from the need to begin appropriation proceedings for the expeditious completion of the Project; WHEREFORE, this ordinance shall take effect and be in force from and after its passage.

DATE PASSED_____________________         ______________________________

PRESIDENT OF COUNCIL

ATTEST___________________________         ______________________________

CLERK OF COUNCIL              MAYOR

APPROVED AS TO FORM:

______________________________

LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen (15) days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

______________________________

Clerk of Council
DESCRIPTION OF A 0.463 ACRE TRACT
BEING A PORTION OF W. WATERLOO STREET, EAST OF GENDER ROAD
CITY OF CANAL WINCHESTER, FRANKLIN CO., OHIO

Situated in the State of Ohio, County of Franklin, City of Canal Winchester, in Section 24, Township 11 North, Range 21 West, Congress Lands, and being a portion of an original 36.8 acre tract of land conveyed to Frank R. Schirm, by deeds of record in Deed Book 1314, Page 264 and Deed Book 2325, Page 330, all references being to the Recorder’s Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a P.K. nail set in the centerline of Gender Road at centerline station 33+15.30 as shown upon sheet 28 of 36 of Ohio Department of Transportation Centerline Plat for Fra-33-(26.21-30.13) Columbus – Lancaster Road, at the northwest corner of 0.914 acre tract of land conveyed, for Gender Road and W. Waterloo Street – Relocated S.R. 674 roadway purposes as Parcel 19 WD (FRA-33-29.53), to State of Ohio, by deed of record in Deed Book 3097, Page 307 and at the southwest corner of said original 36.8 acre tract, said P.K. nail being N 04° 23' 25" E a distance of 39.38 feet from a P.K. nail set at the centerline intersection of also being N 81° 38' 54" W a distance of 570.04 feet from a 1/2" solid iron pin found at the centerline intersection of W. Waterloo Street – Relocated S.R. 674 with Gender Road;

thence N 04° 23' 25" E along the centerline of Gender Road a distance of 15.62 feet to a P.K. nail set;

thence S 85° 36' 35" E passing through the residue of said 36.8 acre tract, crossing a portion of Gender Road and with the Limited Access Right-of-Way line of Parcel 81-LA as conveyed, as a perpetual easement for roadway purposes, to the State of Ohio, by deed of record in Deed Book 2370, Page 527 a distance of 130.00 feet to a 3/4" I.D. iron pipe set at the intersection of the easterly right-or-way line of Gender Road with the northerly right-of-way line of W. Waterloo Street – Relocated S.R. 674, at the south corner of a 0.099 acre tract of land conveyed, as Parcel 13-WL, for Gender Road roadway purposes, to the State of Ohio, by deed of record in Deed Book 3065, Page 167 and at the southeast corner of a 2.677 acre tract of land conveyed to Canal Winchester Duchess, LLC, by deed of record in Instrument No. 201603040026283;

thence S 83° 00' 26" E along a northerly right-of-way line of W. Waterloo Street – Relocated S.R. 674 and along a south line of said 2.677 acre tract a distance of 110.11 feet to a 3/4" I.D. iron pipe set;

thence S 85° 36' 35" E along a northerly right-of-way line of W. Waterloo Street – Relocated S.R. 674, along a south line of said 2.677 acre tract, along the southerly line of a 4.363 acre tract of land conveyed to ALDI Inc., by deed of record in Instrument No. 201610200143787, along the southerly line of a 1.418 acre tract of land conveyed to State Savings Bank, by deed of record in Official Record 29529, Page G 01 and along a southerly line of a 2.00 acre tract of land conveyed to Carriage Services of Ohio, LLC, by deed of record in Instrument No. 200106250142489 a distance of 1,160.00 feet to a 3/4" I.D. iron pipe set (passing a 3/4" I.D. iron pipe found at the southeast corner of said 2.677 acre tract at 229.88 feet and passing a 3/4" I.D. iron pipe found at the southeast corner of said 4.363 acre tract at 751.58 feet);

thence S 48' 04" E along a northerly right-of-way line of W. Waterloo Street – Relocated S.R. 674 and along a southerly line of said 2.000 acre tract a distance of 104.03 feet to a 3/4" I.D. iron pipe set at the southeast corner of said 2.000 acre tract, at the south corner of a 0.452 acre tract of land conveyed, as Parcel 1, to Gale L. Taylor, Trust, by deed of record in Instrument No. 201612130171390, at the northwestely line of a tract of land conveyed, as Parcel 2, to Gale Taylor, Trust, by deed of record in Instrument No. 201612130171390 and in the southeasterly line of said original 36.8 acre tract;

thence S 52° 32' 01" W crossing a portion of said right-of-way of W. Waterloo Street – Relocated S.R. 674, along a portion of the northwesterly line of said Parcel 2 and along a portion of the southeasterly line of said original 36.8 acre tract a distance of 12.88 feet to a 3/4" I.D. iron pipe set at the southeast corner of said original 36.8 acre tract and in the north line of an original 35.35 acre tract of land conveyed, as Parcel IV, to Robert S. Wood, by deed of record in Official Record 30958, Page D 16;

thence N 85° 25' 21" W along a portion of the south line of said original 36.8 acre tract and along a portion of the north line of said original 35.35 acre tract a distance of 1,494.21 feet to the place of beginning;
October 26, 2017

containing 0.463 acre of land, more or less, and being subject to all highways, easements and restrictions of record. Of said 0.463 acres, 0.047 acre is with Gender Road Right-of-way and 0.416 acre is within W. Waterloo Street ~ Relocated S.R. 674 Right-of-Way and all is within P.N. 184-001952.

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 an actual field survey, performed under his supervision, in October, 2017. 3/4" I.D. iron pipe set are 30" in length with a plastic cap stamped “BIRD & BULL, INC.”. Basis of bearings is the centerline of W. Waterloo Street ~ Relocated S.R. 674, being S 85° 36; 35" W, derived from VRS observations referencing monument, PID designation of AJ7184 and CORS ID of COLB, Ohio South Zone, NAD 83 (2011 Adj.), and all other bearings are based upon this meridian.

Kevin L. Baxter ~ Ohio Surveyor #7697
Appraisal Report
of the Property Located at:

Vacated Right Of Way Sites
Waterloo Street
Canal Winchester,
Franklin County, Ohio 443110

As of:
July 1st, 2019

Appraisal Prepared for:

Mr. Lucas Hair
Canal Winchester
Development Director
City of Canal Winchester
36 S. High Street
Canal Winchester, Ohio 43110

By:

Affiliated Appraisers of America LLC
4051 West Dublin Granville Road
Dublin, Ohio 43017
Appraisal Report
of the Property Located at:

Vacated Right Of Way Sites
Waterloo Street
Canal Winchester,
Franklin County, Ohio 443110

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By:

Affiliated Appraisers of America LLC
4051 West Dublin Granville Road
Dublin, Ohio 43017
July 10th, 2019

Mr. Lucas Hair
Canal Winchester
Development Director
City of Canal Winchester
36 S. High Street
Canal Winchester, Ohio 43110

Re: Summary Appraisal Report
of the Property Located at:
Vacated Right Of Way Sites
Waterloo Street
Canal Winchester,
Franklin County, Ohio 443110

Mr. Lucas Hair:

Pursuant to your request and in accordance with your directives, I have inspected the subject site on July 1st, 2019 and have gathered and analyzed applicable market and economic data for the purpose of estimating the market value of the subject site along with all improvements, fee simple estate, of the subject property as of July 1st, 2019.

The subject sites are located on the north east quadrant Gender Road and Waterloo Street and situated south of State Rt. 33 north of downtown Canal Winchester within the a commercial/retail area Canal Winchester, Franklin, County, Ohio.
The subject sites consists of two parcel each of right of way easements crested within the interchange and needed to be vacated. The one parcel has been transferred to the City of Canal as of 2019. Both sites are rectangular in shape as shown on the attached survey and legal descriptions within the addendum of this report.

Please review Flood Maps as well as County Property records within the addendum of this report.

Both sites are residual land that was created within the state right of way taking and have no value shown by the Highest and Best Use and should be vacated and conveyed to the City of Canal Winchester.

The reader is directed to the addendum of this report were there is a copy of FEMA Flood Zone and zoning maps.

My value is based upon the eminent State of Ohio Right-of-Way value as well as supported by land sales shown right-of-ways taking.

As a result of my appraisal and analysis, it is my opinion that the market value, fee simple estate, of the subject property, in terms of financial arrangements equivalent to cash, as of July 1st, 2019.

THREE HUNDRED DOLLARS

($300,00)
Mr. Hair:

Re: Summary Appraisal Report
of the Property Located at:
Vacated Right Of Way Sites
Waterloo Street
Canal Winchester,
Franklin County, Ohio 443110

I hereby certify that I have no present or future contemplated interest in the subject property and that my fee for this complete appraisal summary report is in no way contingent upon the value estimates reported herein. I hereby certify that this appraisal summary report has been made in accordance with FIRREA, the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation (USPAP), The Code of Professional Ethics and Standards of Professional Practice of the Appraisal Institute and The Principles of Appraisal Practice and Code of Ethics of the America Society of Appraisers.

I hereby certify that I have inspected the subject property being appraised and the comparable properties: that the statements contained in this appraisal and upon which the opinions expressed herein are based, are true and correct to the best of my knowledge and belief, subject to limited conditions herein set forth: and that to the best of my knowledge and belief no pertinent information has been overlooked in the appraisal of the property.

The undersigned certifies that, except as otherwise noted in this appraisal report:

1. I have no past or contemplated future interest in the real estate that is the subject on his report. Furthermore, it is stated that no other party has infused the appraiser’ final value conclusion.

2. I have no personal interest or bias with respect to the subject matter of this appraisal report or, the parties involved.

3. I do hereby certify that I have inspected the subject property; that to the best of my knowledge and belief, the statements of fact in this report, upon which the analysis, opinions and conclusions expressed herein are based, are correct and true.
4. This appraisal report sets forth all these assumptions and limiting conditions affecting the analysis, opinions and conclusions contained in the report.

5. This appraisal report has been made in conformity with and is subject to the Uniform Standards of Professional Appraisal Practices (USPA) as promulgated by the Appraisal Standards Board of the Appraisal Foundation.

6. No one other than the undersigned prepared the analysis, conclusions and opinions concerning the real estate that are set forth in this appraisal report.

7. Disclosure of the content of this appraisal report is governed by the guidelines and regulations of USPA.

8. Neither the employment to appraise, nor the compensation agreed upon, is in any manner contingent upon the valuation given.

The appraiser has not been furnished with any information concerning the subjects subsurface or load bearing capabilities nor has the appraiser been provided with any information pertaining to the presence of hazardous conditions, which may have an adverse effect on the value of the subject property. This complete appraisal summary report has been made assuming that no such conditions exist. If additional information is required, the client is advised to obtain the services of a qualified engineer.

Thank you for this opportunity to be of service.

Respectfully submitted,

**AFFILIATED APPRAISERS OF AMERICA**

Deno J. Duros, Appraiser, CCA, GRI.
Certified General Appraiser
State of Ohio
G-397439
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SUMMARY OF SALIENT FACTS AND CONCLUSIONS

PROPERTY: Vacant Right of way land

LOCATION: The subject sites are located on the north east quadrant Gender Road and Waterloo Street and situated south of State Rt. 33 north of downtown Canal Winchester, Canal Winchester, Franklin County Ohio.

SITE FEATURES:
The subject sites are located on the north east quadrant Gender Road and Waterloo Street and situated south of State Rt. 33 north of downtown Canal Winchester within the a commercial/retail area Canal Winchester, Franklin, County, Ohio.
The subject sites consists of two parcel each of right of way easements crested within the interchange and needed to be vacated. The one parcel has been transferred to the City of Canal as of 2019. Both sites are rectangular in shape as shown on the attached survey and legal descriptions within the addendum of this report.
Please review Flood Maps as well as County Property records within the addendum of this report.
Both sites are residual land that was created within the state right of way taking and have no value shown by the Highest and Best Use and shod be vacated and conveyed to the City of Canal Winchester.
HIGHEST AND
BEST USE:
The subject’s site Highest and Best Use would be for its to be vacated and attached within the Canal Winchester properties, present use.

REASONABLE
MARKETING
PERIOD:
Due to the nature of the subject sites, there is no market value to an investor developer.

INDICATION
OF VALUE:
The value is based on the subject sites with present use and zoning.

FINAL VALUE
ESTIMATE: $300.00
(Based upon State of Ohio Right of way minim value.)

DATE OF VALUE
ESTIMATE: July 1st, 2019

DATE OF
APPRAISAL: July 1st, 2019
QUALIFICATIONS OF THE APPRAISER

Deno J. Duros

PRESENT STATUS

President of Affiliated Appraisers of America, an independent real estate appraisal and consulting firm, handling residential, commercial, and investment properties.

FORMAL EDUCATION

B.S., Industrial Management, The Ohio State University, 1961.

PROFESSIONAL MEMBERSHIPS

Columbus Board of Realtors
Ohio Association of Realtors
National Association of Realtors
Broker, State of Ohio
State of Ohio Certification # G397439

FORMAL REAL ESTATE EDUCATION

Society of Real Estate Appraisers Courses
Course 101: An Introduction to Appraising Real Property
Course 102: Applied Residential Property Valuation
Course 201: Principles of Income Property Appraising
Course 202: Applied Income Property Valuation
Certified Course: Appraisal Residential, Property Valuation
Certified Course: Appraisal Small Residential Income Property
Certified Course: Real Estate Appraisal
Certified Course: Uniform Standard of Appraisal Practice

Attendance at numerous seminars and lectures dealing with new areas of real estate, real estate appraisal, finance, etc., to stay current with changes in the marketplace.

BACKGROUND

Affiliated Appraisers of America is a full service appraisal company, which has been in business for over ten years. It was established to handle residential, commercial, and investment appraisals. The purpose of the appraisal reports have been for condemnation, mortgage and for individual buying and selling. Deno J. Duros has 50 years of real estate experience and 47 years of appraisal experience. The company has on-line computer access with Ameristate to all recorded sales in 40 counties of Ohio. In addition the MLS database and numerous contacts with Realtors and banks are used to obtain the most accurate comparable. Both the Means Cost Data Index and Marshal and Swift are used for new cost estimates. This enables Affiliated to quickly and accurately process appraisals while being confident that the most accurate comparable are being used.
ASSUMPTIONS AND LIMITING CONDITIONS
This appraisal is made under the following assumptions and limiting conditions.

1) The legal description/survey furnished the appraiser is assumed to be correct.

2) This appraiser does not assume any responsibility for the matters legal in character, and title to the subject is considered good, free and clear of existing liens and encumbrances (except where noted) and under proper management and ownership.

3) Sketches are furnished as an aid in visualizing the property; no surveys have been made, and as a result, appraiser assumes responsibility for such surveys.

4) This appraiser believes reliable certain information identified in this report as being furnished by others, but we assume no responsibility for its accuracy.

5) Separate values for land and building may not be used in connection with any other appraisal and are invalid if so used. Land and building values are allocated separately for accounting purposes under the present land utilization.

6) No responsibility is assumed for failure to disclose damages to the property not readily visible through normal visual inspection.

7) Possession of this appraisal does not carry with it the do not right of publication, nor may it be used for any other purpose by anyone but the specific client without the written permission of this appraiser. This report, as an instrument of service, is and shall remain the property of the appraiser.

8) This appraiser shall not be required to give testimony or appear in court by reason of this appraisal unless previous arrangements have been made thereof.

9) Where construction of contemplated improvement is considered, this appraisal is predicated on construction as per plans and specifications. Further, it assumes building will be done expeditiously and in a workman like fashion.

10) In this appraisal assignment, the existence of potentially hazardous materials used in the construction or maintenance of the building, such as the presence of asbestos, urea-formaldehyde foam insulation, and/or the existence of toxic waste, which may or may not be present on the property, was not observed by us; nor do I have any knowledge of the existence of such materials on or in the property.

The appraisers, however, are not to detect such substances. The existence of urea-formaldehyde insulation or other potentially hazardous waste material may have an effect on the value of the property. We urge the client to retain an expert in this field, if desired.
ASSIGNMENT AND OBJECTIVE OF THE APPRAISAL

The objective of the appraisal is to estimate the market value of the unencumbered fee simple title to the subject property, in terms of financial arrangements equivalent to cash. The date of this appraisal and effective date of the value estimate is July 1st, 2019.

For the purpose of this appraisal, market value is defined as follows:

"The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably, and assuming the price is not affected by undue stimulus."

Implicit in this definition are the consummation of a sale as of a specific date and the passing of title from seller to buyer, under conditions whereby:

1) Buyer and seller are typically motivated.

2) Both parties are well informed or well advised and acting in what he considers his own best interest.

3) A reasonable time is allowed for exposure in the open market.

4) Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and

5) The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

(Source: Federal Home Loan Bank Memorandum R 41 (c), September 11, 1986, Office of Examinations and Supervision)
PURPOSE OF THE APPRAISAL

The purpose of this appraisal report is to estimate the market value, fee simple estate, of the subject property, in terms of financial arrangements equivalent to cash, as of **July 1st, 2019**.

SCOPE OF THE APPRAISAL

The appraisal will cover an investigation of all matters considered pertinent by the appraiser to the valuation. The investigation will include a study analysis of current sales of properties, of a comparable nature, a construction cost study (if applicable), an analysis of the income and expenses interpreted into a capitalized value (if applicable), and finally a correlation of the various value indicators into a final property value, estimates as of the date of this appraisal.

FUNCTION OF THE APPRAISAL

This report is to be used in conjunction with a Franklin County Probate Court Hearing.

OWNERSHIP

See legal description and deed’s attached.

LEGAL DESCRIPTION

See legal description and deed’s attached.
LAGAL DATA

FLOOD MAP & ZONING: See Flood Information with the addendum of this report

ZONING: According to the zoning officials of Canal Winchester, Franklin County, Ohio, the subject is zoned (Commercial District). The subject’s present use is a permitted zoning classification.

TOPOGRAPHY: The subject site is primarily level.

PRESENT USE: Grass area and abounded right of way...
MARKET PERIOD

A reasonable marketing period of the subject property has been considered. My estimation of a reasonable market period is contingent upon an asking price near the estimate of market value provided in the appraisal report. The typical sites have no value to an investor/developer due to their size, location and use. Assuming a marketable title and available

EXPOSURE PERIOD

A reasonable exposure period for the subject property has also been considered. A reasonable exposure period may be defined as the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal a retrospective estimate based upon an analysis of the past events assuming a competitive and open market.
ANALYSIS AND DEFINITION OF HIGHEST AND BEST USE

Present Use of the Subject Property

Present vacant right-of-way residual land.
The subject sites are located on the north east quadrant Gender Road and Waterloo Street and situated south of State Rt. 33 north of downtown Canal Winchester within the a commercial/retail area Canal Winchester, Franklin, County, Ohio. The subject sites consists of two parcel each of right of way easements crested within the interchange and needed to be vacated. The one parcel has been transferred to the City of Canal as of 2019. Both sis are rectangular in shape as shown on the attached survey and legal descriptions within the addendum of this report. Please review Flood Maps as well as County Property records within the addendum of this report.

Highest and best use may be defined as:

The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible and results in the highest value.\(^{(i)}\)


HIGHEST AND BEST USE OF THE SUBJECT

Legally permissible uses of the subject site, if vacant, include a wide range of uses falling under a business user.

The subject is conducive to development based upon all of its physical characteristics.

All legal permissible uses are also considered to be physically possible on the subject site.

All of the physical possible uses for the subject site are also considered to be financially feasible.

In conclusion, it is the appraiser's opinion that the highest and best use of the subject site is to be vacated and connected to the adjacent parcels...
DEFINITION OF MARKET VALUE

Market Value is defined as follows:

"The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably, and assuming the price is not affected by undue stimulus".

Implicit in this definition is the consummation of a sale as of a specific date and the passing of title from seller to buyer, under conditions whereby:

1) Buyer and seller are typically motivated.

2) Both parties are well informed or well advised and acting in what he considers his own best interest.

3) A reasonable time is allowed for exposure in the open market.

4) Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and

5) The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

(Source: Federal Home Loan Bank Memorandum R 41 (c), September 11, 1986, Office of Examinations and Supervision)
METHODS OF VALUATION

The value of real estate is estimated through the three methods of valuation being 1) the Cost Approach, 2) the Market Data Approach, and 3) the Income Approach. The basic concept of each method is discussed below:

Cost Approach

The Cost Approach to Value is the method of valuation in which the estimated replacement costs new of the subject's improvements as well as all indirect costs are determined and from this all forms of physical, functional, and external obsolescence are deducted. To the depreciated value of the building improvements is added to the depreciated value of the site improvements and the total land value to arrive at the total value for the subject by the Cost Approach.

Market Data Approach

The Market Approach to Value is an appraisal procedure in which the market value is predicated upon the price, actual market transactions and current listings. This process analyzes sales of similar, recently sold properties in order to derive an indication of the most probable sales price of the property being appraised. The reliability of this technique is dependent upon:

a) The availability of comparable sales data.
b) The verification of sales data.
c) The degree of comparability or extent of adjustment necessary for time differences.
d) The absence of non-typical conditions affecting the sales price.

Income Approach

This technique is based upon the estimates of economic rent and net operating income attributable to the property. The estimated net operating income is converted into a final property value by direct capitalization.

Each of these approaches is valid only if sufficient information is available in order to substantiate their development.
MARKET DATA APPROACH

As stated earlier, the Market Data Approach, also known as the sales comparison approach, is the appraisal procedure in which the market value estimate is predicated upon prices paid, actual market transactions, and current listings. This process analyzes sales of similar, recently sold properties in order to derive an indication of the most probable sale price of the property being appraised.

As a basis for estimating the value of the subject as a vacant land basis, the appraiser made a search of the subject’s immediate market area, Columbus, Franklin County, in general in an effort to locate vacant land sales considered comparable to the subject.

The appraiser was not able to locate vacated right of way closed sales within the area as well as Franklin County. I was able to locate four (4) vacant land sales within the subject’s immediate market area ranging from a low of 0.15 per sq. ft. to a high of 1.27 per sq. ft. with an unadjusted mean of $0.58 per sq. ft.

Due to the nature of the sales comparables I have relied upon them to show there low square foot value before any adjustments were made. The subject property is a unique t situation and irregular shape.

Due to not having good market sales the market approach was not given most weight.

Information pertaining to the land sales comparables is located in the addendum of this report.

The minim value applied by The State of Ohio right-of way authorized is $300.00 which was applied to the subject.
CONCLUSION AND RECONCILIATION

Cost Approach to Value: N/A

Market Data Approach to Value: $300.00
(Based upon State of Ohio Department of Transportation)

Income Approach to Value: N/A

The market data approach indicates the activities of typical buyers and sellers in the marketplace. The subject sites due to their nature, size, location, easements have no real market value to an investor buyer and given no weight. I have indicated a value of $300.00 based upon the State of Ohio Department of Right of ways minim value to the subjects.

The cost approach was not developed due to not being applicable.

The income approach is not applicable and not given weight.

As a result of my appraisal and analysis, it is my opinion that the market value, fee simple estate, of the subject property, in terms of financial in terms of financial arrangements equivalent to cash, as of July 1st, 2019 is:

THREE HUNDRED DOLLARS

($300.00)
APPRAISER DISCLOSURE STATEMENT

In compliance with Ohio Revised Code section 4763.12 (C)

1. Name of Appraiser: Deno J. Duros

2. Class of Certification/Licensure: Certified General
   Certification/Licensure Number: 397439

3. Scope: This report is within the scope of my certification of License.

4. Service provided by: Disinterested & Unbiased Third Party.

5. Signature of person preparing and reporting the appraisal:

   [Signature]

   Deno J. Duros, Appraiser

   State of Ohio
   Department of Commerce
   Division of Real Estate
   Appraisal Section
ADDENDUM
OHIO DEPARTMENT OF COMMERCE
DIVISION OF REAL ESTATE & PROFESSIONAL LICENSING

AN APPRAISER LICENSE/CERTIFICATE
has been issued under ORC Chapter 4763 to:

NAME: Deno John Duros
LIC/CERT NUMBER: 000397439
LIC LEVEL: Certified General Real Estate Appraiser
CURRENT ISSUE DATE: 10/31/2018
EXPIRATION DATE: 10/04/2019
USPAP DUE DATE: 10/04/2020
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COPY
OF
FRANKLIN COUNTY
AUDITORS PROPERTY RECORDS
Parcel ID: 184-001952-00  
SCHIRM FRANK R
Owner

Owner Address

Legal Description
ROUTE 33
R21 T11 1/4S24
13.82 ACS (HWY EASE)
16.68

Tax Bill Mailing
View or Change on the Treasurer's Website

If you have recently satisfied or refinanced your mortgage, please visit the above link to review your tax mailing address to ensure you receive your tax bill and other important mailings.

View Google Map
Print Parcel Summary

Most Recent Transfer
Transfer Date
JAN-01-0001
Transfer Price
$0

2018 Current Market Value

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2018 Taxable Value

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SCHIRM FRANK R
Map-Rt: 184-00195200--

Land Profile
Residential

Commercial

Land Use
099 - ZERO VALUE-PARCELS IN RIGHT OF WAY/ROW

Improvements

Permits
Tax District
184 - MADISON TWP-CANAL WINCHESTER CORP

Mapping
Net Annual Tax
0.00

Taxes Paid
0.00

Sketch

CDQ Year

Photo

StreetSmart

Aerial Photos

Transfers
Full Rate
129.36
Reduction Factor
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BOR Status
Effective Rate
129.36
Non Business Rate
0.094181
Owner Occ. Rate
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CAUV Status

Tax & Payments

2018 Taxable Value

Tax Distribution

Tax Calculators

Value History
Base

Rental Contact
Exempt

Incentive Details
Total

Quick Links

Annual
Adjustment
Payment
Total

Original Tax
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Disclaimer:
The information on this website is prepared from the real property inventory maintained by the Franklin County Auditor's Office. Users of this data are notified that the primary information source should be consulted for verification of the information contained on this site. The county and vendors assume no legal responsibilities for the information contained on this site. Please notify the Franklin County Auditor's Real Estate Division of any discrepancies.

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Value History Details

**StreetSmart**

**TAX YEAR**

**2018**

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DESCRIPTION OF A 0.463 ACRE TRACT
BEING A PORTION OF W. WATERLOO STREET, EAST OF GENDER ROAD
CITY OF CANAL WINCHESTER, FRANKLIN CO., OHIO

Situated in the State of Ohio, County of Franklin, City of Canal Winchester, in Section 24, Township 11 North, Range 21 West, Congress Lands, and being a portion of an original 36.8 acre tract of land conveyed to Frank R. Schirm, by deeds of record in Deed Book 1314, Page 264 and Deed Book 2325, Page 330, all references being to the Recorder’s Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a P.K. nail set in the centerline of Gender Road at centerline station 33+15.30 as shown upon sheet 28 of 36 of Ohio Department of Transportation Centerline Plat for Pm-33-(26.21-30.13) Columbus – Lancaster Road, at the northwest corner of 0.914 acre tract of land conveyed, for Gender Road and W. Waterloo Street – Relocated S.R. 674 roadway purposes as Parcel 19 WD (PRA-33-29.53), to State of Ohio, by deed of record in Deed Book 3097, Page 307 and at the southwest corner of said original 36.8 acre tract, said P.K. nail being N 04° 23’ 25” E a distance of 39.38 feet from a P.K. nail set at the centerline intersection of also being N 81° 38’ 54” W a distance of 570.04 feet from a 1/2” solid iron pin found at the centerline intersection of W. Waterloo Street – Relocated S.R. 674 with Gender Road;

thence N 04° 23’ 25” E along the centerline of Gender Road a distance of 15.62 feet to a P.K. nail set;

thence S 85° 36’ 35” E passing through the residue of said 36.8 acre tract, crossing a portion of Gender Road and with the Limited Access Right-of-Way line of Parcel 81-LA as conveyed, as a perpetual easement for roadway purposes, to the State of Ohio, by deed of record in Deed Book 2370, Page 527 a distance of 130.00 feet to a 3/4” I.D. iron pipe set at the intersection of the easterly right-of-way line of Gender Road with the northerly right-of-way line of W. Waterloo Street – Relocated S.R. 674, at the south corner of a 0.099 acre tract of land conveyed, as Parcel 13-WL, for Gender Road roadway purposes, to the State of Ohio, by deed of record in Deed Book 3065, Page 167 and at the southeast corner of a 2.677 acre tract of land conveyed to Canal Winchester Duches, LLC, by deed of record in Instrument No. 201603040026283;

thence S 83° 00’ 26” E along a northerly right-of-way line of W. Waterloo Street – Relocated S.R. 674 and along a south line of said 2.677 acre tract a distance of 110.11 feet to a 3/4” I.D. iron pipe set;

thence S 85° 36’ 35” E along a northerly right-of-way line of W. Waterloo Street – Relocated S.R. 674, along a south line of said 2.677 acre tract, along the southerly line of a 4.363 acre tract of land conveyed to ALDI Inc., by deed of record in Instrument No. 201610200143787, along the southerly line of a 1.418 acre tract of land conveyed to State Savings Bank, by deed of record in Official Record 29529, Page G 01 and along a southerly line of a 2.00 acre tract of land conveyed to Carriage Services of Ohio, LLC, by deed of record in Instrument No. 200106250142489 a distance of 1,160.00 feet to a 3/4” I.D. iron pipe set (passing a 3/4” I.D. iron pipe found at the southwest corner of said 2.677 acre tract at 229.88 feet and passing a 3/4” I.D. iron pipe found at the southeast corner of said 4.363 acre tract at 751.58 feet);

thence S 81° 48’ 04” E along a northerly right-of-way line of W. Waterloo Street – Relocated S.R. 674 and along a southerly line of said 2.000 acre tract a distance of 104.03 feet to a 3/4” I.D. iron pipe set at the southeast corner of said 2.000 acre tract, at the south corner of a 0.452 acre tract of land conveyed, as Parcel 1, to Gale L. Taylor, Trust, by deed of record in Instrument No. 201612130171390, at the northwesterly line of a tract of land conveyed, as Parcel 2, to Gale Taylor, Trust, by deed of record in Instrument No. 201612130171390 and in the southeasterly line of said original 36.8 acre tract;

thence S 52° 32’ 01” W crossing a portion of said right-of-way of W. Waterloo Street – Relocated S.R. 674, along a portion of the northwesterly line of said Parcel 2 and along a portion of the southeastern line of said original 36.8 acre tract a distance of 12.88 feet to a 3/4” I.D. iron pipe set at the southeast corner of said original 36.8 acre tract and in the north line of an original 35.35 acre tract of land conveyed, as Parcel IV, to Robert S. Wood, by deed of record in Official Record 30958, Page D 16;

thence N 85° 25’ 21” W along a portion of the south line of said original 36.8 acre tract and along a portion of the north line of said original 35.35 acre tract a distance of 1,494.21 feet to the place of beginning;
DESCRIPTION OF A 1.391 ACRE TRACT
BEING A PORTION OF W. WATERLOO STREET, EAST OF GENDER ROAD
CITY OF CANAL WINCHESTER, FRANKLIN CO., OHIO

Situated in the State of Ohio, County of Franklin, City of Canal Winchester, in Section 24, Township 11 North, Range 21 West, Congress Lands, and being a portion of an original 35.35 acre tract of land conveyed, as Parcel IV, to Robert S. Wood, by deed of record in Official Record 30958, Page D 16, all references being to the Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a 3/4" I.D. iron pipe set within the current right-of-way of W. Waterloo Street ~ Relocated S.R. 674 (variable width) per Ohio Department of Transportation Centerline Plat for Fra-33-(26.21-30.13) Columbus ~ Lancaster Road, in the north line of said original 35.35 acre tract and in the south line of an original 36.8 acre tract of land conveyed to Frank R. Schirm, by deeds of record in Deed Book 1314, Page 264 and Deed Book 2325, Page 330 and at the northwest corner of 0.914 acre tract of land conveyed, for Gender Road and W. Waterloo Street ~ Relocated S.R. 674 roadway purposes as Parcel 19 WD (Fra-33-29.53), to State of Ohio, by deed of record in Deed Book 3097, Page 307, said iron pipe being N 85° 25’ 21” W a distance of 284.80 feet from a point in the centerline of Gender Road at centerline station 33+15.30 as shown upon sheet 28 of 36 of Ohio Department of Transportation Centerline Plat for Fra-33-(26.21-30.13) Columbus ~ Lancaster Road, said iron pipe also being N 77° 53’ 48” W a distance of 286.47 feet from a 1/2” solid iron pin found at the centerline intersection of W. Waterloo Street ~ Relocated S.R. 674 with Gender Road;

thence S 85° 25’ 21” E along a portion of the north line of said original 35.35 acre tract and along a portion of the south line of said original 36.8 acre tract a distance of 1,209.41 feet to a 3/4" I.D. iron pipe set at the southeast corner of said original 36.8 acre tract;

thence S 52° 32’ 01” W passing through the residual of said original 35.35 acre tract and along the southeasterly line of said original 36.8 acre tract, extended southwesterly, a distance of 140.21 feet to a 3/4” I.D. iron pipe set in the southerly right-of-way line of W. Waterloo Street ~ Relocated S.R. 674 and in a north line of an original 6.137 acre tract of land conveyed to Waterloo Crossing OP, LLC, by deed of record in Instrument No. 201208160119984;

thence N 83° 00’ 54” W along the southerly right-of-way line of W. Waterloo Street ~ Relocated S.R. 674 and along a portion of a north line of said original 6.137 acre tract a distance of 89.53 feet to a 3/4” I.D. iron pipe set;

thence N 85° 36’ 35” W along the southerly right-of-way line of W. Waterloo Street ~ Relocated S.R. 674, along a portion of a north line of said original 6.137 acre tract, along a northerly right-of-way line of Waterloo Street (this section being 100 feet in width), as shown upon plat entitled Winchester Boulevard, Waterloo Street, and Canal Street Dedication and Easements, of record in Plat Book 102, Pages 38-40 and along a north line of a 0.676 acre tract of land conveyed to Waterloo Crossing OP, LLC, by deed of record in Instrument No. 201208160119984 a distance of 500.00 feet to a 3/4” I.D. iron pipe set;

thence N 84° 39’ 18” W along the southerly right-of-way line of W. Waterloo Street ~ Relocated S.R. 674, along a north line of said 0.676 acre tract, along a north of Waterloo Street (this section being 70 feet in width), as shown upon said plat entitled Winchester Boulevard, Waterloo Street, and Canal Street Dedication and Easements and along the north line of a 1.789 acre tract of land conveyed to Mildred Gollop Family Partnership, by deed of record in Instrument No. 201608230111312 a distance of 315.53 feet to a 3/4” I.D. iron pipe found at the northwest corner of said 1.789 acre tract, at the northeast corner of a 0.908 acre tract of land conveyed to AT Canal Winchester OH, LLC, by deed of record in Instrument No. 201611105070328 and at a southeast corner of said 0.914 acre tract;

thence N 84° 20’ 11” E crossing a portion of the right-of-way of W. Waterloo Street ~ Relocated S.R. 674, and along an east line of said 0.918 acre tract a distance of 84.86 feet to the place of beginning;
containing 2.391 acres of land, more or less, and being subject to all highways, easements and restrictions of record. Of said 2.391 acres, all are within W. Waterloo Street – Relocated S.R. 674 Right-of-Way.

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 an actual field survey, performed under his supervision, in October, 2017. 3/4" I.D. iron pipe set are 30" in length with a plastic cap stamped "BIRD & BULL, INC.". Basis of bearings is the centerline of W. Waterloo Street – Relocated S.R. 674, being S 85° 36; 35° W, derived from VRS observations referencing monument, PID designation of AJ1184 and CORS_ID of COLB, Ohio South Zone, NAD 83 (2011 Adj.), and all other bearings are based upon this meridian.

Kevin L. Baxter – Ohio Surveyor #7697

October 26, 2017
COPY OF ZONING MAP
COPY OF FLOOD MAP
PICTURES OF THE SUBJECT
COPY
OF
LAND SALE
Land Sales from Franklin County, Ohio:

I have gathered and reviewed land sales from the Franklin County, market area to establish a Fair Market Value for the two subject sites.

The subject sites are being valued as commercial sites and have not taken into consideration the right of way easements and not having the ability to change the present use as the sites are controlled by the easements right of ways, not being able to be improved. My conversations with both the development agent as well as the engineering department the sites could not be developed.

I analyzed four (4) land sales. The sales ranged from a low of $0.15 per sq. ft. to high of 1.27 per square foot un-adjusted. The un-adjusted mean for the four sales is $0.058.

I have reviewed the sales due to not having good right of way sales or transferor and are not given any weight other the support to my given value.

Sale # 1. Sale 1001, Gender Rd. & Refugee Rd., Canal Winchester, Franklin County, Ohio 43110, 7.704 acres, Sold 1/10/2019 $426,933.00, Zone "LC-4. $1.27 per sq. ft., $55,417.00 per acre.

Sale # 2. Sale #1247, Davis Rd., Hilliard, Franklin County, Ohio 43026. 71.334 acres, Sold 4/1/2019 $1,266,202.00, Zoned "PUD", $0.41 per sq. foot, $17,750.00 per acre.

Sale # 3. Sale 1254, Lehman Rd./ Gender Rd., Canal Winchester Franklin County, Ohio 43110. 6.087 acres, Sold 4/18/2019 $125,000.00, Zoned "PUD6" $0.47 per sq. ft., $20,536.00 acres.

Sale # 4. Sale #1098, Parkwick Dr., Columbus, Franklin County, Ohio 43228 1.529 acres, Sold $10,000.00, Zoned "R-2, $0.15 per sq. ft., $6,540.00 per acre.
The Haines Report

COMMERCIAL LAND

QUAD: 3
TAXING DISTRICT: 530
PARCEL NUMBER: 125631, 248754
LOCATION: Gender Rd, NWC Refugee
         Canal Winchstr OH 43110
GRANTOR: HPI Kensington Land LLC
         Matthew Sharp
GRANTEE: SS Panhandle Group LLC
         232 Rolling Fork Rd, Irving, TX
         no listing
SALE PRICE: $426,933
SALE DATE: 1/10/2019
SITE
         7.704
         LC4
DEED REFERENCE: 2019011000003629
FINANCING: Cash to seller
           $0
COMMENTS:

PRICE/SF  $1.27
PRICE/ACRE  $55,417
The Haines Report

DEVELOPMENT LAND

QUAD: 1
TAXING DISTRICT: 053
PARCEL NUMBER: 000021 2, 000025, 000103
LOCATION: Davis Rd, W of Alton Darby
Hilliard OH 43026

GRANTOR: Fischer Residential Columbus
Greg Fischer

GRANTEE: Grand Communities LLC

3940 Olympic Blvd, Erlanger, KY 859-441-1989

SALE PRICE: $1,266,202
SALE DATE: 4/1/2019
SITE: 71.334
PUD

DEED REFERENCE: 201904020036977
FINANCING: Cash to seller
$0

COMMENTS:

PRICE/SF $0.41
PRICE/ACRE $17,750
CLOSING STATEMENT

PURCHASER: Grand Communities, LLC
   a Kentucky limited liability company

SELLER: Facher Residential Columbus, LLC
   an Ohio limited liability company

PROPERTY: 71.354 Acres of Vacant Land
   in Tremont Township, Franklin County, Ohio

CLOSING DATE: March 23, 2010

PURCHASER’S STATEMENT

PURCHASE PRICE: $1,246,200.00

PURCHASE PRICE

PLUS EXPENSES:

Deal Recording Fee $112.00

TOTAL PURCHASER'S EXPENSES: $112.00

LESS CREDITS: $0.00

AMOUNT DUE FROM PURCHASER AT CLOSING: $1,246,200.00

SELLER’S STATEMENT

AMOUNT DUE TO SELLER AT CLOSING: $1,246,200.00

LESS EXPENSES/DEBITS:

Conveyance Fee/Transfer Fee $2,534.13
   per documented

Mortgage Release Recording Fee $198.00

TOTAL SELLER'S EXPENSES: $3,732.13

AMOUNT DUE FROM SELLER AT CLOSING: $1,242,467.87

RECAPITULATION OF FUNDS

FROM: Grand Communities, LLC
   Funds Received for Closing

FROM: Facher Residential Columbus, LLC
   Conveyance Fee, Transfer Tax & Recording Fees

TOTAL DEPOSITS: $1,246,200.00

RECAPITULATION OF DISBURSEMENTS

TO: Franklin County Auditor’s Office
   Conveyance Fee & Transfer Tax (paid by Seller)

TO: Franklin County Recorder’s Office
   Deal Recording Fee (paid by Purcharser)

TO: Franklin County Recorder’s Office
   Mortgage Release Recording Fee (paid by Seller)

TO: Facher Residential Columbus, LLC
   Sara Facher

TOTAL DISBURSEMENTS: $1,246,314.00

PURCHASER:

GRAND COMMUNITIES, LLC
   a Kentucky limited liability company

By: __________________________
   Name: M. Linda Sparse
   Title: General Counsel Acquisitions & Development

SELLER:

FACHER RESIDENTIAL COLUMBUS, LLC
   an Ohio limited liability company

By: __________________________
   Name: Greg Facher
   Title: Chairman
The Haines Report

DEVELOPMENT LAND

QUAD: 3
TAXING DISTRICT: 010
PARCEL NUMBER: 220082
LOCATION: Lehman Rd, E of Gender Rd
Canal Winchst  OH  43110
GRANTOR: Paloma Partners
Steven Jefferis
GRANTEE: Mao Yu

2708 S Grand Ave, Santa Ana, CA
unlisted

SALE PRICE: $125,000
SALE DATE: 4/18/2019
SITE
6.087
PUD6

DEED REFERENCE: 201904190045177
FINANCING: Cash to seller
$0

COMMENTS:

PRICE/SF  $0.47
PRICE/ACRE  $20,536

Franklin County Land Sales
SALE NO  1254

Mid Ohio Real Estate Research, Inc.
Kim Winsel  www.moreresearch.net  740-927-4402

The information contained herein is compiled from public record and should be verified as to its accuracy.
The Haines Report

DEVELOPMENT LAND

QUAD: 4
TAXING DISTRICT: 570
PARCEL NUMBER: 105219
LOCATION: Parkwick Dr, ES 1270
          Columbus   OH   43228
GRANTOR: Deanna Cowgill etal (3)
GRANTEE: Brian J Hartman

4571 Parkwick Dr, Columbus, OH
614-351-0118

SALE PRICE: $10,000
SALE DATE: 2/1/2019
SITE 1.529
     R2

DEED REFERENCE: 201902010012932
FINANCING: Cash to seller
           $0
COMMENTS:

PRICE/SF $0.15
PRICE/ACRE $6,540

Mid Ohio Real Estate Research, Inc.
Kimi Wantzel   www.moreresearch.net    740-967-4402

The information contained herein is compiled from public record and should be verified as to its accuracy.
Disclaimer:
This map is prepared for the real property inventory within the county. It is compiled from record deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be considered for verification of the information contained on this map. The county and the mapping companies assume no legal responsibility for the information contained on this map. Please notify the Franklin County GIS Department of any discrepancies.
COPY OF LEGAL DESCRIPTION
DEED OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That WINCHESTER INVESTMENT CO., an Ohio general partnership (the "Grantor"), in consideration of the sum of One Dollar ($1.00) and other good and valuable considerations to it paid by the VILLAGE OF CANAL WINCHESTER, OHIO, a municipal corporation (the "Grantee"), the receipt of which consideration is hereby acknowledged, does hereby grant and release to said Grantee, its successors and assigns, forever, an Easement under and through the following described strip of land:

SEE ATTACHED EXHIBIT "A"

This Easement is granted for the purpose of installing, using, maintaining, repairing and reconstructing underground municipal utilities, including without limitation sanitary sewer, storm sewer and water lines for public use (the "Municipal Utilities") in said strip, together with the right of reasonable access to said strip. Said strip is part of the Grantor's land owned by deed of record at Vol. 3476, Page 335 in the Recorder's Office, Franklin County, Ohio.

TO HAVE AND TO HOLD said premises unto said Grantee, the Village of Canal Winchester, Ohio, its successors and assigns, for the uses and purposes herein mentioned, but reserving, however unto the Grantor the right to place landscaping, paving, other utilities, and other improvements other than permanent buildings in, over, or under said strip so long as the structural integrity and operability of said Municipal Utilities is not thereby unreasonably interfered with. This Easement shall automatically and without further action become void and all rights shall revert to Grantor in the event the use hereof by Grantee is ever abandoned. And the Grantee, in consideration of this grant and by its acceptance and the recordation hereof, covenants and agrees, subject to applicable warranties, if any, to perform all maintenance, repairs and reconstruction which may be reasonably necessary now or hereafter from time to time to keep the aforesaid Municipal Utilities in, or to restore them to, good condition. Grantee agrees by its acceptance and the recordation hereof that promptly following the performance of any repairs, maintenance or reconstruction, it shall diligently restore the Easement area and any other affected areas to their former condition as nearly as is reasonably possible. Grantor understands and agrees that such restoration obligation is limited to Grantee's diligently returning the subject areas to their former grade and compaction with appropriate clean fill or backfill materials and diligently restoring the surface to its former condition and appearance with like materials and landscaping as were in place prior to commencement of the repairs, maintenance or reconstruction, Grantee shall use its best efforts, in performing any such repairs, maintenance, reconstruction and restoration, to cause as little disruption to the business of Grantor and its tenants as is reasonably possible.
IT WITNESS WHEREOF, the said Grantor, Winchester Investment Co., an Ohio general partnership, has caused its name to be signed to these presents by its below named partners, who hereby certify that the said Partnership is a duly organized and existing partnership in good standing under the laws of the State of Ohio on the date hereof, and that this Assignment is executed pursuant to authority lawfully and regularly bestowed upon the said Partners.

Dated this ___ day of August, 1994.

Signed and acknowledged in the presence of:

WINCHESTER INVESTMENT CO.,
an Ohio general partnership, Grantor

By: [Signature]
Donald C. Weiser, Partner

Signed and acknowledged in the presence of:

By: [Signature]
Neil E. Wyman, Partner

Signed and acknowledged in the presence of:

By: [Signature]
Robert S. Wood, Partner

Signed and acknowledged in the presence of:

By: [Signature]
Richard C. Weiser, Partner

Winchester Investment Co., an Ohio general partnership, Grantor

By: [Signature]
Donald C. Weiser, Partner

By: [Signature]
Neil E. Wyman, Partner

By: [Signature]
Robert S. Wood, Partner

By: [Signature]
Richard C. Weiser, Partner

Printed Name: Elizabeth Martin
Witness
Printed Name: Paula J. Saunders
Witness
Printed Name: Elizabeth Martin
Witness
Printed Name: Paula J. Saunders
Witness
Printed Name: Elizabeth Martin
Witness
Printed Name: Paula J. Saunders
Witness
Printed Name: Elizabeth Martin
Witness
Printed Name: Paula J. Saunders
Witness
STATE OF OHIO
COUNTY OF FRANKLIN SS:

Before me, a Notary Public, in and for said County, personally appeared the above named Winchester Investment Co., an Ohio general partnership, by Donald C. Welser, partner of said partnership, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed on behalf of said partnership.

IN TESTIMONY WHEREOF, I have hereunto affixed my hand and official seal at Canal Winchester, Ohio this 16th day of August, 1994.

[Signature]
Notary Public

STATE OF OHIO
COUNTY OF FRANKLIN SS:

Before me, a Notary Public, in and for said County, personally appeared the above named Winchester Investment Co., an Ohio general partnership, by Neil E. Wyman, partner of said partnership, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed on behalf of said partnership.

IN TESTIMONY WHEREOF, I have hereunto affixed my hand and official seal at Canal Winchester, Ohio this 16th day of August, 1994.

[Signature]
Notary Public

STATE OF OHIO
COUNTY OF FRANKLIN SS:

Before me, a Notary Public, in and for said County, personally appeared the above named Winchester Investment Co., an Ohio general partnership, by Robert S. Wood, partner of said partnership, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed on behalf of said partnership.

IN TESTIMONY WHEREOF, I have hereunto affixed my hand and official seal at Canal Winchester, Ohio this 16th day of August, 1994.

[Signature]
Notary Public
STATE OF OHIO
COUNTY OF FRANKLIN SS:

Before me, a Notary Public, in and for said County, personally appeared the above named Winchester Investment Co., an Ohio general partnership, by Richard C. Weiser, partner of said partnership, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed on behalf of said partnership.

IN TESTIMONY WHEREOF, I have hereunto affixed my hand and official seal at Canal Winchester, Ohio this 16th day of August, 1994.

[Signature]
Notary Public

STATE OF OHIO
COUNTY OF Franklin SS:

Before me, a Notary Public, in and for said County, personally appeared the above named Winchester Investment Co., an Ohio general partnership, by Edna Stebelton, partner of said partnership, who acknowledged that she did sign the foregoing instrument and that the same is her free act and deed on behalf of said partnership.

IN TESTIMONY WHEREOF, I have hereunto affixed my hand and official seal at Canal Winchester, Ohio this 16th day of August, 1994.

[Signature]
Notary Public

This instrument prepared by:

Michael J. O'Reilly
Attorney At Law
8 East Broad Street, 12th Floor
Columbus, Ohio 43215

PARTNERSHIP
FILING DATE 7-9-75
RECORDED VOL 8 PAGE 155
RECORD
FRANKLIN COUNTY, OHIO
UTILITY EASEMENT

Situated in the State of Ohio, County of Franklin, Village of Canal Winchester, being located in Section 25, Township 11, Range 21, Congress Lands and being part of those tracts of land conveyed to Winchester Investment Co., by deed of record in Deed Book 3478, Page 335, all references being to records in the Recorder's Office, Franklin County, Ohio and bounded and described as follows:

Beginning at a point in the northerly line of said Section 25, the northerly line of said Winchester Investment Co. tracts, the southerly line of the 83.393 acre tract (Parcel 1), of record in Official Record 11357F13 and Official Record 11357F18, said point also being located North 89° 35' 38" East, a distance of 300.00 feet from the northwesterly corner of said Section 25;

thence South 0° 24' 22" East, along the westerly terminus of a proposed street, a distance of 66.00 feet to a point;

thence North 89° 35' 38" East, along the proposed southerly right-of-way line of a street, a distance of 1651.05 feet to the arc of a curve to the right;

thence continuing along said proposed right-of-way line, being the arc of said curve (Delta = 0° 51' 11", Radius = 948.00 feet), a chord bearing and distance of South 85° 28' 46" East, 163.00 feet to a point of tangency;

thence South 80° 33' 11" East, continuing along said proposed right-of-way line, a distance of 194.37 feet to a point of curvature of a curve to the left;

thence continuing along said proposed right-of-way line, being the arc of said curve (Delta = 0° 51' 11", Radius = 457.07 feet), a chord bearing and distance of South 85° 28' 46" East, 78.50 feet to a point of tangency;

thence North 89° 35' 38" East, continuing along said proposed right-of-way line, a distance of 250.60 feet to a point of curvature of a curve to the right;

thence along the arc of said curve (Delta = 90° 00' 29", Radius = 20.00 feet), a chord bearing and distance of South 45° 24' 07" East, 28.29 feet to a point;

thence South 89° 35' 38" West, a distance of 238.13 feet to a point;

thence North 83° 29' 09" West, a distance of 280.17 feet to a point;

thence North 88° 01' 47" West, a distance of 319.40 feet to a point;

Continued......

Exhibit "A"

Page 1 of 3
thence South 89° 35' 38" West, a distance of 1555.39 feet to a point;

thence North 0° 24' 22" West, a distance of 93.00 feet to a point in the northerly line of Section 25;

thence North 89° 35' 38" East, along said northerly line of Section 25, a distance of 27.00 feet to the point of beginning.

Bearings contained herein are based on the same meridian as the westerly right-of-way line of Gender Road (South 4° 31' 32" East), of record in Official Record 11357F15.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

By Thomas D. Sibbalds
Registered Surveyor No. 5908

TDS/kd

Exhibit "A"
Page 2 of 3
KNOW ALL MEN BY THESE PRESENTS, That FRANK R. SCHIRM (Widower and unmarried)

herein (whether one or more) called "Grantor" for Ten Dollars ($10.00) and other valuable consideration received to Grantor's full satisfaction of THE STANDARD OIL COMPANY, an Ohio corporation, with its principal office and tax mailing address in the Midland Building, Cleveland 15, Ohio, herein called "Grantee", does hereby give, grant, bargain, sell and convey unto the said Grantee, its successors and assigns, the following described premises, situated in the Village of Canal Winchester, County of Franklin and State of Ohio:

12234

Situate in the County of Franklin, State of Ohio, Village of Canal Winchester, being located in the Southeast Quarter of Section 24, Township 11, Range 21, and being a part of the 36.8 acre tract conveyed to Frank R. Schirm by deed of record in Deed Book 2192, Page 330, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at an iron pin which iron pin is located North 89° 42' 30" East, 130.00 feet, and North 0° 17' 30" West, 55.00 feet from the intersection of the centerline of relocated State Route 674, with the centerline of Gender Road, the centerline of Gender Road being the westerly line of the Southeast Quarter of Section 24;

thence along the easterly right-of-way line of Gender Road, North 16° 35' West, 104.07 feet to an iron pin, which iron pin is located 100.21 feet Easterly at right angles from the centerline of Gender Road and 640.00 feet right of Station 552+40 of the State of Ohio, Department of Highway Survey of the centerline of relocated U. S. Route 33;

thence along the easterly right-of-way line of Gender Road, North 0° 21' 20" West, (Interior Angle = 163° 26' 20") 190.52 feet to an iron pin which is 100.00 feet left of Station 30+40.00 of the State of Ohio, Department of Highway Survey of the centerline of Gender Road;

thence along the southerly right-of-way line of relocated U. S. Route 33, North 87° 13' 40" East, (Interior Angle = 112° 25' 00") 269.26 feet to an iron pin which is located 315.00 feet right of Station 554+00 of the centerline of relocated U. S. Route 33;

thence along the southerly right-of-way line of relocated U. S. Route 33, South 86° 24' 20" East, (Interior Angle = 155° 38' 00") 174.63 feet to an iron pin which is 375.00 feet right of Station 554+70 of the centerline of relocated U. S. Route 33;

thence along the southerly right-of-way line of relocated U. S. Route 33, South 89° 36' 05" East, (Interior Angle = 135° 59' 19") 425.42 feet to an iron pin which is 125.00 feet right of Station 560+00 of the centerline of relocated U. S. Route 33;

thence along the southerly right-of-way line of relocated U. S. Route 33, South 73° 10' East, (Interior Angle = 105° 46' 08" and being parallel to the centerline of relocated U. S. Route 33), 557.02 feet to an iron pin;

thence South 0° 17' 30" East, (Interior Angle = 107° 07' 20") 216.04 feet to an iron pin at the intersection of the northerly right-of-way line of relocated State Route 674 with the northeasterly line of the 0.639 acre tract conveyed to H. L. Taylor and Sons by deed of record in Deed Book 2192, Page 330, Recorder's Office, Franklin County, Ohio;

REVENUE STAMPS PURCHASED & CANCELLED
WILL BE ATTACHED TO DEED AFTER RECORDING.
thence along the northerly right-of-way line of relocated State Route 674, North 86° 29' 00" West, (Interior Angle = 86° 11' 30") 104.02 feet to an iron pin which is 50.00 feet left of Station 1440.00 of the State of Ohio, Department of Highway Survey of the centerline of relocated State Route 674;

thence along the northerly right-of-way line of relocated State Route 674, South 86° 42' 30" West, (Interior Angle = 18° 48' 30") 1160.00 feet to an iron pin which is 50.00 feet left of Station 2540 of the centerline of relocated State Route 674;

thence continuing along the northerly right-of-way line of relocated State Route 674, North 87° 41' 30" West, (Interior Angle = 177° 21' 30") 110.12 feet to the place of beginning, containing 10.357 acres, more or less.

TRANSFERRED
JUN 3 1964
ARCH J. WARREN
AUDITOR
FRANKLIN COUNTY, OHIO
be the more or less but subject to all legal highways. Grantor acquired title to 1314 264
said premises by deed recorded in Volume 2325, Page 336, of the records of

THIS AND TO HOLD the above granted and bargained premises, with the appurtenances thereto belonging, unto the said Grantee, its successors and assigns forever. And the said Grantor does for Grantor and the heirs, executors, administrators, assignors and successors of Grantor, as the same may be, covenant with the said Grantee, its successors and assigns, that at and until the execution of these presents, Grantor does and will deliver the above described premises, as a good and indefeasible estate in Fee Simple, and has full right to bargain and sell the same in manner and form as above written, and that the same be free from all encumbrances whatsoever except restrictions, agreements and 19th Half of the year 1963, and thereafter, and that Grantor will warrants and defend said premises, with the appurtenances thereto belonging, to the said Grantee, its successors and assigns, against all lawful

IN WITNESS WHEREOF, this instrument has been executed by the Grantor on the 12th

June 1964.

[Signature]
Frank R. Schirm

[Signature]

Acknowledged in the presence of:

[Signature]
KNOW ALL MEN BY THESE PRESENTS, That FRANK R. SCHIRM (Widower and unmarried) herein (whether one or more) called "Grantee" for Ten Dollars ($10.00) and other valuable consideration received to Grantor's full satisfaction of THE STANDARD OIL COMPANY, an Ohio corporation, with its principal office and tax mailing address in the Midland Building, Cleveland 11, Ohio, herein called "Grantor", does hereby give, grant, bargain, sell and convey unto the said Grantee, its successors and assigns, the following described premises, situated in the Village of Canal Winchester, County of Franklin and State of Ohio:

Situat in the County of Franklin, State of Ohio, Village of Canal Winchester, being located in the Southeast Quarter of Section 24, Township 11, Range 21, and being a part of the 36.8 acre tract conveyed to Frank R. Schirm by deed of record in Deed Book 2325, Page 330, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at an iron pin which iron pin is located North 89° 42' 30'' East, 130.00 feet, and North 0° 17' 30'' West, 55.00 feet from the intersection of the centerline of relocated State Route 674, with the centerline of Gender Road, the centerline of Gender Road being the westerly line of the Southeast Quarter of Section 24;

thence along the easterly right-of-way line of Gender Road, North 16° 55' West, 104.07 feet to an iron pin, which iron pin is located 100.21 feet Easterly at right angles from the centerline of Gender Road and 640.00 feet right of Station 352+40 of the State of Ohio, Department of Highway Survey of the centerline of relocated U. S. Route 33;

thence along the easterly right-of-way line of Gender Road, North 0° 21' 20'' West, (Interior Angle = 163° 26' 20''), 190.52 feet to an iron pin which is 100.00 feet left of Station 30+40.00 of the State of Ohio, Department of Highway Survey of the centerline of Gender Road;

thence along the southerly right-of-way line of relocated U. S. Route 33, North 67° 13' 40'' East, (Interior Angle = 112° 23' 00''), 269.26 feet to an iron pin which is located 315.00 feet right of Station 354+00 of the centerline of relocated U. S. Route 33;

thence along the southerly right-of-way line of relocated U. S. Route 33, South 86° 24' 20'' East, (Interior Angle = 153° 38' 00''), 174.83 feet to an iron pin which is 375.00 feet right of Station 553+70 of the centerline of relocated U. S. Route 33;

thence along the southerly right-of-way line of relocated U. S. Route 33, North 87° 36' 05'' East, (Interior Angle = 135° 59' 35''), 435.42 feet to an iron pin which is 125.00 feet right of Station 560+00 of the centerline of relocated U. S. Route 33;

thence along the southerly right-of-way line of relocated U. S. Route 33, South 75° 10' East, (Interior Angle = 160° 46' 08' and being parallel to the centerline of relocated U. S. Route 33), 590.02 feet to an iron pin;

thence South 0° 37' 30'' East, (Interior Angle = 107° 07' 20''), 218.04 feet to an iron pin at the intersection of the northerly right-of-way line of relocated State Route 674 with the northeasterly line of the 0.839 acre tract conveyed to W. L. Taylor and Sons by deed of record in Deed Book 2190, Page 368, Recorder's Office, Franklin County, Ohio;

REVENUE STAMPS PURCHASED & CANCELLED
WILL BE ATTACHED TO DEED AFTER RECORDING.
thence along the northerly right-of-way line of relocated State Route 674, North 86° 29' 00" West, (Interior Angle = 86° 11' 30") for 104.02 feet to an iron pin which is 30.00 feet left of Station 24+60 of the centerline of relocated State Route 674;

thence along the northerly right-of-way line of relocated State Route 674, South 89° 42' 30" West, (Interior Angle = 181° 48' 30") for 1150.00 feet to an iron pin which is 30.00 feet left of Station 26+40 of the centerline of relocated State Route 674;

thence continuing along the northerly right-of-way line of relocated State Route 674, North 87° 41' 30" West, (Interior Angle = 177° 23' 30") for 120.12 feet to the place of beginning, containing 10.537 acres, more or less.

TRANSFERRED
JUNE 3 1964
ARCH L. WARREN
ATTORNEY
FRANKLIN COUNTY, OHIO
To the one more or less but subject to all legal highways, Grantor acquired title to 1314 264
said premises by deed recorded in Volume 3235, Page 336, of the records of

in State.

To have and to hold the above granted and bargained premises, with the appurtenances
thereunto belonging, unto the said Grantee, its successors and assigns forever. And the
said Grantee does for Grantor and the heirs, executors, administrators, successors and
assigns of Grantor, as the case may be, covenant with the said Grantee, its successors
and assigns, that at and until the enrolling of these presents, Grantee is well seized
of the above described premises, as a good and indefeasible estate in Fee Simple, and has
full right to bargain and sell the same in manner and form as above written, and that the
said premises free from all encumbrances whatsoever except restrictions, agreements
and covenants of record, if any, zoning restrictions, if any, and taxes and assessments,
both general and special for the [212] year 1913, and thereafter,
and that Grantee will warrant and defend said premises, with the appurtenances there-
fore belonging, to the said Grantee, its successors and assigns, against all lawful
suit and demands whatsoever except as above noted.

IN WITNESS WHEREOF, this instrument has been executed by the Grantor on the 12th
Month, 1904.

Said deed acknowledged in the presence of:

Frank R. Schirm

Frank R. Schirm
Franklin

Frank R. Schira, a widower and unmarried,

in

his

Columbus, Ohio

22nd June 64

Theo. D. Stevenson, State of Ohio

JUN 13 1964

Received...

M. A. Schmitt, Recorder

JUN 16 1964

Received...

JAMES A. SCHMITT, Recorder
Instrument Number: 201610200143787  
Recorded Date: 10/20/2016 3:34:11 PM

Terry J. Brown  
Franklin County Recorder  
373 South High Street, 18th Floor  
Columbus, OH 43215  
(614) 525-3930  
http://Recorder.FranklinCountyOhio.gov  
Recorder@FranklinCountyOhio.gov

Transaction Number: T20160067773  
Document Type: DEED  
Document Page Count: 5

Submitted By (Walk-In):  
AMERITITLE BOX

Return To (Box):  
AMERITITLE BOX

Walk-In  
Box

First Grantor:  
FAITH ASSEMBLY OF GOD

First Grantee:  
ALDI INC

Instrument Number: 201610200143787  
Recorded Date: 10/20/2016 3:34:11 PM

Fees:
Document Recording Fee: $28.00
Additional Pages Fee: $24.00
Total Fees: $52.00
Amount Paid: $52.00
Amount Due: $0.00

OFFICIAL RECORDED COVER PAGE

DO NOT DETACH

THIS PAGE IS NOW PART OF THIS RECORDED DOCUMENT

NOTE: If the document data differs from this cover sheet, the document data always supersedes the cover page.  
COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT FOR ANY ADDITIONAL INFORMATION.
GENERAL WARRANTY DEED
(By a Corporation)
(Ohio Revised Code 5302.05 and 5302.06)

Faith Assembly of God, a corporation organized and existing under the laws of the State of Ohio (Grantor), for valuable consideration paid, grants with General Warranty Covenants, to Aldi Inc. (Ohio) (Grantee), whose tax mailing address is 4400 S. Charleston pike, Springfield, OH 45502, the following REAL PROPERTY:

See Attached Exhibit A for legal descriptions

Tax Parcel Number: 184-001316
Street Address: 720 West Waterloo Street Canal Winchester, OH 43110

Subject to taxes and assessments after date hereof, all legal highways, conditions, covenants, restrictions and easements of record, if any.

Prior Instrument of Reference: Official Record Volume 13260, Page D-06
Grantor has caused its corporate name to be subscribed hereto by W. Ray Richards, its Pastor, being duly authorized by resolution of its board of directors, signed this 3rd day of October, 2016.

GRANTOR: Faith Assembly of God
An Ohio not-for-profit corporation

By: W. Ray Richards, Pastor

State of Ohio, County of Franklin ss

Be it remembered that on this 3rd day of October, 2016, before me, a Notary Public in and for said County and State, personally appeared W. Ray Richards, Pastor and duly authorized signatory for Faith Assembly of God, an Ohio not-for-profit corporation, the Grantor(s) in the foregoing deed whose identity was either known to me or proven to me by satisfactory evidence, and who has/have signed the foregoing instrument and acknowledged the same as his/her/their voluntary act and deed, and the voluntary act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal on the day and year aforesaid.

NOTARY PUBLIC

JENNIFER M. LESCALET
Notary Public, State of Ohio
My Commission Expires March 21, 2017

This Instrument was prepared by:
Lisa J. Berger, Attorney at Law
EXHIBIT A

LEGAL DESCRIPTION

Situated in the State of Ohio, County of Franklin and in the City of Canal Winchester:

Being located in the Southeast Quarter of Section 24, Township 11, Range 21, and being part of the 10.557 acre tract conveyed to The Standard Oil Company by deed of record in Deed Book 2568, Page 128, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Commencing at an iron pin, which pin is located North 89° 42' 30" East a distance of 130.00 feet and North 0° 17' 30" West a distance of 55.00 feet from the intersection of the centerline of State Route 674 with the centerline of Gender Road, the centerline of Gender Road being the westerly line of the Southeast Quarter of Section 24; thence with the northerly right-of-way line of said State Route 674, South 87° 41' 20" East a distance of 110.12 feet to an iron pin; thence continuing with said northerly right-of-way line of State Route 674, North 89° 42' 30" East a distance of 229.88 feet to the point of beginning for this parcel.

Thence continuing North 89° 42' 30" East with said northern right-of-way line of State Route 674 a distance of 930.12 feet to an iron pin which is 50.00 feet left of Station 14+00 of the State of Ohio Department of Highway Survey of the centerline of State Route 674;

Thence continuing with the northerly right-of-way line of said State Route 674, South 86° 29' East a distance of 104.02 feet to an iron pin at the southwesterly corner of the 0.452 acre tract conveyed to Gayle L. Taylor by deed of record in Deed Book 2630, Page 439, Recorder's Office, Franklin County, Ohio;

Thence North 0° 17' 30" West with the westerly line of said Gayle L. Taylor a distance of 218.04 feet to an iron pin on the southerly limited access right-of-way line of United States Route 33;

Thence North 73° 10' 0" West with said limited access right-of-way line of United States Route 33 a distance of 550.02 feet to an iron pin which is 125.00 feet right of Station 560+00 of the centerline of United States Route 33;

Thence continuing along the southerly limited access right-of-way line of United States Route 33, South 87° 36' 05" West a distance of 455.42 feet to an iron pin which is 275 feet right of Station 555+70 of the centerline of United States Route 33;

Thence continuing along the southerly limited access right-of-way line of the United States Route 33, North 86° 24' 20" West a distance of 53.29 feet;

Thence leaving said limited access right-of-way line, South 0° 17' 30" East to the point of beginning.
on the northerly right-of-way line of State Route 674, a distance of 359.96' and CONTAINING 338,929.21 SQUARE FEET OF 7.781 ACRES, more or less, but subject to all legal highways and easements of record.

EXCEPTING THEREFROM:

Situated in the State of Ohio, County of Franklin and in the City of Canal Winchester:

Being located in the Southeast Quarter of Section 24, Township 11, Range 21, Congress Lands, and being part of the 7.781 acre tract conveyed to Faith Assembly of God by deed of record in Official Record Volume 13260, Page D-06, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at a found iron pin at the southeast corner of said 7.781 acre tract, southwest corner of a 0.452 acre tract conveyed to Gayle L. Taylor by deed of record in Deed Book 2630, Page 439, Recorder's Office, Franklin County, Ohio, and in the northerly right-of-way line of State Route 674;

Thence, along the southerly line of said 7.781 acre tract, northerly right-of-way line of State Route 674, North 86° 29' 00" West, 104.02 feet to a found iron pin which is 50.00 feet left of Station 14+00 off the State of Ohio Department of Highway Survey of the centerline of State Route 674;

Thence, continuing along the southerly line of said 7.781 acre tract, northerly right-of-way line of State Route 674, South 89° 42' 30" West, 227.20 feet to a set iron pin;

Thence, across said 7.781 acre tract, along a line perpendicular to the southerly line of said 7.781 acre tract and the northerly right-of-way line of State Route 674, North 00° 17' 30" West, 313.12 feet to an iron pin set in the southerly limited access right-of-way line of United States Route 33 and the northerly line of said 7.781 acre tract;

Thence, along the northerly line of said 7.781 acre tract and the southerly limited access right-of-way line of United States Route 33, South 73° 10' 00" East, 346.35 feet to a found iron pin at the northeast corner of said 7.781 acre tract, also being the northwest corner of said Taylor 0.452 acre tract;

Thence, along the east line of said 7.781 acre tract, west line of said Taylor 0.452 acre tract, South 00° 17' 30" East, 218.04 feet to the point of beginning, CONTAINING 2.000 ACRES, subject however to all legal easements, restrictions, and rights-of-way of record.

Iron pins set are 30" x 1" O.D. with orange plastic plugs inscribed "P.S. 6579", unless otherwise noted. Basis of bearings is a bearing of South 89° 42' 30" West on the south line of the Faith Assembly of God 7.781 acre tract recorded in Official Record Volume 13260, Page D-06.

EXCEPTING THEREFROM:
Situated in the State of Ohio, County of Franklin and in the City of Canal Winchester:

Being located in the Southeast Quarter of Section 24, Township 11, Range 21, and being a part of the 7.781 acre tract conveyed to Faith Assembly of God by deed of record in Official Record Volume 13260, Page D-06, of the Franklin County Recorder's Office, and being more particularly described as follows:

Beginning, for reference, at an iron pin found at the southwesterly corner of the said 7.781 acre tract; thence North 89° 42' 30" East, along the southerly line of the said 7.781 acre tract, and the northerly right-of-way line of State Route 674, 521.70 feet to the true point of beginning;

Thence, North 00° 17' 30" West, 368.95 feet, to a point on the southerly limited access line of United States Route 33 and the northerly line of the said 7.781 acre tract;

Thence, South 73° 10' 00" East, along the said northerly line and the said southerly limited access line, 189.63 feet to an iron pin found at the northwesterly corner of a 2.000 acre tract conveyed to Dwayne R. Spence and Patricia F. Spence in Official Record Volume 20836, Page G-09;

Thence, South 00° 17' 30" East along the westerly line of the said 2.000 acre tract, 313.12 feet to an iron pin found;

Thence, South 89° 42' 30" West, along the southerly line of the said 7.781 acre tract, and the northerly line of State Route 674. 181.22 feet, to the point of beginning, CONTAINING 1.418 ACRES, more or less.

This description was prepared by Burgess & Niple, Limited, by S. Patrick Mills, Professional Surveyor 7158 from an actual field survey and available public records on May 10, 1995. The bearings used herein are based on North 89° 42' 10" East as the northerly right-of-way line of State Route 674 as stated in Official Record Volume 13260, Page D-06.

Parcel No: 184-001316

Property Address: 720 West Waterloo Street  Canal Winchester, OH 43110
EASEMENT FOR HIGHWAY PURPOSES FROM

From: C. Schupn
Address: 7141
Coral Vine, Mentor, Ohio
TO THE STATE OF OHIO

U. S. R. 33 County: Geauga
Section: 23-31-32
Parcel No.: 31 and 32A
TRANSFERRED

RECEIVED
DEC 29 1961
FRANKLIN COUNTY
Record of Deeds, Vol. _____ Page _____

Registrar's Fee, $_____

NOTE
To the County Recorder:
As soon as this easement has been recorded,
it should be returned to the Department of
Highways.
Easement for Highway Purposes

KNOW ALL MEN BY THESE PRESENTS:

That

Frank E. Schrier, (Wdor.. not Embarked)

for and in consideration of the sum of Fifty Hundred Thirty-Seven and no/100 Dollars ($500.37), and for other good and valuable considerations to the said Grantor paid by the State of Ohio, the Grantee, the receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell, convey and release to the said Grantee, its successors and assigns forever, a perpetual easement and right of way for public highway and road purposes, in, upon and over the lands hereinafter described, situated in

County, Ohio

Township

Section

Township, Range

and bounded and described as follows:

PARCEL No. 1

Being a parcel of land lying on the right side of the centerline of a survey, made by the Department of Highways, and recorded in Book Page, of the records of Franklin County and being located within the following described points in the boundary thereof:

Franklin County, the premises being limited across right of way line at a point 150.00 feet N of station 21+00 in the centerline of a survey made in 1901 by the Ohio Department of Highways (see relocation of U.S. Route 33, Section 34, Township 11, Franklin County), said point being 135.76 feet left of the centerline of the proposed relocation of State Route 33 at station 21+00.

Thence W 150.00 feet to a point 50 feet left of the centerline of said proposed relocation of State Route 33 at station 19+80.

Thence E 150.00 feet to a point 50 feet left of the centerline of said proposed relocation of State Route 33 at station 18+60.

Thence W 150.00 feet to a point 50 feet left of the centerline of said proposed relocation of State Route 33 at station 17+40.

Thence E 150.00 feet to a point 50 feet left of the centerline of said proposed relocation of State Route 33 at station 16+20.

Thence W 150.00 feet and thence by the centerline of said proposed relocation of State Route 33 to a point 50 feet left of the centerline of said proposed relocation of State Route 33 at station 14+70.

Thence E 150.00 feet and thence by the centerline of said proposed relocation of State Route 33 to a point 50 feet left of the centerline of said proposed relocation of State Route 33 at station 13+50.

Thence W 150.00 feet and thence by the centerline of said proposed relocation of State Route 33 to a point 50 feet left of the centerline of said proposed relocation of State Route 33 at station 12+30.

Thence E 150.00 feet and thence by the centerline of said proposed relocation of State Route 33 to a point 50 feet left of the centerline of said proposed relocation of State Route 33 at station 11+10.

Thence W 150.00 feet and thence by the centerline of said proposed relocation of State Route 33 to the beginning.


It is understood that the strip of land above described contains 0.51 acres, more or less, exclusive of the present road which occupies 0.01 acres, more or less.

Said stations being the Station numbers as stipulated in the hereinafter mentioned survey and as shown by plans on file in the Department of Highways, Columbus, Ohio.
EASEMENT FOR HIGHWAY PURPOSES

KNOW ALL MEN BY THESE PRESENTS:

That
Frank R. Schrim (widower, not remarried)

for and in consideration of the sum of Twenty-One Thousand Five Hundred Sixty-Three and 00/100 Dollars ($21,563.00) and for other good and valuable considerations to him paid by the State of Ohio, the Grantee, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, convey and release to the said Grantee, its successors and assigns forever, a perpetual easement and right of way for public highway and road purposes in, upon and over the lands hereinafter described, including less of direct access as hereinafter provided, situated in Franklin County, Ohio, Madison Township, Section 24, Township 18, Range 10W., and bounded and described as follows:

PARCEL NO. 813A

Being a parcel of land lying on the left side of the centerline of a survey made by the Department of Highways, and recorded in Book 4, Page 79, of the records of Franklin County and being located within the following described points in the boundary thereof: Beginning at the grantor's northeasterly property corner at a point 74.96 feet east of station 549+14.15 in the centerline of a survey made in 1904 for the Ohio Department of Highways of U.S. Route 33, Section 29,19-30.13 in Franklin County, said point also being in the centerline of Land Road; thence easterly along the grantor's northerly property line to a point 270.57 feet east of station 555+30.94; thence southerly and to a point 200 feet east of station 554+50; thence southeasterly to the southeasterly property line of C. H. and M. K., thence at a point 142.83 feet east of station 560+42.38; thence southwesterly along said property line to a point 33.70 feet east of station 562+00.96; thence northeasterly along the southeasterly property line of C. H. and M. K. thence to a point 125 feet east of station 564+93.89; thence southerly to the grantor's northeasterly property corner at a point 125 feet east of station 566+43.01, being also in the existing southerly limited access right of way line of said highway; thence southeasterly along said property line to a point 15.06 feet east of station 566+33.38, said point being, the grantor's southeasterly property corner; thence southeasterly along said property line passing through station 560+16.15 to a point 125 feet right of station 567+40.32; thence northerly to a point 125.39 feet right of station 567+40.32; thence westerly to a point 375.5 feet right of station 576+40; thence southerly to a point 131.47 feet right of station 576+40; thence southeasterly to a point 480.17 feet right of station 576+40; thence southerly to a point 720.20 feet right of station 576+40; thence westerly to a point in the centerline of Land Road at station 576+40 and also being 7.59 feet right of station 576+40; thence northerly along the centerline of Land Road passing through the proposed centerline of relocated Route 33 at station 576+40.04 to the place of beginning.

It is understood that the strip of land above described contains 11.71 acres, more or less, exclusive of the present road which occupies 0.75 of an acre, more or less.

Said stations being the Station numbers as stipulated in the hereinbefore mentioned survey and filed on file in the Department of Highways, Columbus, Ohio.

Both copies of the same are copies conveyed to the hereinabove mentioned grantor and recorded in Book 4, Page 79, of the records of Franklin County, Ohio.

In consideration of the sum of Twenty-One Thousand Five Hundred Sixty-Three and 00/100 Dollars ($21,563.00), hereinafter mentioned, do hereby specifically waive and release any and all right or rights of direct access, or claims thereof, to the present highway improvement to be constructed, or to the ultimate highway improvement to be constructed in the future, as called for by the plans herein referred to, and the execution of this conveyance shall act automatically as a waiver to the State of Ohio in the elimination of any direct access to said highway either for present or future construction.

It is further understood and agreed that the consideration for Parcel No. 813A, in addition to the limitation of access as provided above, includes compensation for land taken and all damages accruing from the taking of said Parcel No. 813A.
TO HAVE AND TO HOLD said easement and right of way unto the Grantee, its successors and assigns forever.

And the said Grantor, for himself, and his heirs, executors, and administrators, hereby covenant, &c., with the said Grantee, its successors and assigns that he, the true and lawful owner, &c., of said premises, and is lawfully seized of the same in fee simple, and has good right and full power, to grant, bargain, sell, convey and release the same in manner aforesaid, and that the same are free and clear from all liens and encumbrances whatsoever, and that he will warrant and defend the same against all claims of all persons whosoever.

hereby relinquish... to said Grantee, its successors and assigns, all right and interest of Dower in the above premises.

IN WITNESS WHEREOF... 

Frank B. Edwards (widower, not remarried)

have hereunto set... his hand... the... 16th... day of... November... in the year of our Lord one thousand nine hundred and... sixty-one (1961).

Signed and sealed in presence of:


STATE OF OHIO,

COUNTY

BEFORE ME, personally appeared the above named... who acknowledged that... he... did sign the foregoing instrument and that the same is... free act and deed.

IN TESTIMONY WHEREOF I have hereunto set my hand, and official seal at... this... day of... A.D. 19... My Commission expires...
AGREEMENT FOR CHANNEL CHANGE

U.S. Route

Exh. No. 31

Section (26.21-30.13) Franklin County

ARTICLES OF AGREEMENT

These articles of agreement entered into this 14th day of November, 1931, by Frank R. Schirn (widower, not remarried) and the Department of Highways, State of Ohio, Witness:

Frank R. Schirn (widower, not remarried), for and in consideration of the sum of Eight Hundred and no 100 dollars ($800.00) to be paid by the State of Ohio, do... hereby grant permission to said State of Ohio to use the hereinafter described portion of premises for the purpose of excavating and completing a channel change for the above proposed improvement; the Grantor further agrees to permit the State of Ohio to perform such maintenance and repair operations on said channel change as may be necessary to protect the highway on and further, the Grantor for the consideration hereinafter named, releases the State of Ohio from and waives...all damages of every kind and nature whatsoever arising from or in any manner growing out of the aforesaid channel change or said maintenance and repair operations necessary to protect said highway. The said channel change is to be made on the following described premises: Situated in the State of Ohio, County of Franklin Township, Section 31, Township 15 North, Range 21 East, and more fully described as follows:

Parcel No. 31Y

Beginning in the proposed southerly limited access right of way line at a point 275 feet right of said surveyed right of way line; thence southerly to a point 125 feet right of station 564+00; thence southeasterly to a point 165 feet right of station 564+30; thence northeasterly to a point 225 feet right of station 338+00; thence westerly to the place of beginning, containing 0.80 of an acre, more or less.

Being a part of the aforesaid premises conveyed to the herein Grantors by deed dated May 11, 1931, and recorded in Volume 7321, Page 251 in the records of Franklin County, Ohio.

IN WITNESS WHEREOF, the undersigned h...hereunto set their hands the 14th day of November, 1931, in the year of our Lord one thousand nine hundred and thirteen... Signed and sealed in the presence of:...
STATE OF OHIO

COUNTY OF ____________________________

Before me, a Notary Public in and for said County and State, personally appeared the above
named ____________________________ and ____________________________, who acknowledged that they did sign the foregoing instrument and that the name is ____________________________ free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this ____________________________, day of ____________________________, A. D. 19...
SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT, THE STANDARD OIL COMPANY, an Ohio Corporation, with its principal office in the Midland Building, Cleveland, Ohio 44113, the grantor, for the sum of Ten Dollars ($10.00) and other good and valuable consideration received in full satisfaction of The Board of Trustees of the Ohio District Council, Inc. of the Assemblies of God whose aforesaid mailing address is 302 East Dublin-Granville Road, Columbus, Ohio 43229, the grantee (whether one or more) does grant, bargain, sell, and convey unto the said grantor and the heirs, executors, administrators, successors and assigns of the same, at the case may be, the premises (hereinafter called the "Premises") situated in the Village of Canal Winchester County of Franklin and State of Ohio, and being the land premises conveyed to the said grantor by deed recorded in Volume 2568, page 128, of the Records of said County, more fully described as follows:

Being located in the Southeast Quarter of Section 24, Township 11, Range 21, and being part of the 10.557 acre tract conveyed to The Standard Oil Company by deed of record in Deed Book 2568, Page 128, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Commencing at an iron pin, which pin is located North 89° 42' 30" East a distance of 130.00 feet and North 0° 17' 30" West a distance of 55.00 feet from the intersection of the centerline of State Route 674 with the centerline of Gender Road, the centerline of Gender Road being the westerly line of the Northeast Quarter of Section 24; thence with the northerly right-of-way line of said State Route 674, South 89° 41' 20" East a distance of 110.12 feet to an iron pin; thence continuing with said northerly right-of-way line of State Route 674, North 89° 42' 30" East a distance of 229.88 feet to the point of beginning for this parcel.

Thence continuing North 89° 42' 30" East with said northern right-of-way line of State Route 674 a distance of 930.12 feet to an iron pin which is 50.00 feet left of Station 14+00 of the State of Ohio Department of Highway Survey of the centerline of State Route 674;

Thence continuing with the northerly right-of-way line of said State Route 674, South 86° 29' East a distance of 104.02 feet to an iron pin at the southerly corner of the 0.452 acre tract conveyed to Gale L. Taylor by deed of record in Deed Book 2630, Page 439, Recorder's Office, Franklin County, Ohio;

Thence North 0° 17' 30" West with the westerly line of said Gayle L. Taylor a distance of 218.04 feet to an iron pin on the southerly limited access right-of-way line of United States Route 33;

Thence North 79° 10' West with said limited access right-of-way line of United States Route 33 a distance of 550.02 feet to an iron pin which is 125.00 feet right of Station 560+00 of the centerline of United States Route 33.

Thence continuing along the southerly limited access right-of-way line of United States Route 33, South 87° 36' 05" West a distance of 455.42 feet to an iron pin which is 275.00 feet right of Station 555+70 of the centerline of United States Route 33;

Thence continuing along the southerly limited access right-of-way line of United States Route 33, North 86° 24' 20" West a distance of 53.29 feet;

Thence leaving said limited access right-of-way line, South 0° 17' 30" East to the point of beginning on the northerly right-of-way line of State Route 674, a distance of 359.86', and containing 338,929.21 square feet of 7.781 acres, more or less, but subject to all legal highways and easements of Record.

This description by Robert L. Furniss, Registered Surveyor No. 4436 from a survey by Evans, Mechanics, Hamblyton & Tilton, Inc., dated September 16, 1971.

CONVEYANCE TAX EXEMPT

ROGER L. TRACY
FRANKLIN COUNTY AUDITOR
TO HAVE AND TO HOLD the above granted and bargained Premises with the appurtenances thereto belonging to the said Grantor and the heirs, executors, administrators, successors and assigns of Grantor, as the case may be, forever, subject, however, to all legal highways and to the condition and restrictions herein contained.

This conveyance is made by the Grantor and accepted by the Grantee, upon the express condition and subject to the restriction that the Premises shall not be used in whole or in part, directly or indirectly, for automobile service station purposes or for the sale, offering for sale, storage or distribution of gasoline, motor fuel, motor vehicle lubricants or any other petroleum products except for consumption on the Premises by occupant; or for the sale of tires, batteries or automotive parts and accessories during the period of twenty (20) years from and after the date hereof, and the Grantee, for Grantor and the heirs, executors, administrators, successors and assigns of Grantor, at the case may be, hereby covenants and agrees, with the Grantee, its successors and assigns which covenant shall be deemed running with and binding the land herein conveyed, that neither the Grantee, nor anyone claiming by, through, or under Grantee shall use or permit to be used the Premises or any part thereof, directly or indirectly, for automobile service station purposes; or for the sale, offering for sale, storage or distribution of gasoline, motor fuel, motor vehicle lubricants, or any other petroleum products except for consumption on the Premises by occupant; or for the sale of tires, batteries and automotive parts and accessories during the said twenty (20) years. The foregoing condition and restriction is intended for the benefit and protection of the Grantee, its successors and assigns, as the owner and/or lessee of other real property in the political subdivision (City, Village or Township, as the case may be) in which the Premises are located and in the surrounding area within a distance of five (5) miles from the boundaries of said political subdivision, now or during said 20-year period, used and operated by the Grantor or its Lessees for automobile service station purposes and shall run with the land and shall bind the Premises herein conveyed in favor of such other real property owned or leased by Grantor.

And said Grantor does for itself, its successors and assigns, covenant with the Grantee, and the heirs, executors, administrators, successors and assigns of Grantor, as the case may be, that at and until the termination of these presents, Grantor is well seized of the Premises as a good and indefeasible estate in FEE SIMPLE, and has good right to bargain and sell the same in manner and form as above written, but subject to all liens, encumbrances and claims of every kind and nature, created or suffered to exist or attached upon, against or to the Premises by anyone other than the Grantee, and subject to all Taxes and assessments (both general and special), except due and payable; to all building and zoning ordinances, laws, regulations and restrictions by municipal or other governmental authority applicable to and enforceable against the property, and all and any easements, covenants, conditions, restrictions, reservations and exceptions of record, if any; and to any and all of facts that an accurate survey and personal inspection of the Premises would disclose.

And the Grantee, for itself, its successors and assigns will warrant and defend the Premises, with the appurtenances thereto belonging, to the said Grantee, and the heirs, executors, administrators, successors and assigns of Grantee, as the case may be, against all lawful claims and demands of all persons claiming by, through or under the Grantor, except as above noted.

IN WITNESS WHEREOF, the said THE STANDARD OIL COMPANY has hereunto set its hand and corporate seal, by its duly authorized officers, this 1st day of June, 1983.

Signed and acknowledged in the presence of:

E. M. Swatos
E. M. Swatos
J. L. Casey

STATE OF OHIO

CUYAHOGA COUNTY

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named THE STANDARD OIL COMPANY by Hugh D. Hanna, Vice President, Retail Marketing, and Jane E. Zilin, Assistant Secretary, who are personally known to me and who acknowledged that they did sign the foregoing instrument and that the same is the free act and deed of said corporation and the free act and deed of each of them personally and as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Cleveland, Ohio, this 1st day of June, 1983.

Lydia F. Marcic
Notary Public

THE STANDARD OIL COMPANY (OHIO)
Midland Building
Cleveland, Ohio 44115

LYDIA F. MARCIC, Notary Public
My Commission Expires June 17, 1994
makeup of the village was 95.60% White, 2.19% African American, 0.38% Native American, 0.67% Asian, 0.04% from other races, and 1.12% from two or more races. Hispanic or Latino of any race were 0.51% of the population.

There were 1,664 households out of which 37.3% had children under the age of 18 living with them, 65.6% were married couples living together, 7.6% had a female householder with no husband present, and 24.0% were non-families. 20.9% of all households were made up of individuals and 9.8% had someone living alone who was 65 years of age or older. The average household size was 2.61 and the average family size was 3.04.

In the village the population was spread out with 27.0% under the age of 18, 5.1% from 18 to 24, 30.2% from 25 to 44, 23.2% from 45 to 64, and 14.5% who were 65 years of age or older. The median age was 38 years. For every 100 females, there were 87.1 males. For every 100 females age 18 and over, there were 84.4 males.

The median income for a household in the village was $55,645, and the median income for a family was $67,833. Males had a median income of $39,123 versus $37,399 for females. The per capita income for the village was $24,394. About 1.2% of families and 2.2% of the population were below the poverty line, including 2.0% of those under age 18 and none of those age 65 or over.

Festivals

Canal Winchester host the Labor Day Festival which usually takes place the first weekend of September. The town also host Christmas In The Village, which is a small festival with food, choirs, and horse-drawn buggie rides. During the first week of August the town usually does a rib fest.

Landmarks

Highlights of the area include: Historic Downtown Canal Winchester, Mid-Ohio Doll and Toy Museum (http://home.att.net/~dollmuseum), The National Barber’s Museum and National Barber Hall of Fame (http://www.nationalbarbermuseum.org/), Slate Run Vineyard and Winery (http://www.slaterunwine.com), and the many antique shops in the Village. Canal Winchester is also home to the Bergstresser bridge, which is the only standing wooden covered bridge in Franklin County.

Academics

Canal Winchester High School’s mascot is the Indians, and their colors are maroon and white. The high school offers many college prep and AP courses. New elementary schools, a new wing of the high school, and a new junior high school have all been built since 2000. In athletics they are best known for their football, wrestling, basketball, cross country, cheerleading, and volleyball teams, all of which compete at the Division 2 level; and track, which competes at the Division 1 level. The baseball team has been back to back state runner-up from 2008-2009. In recent years the school has produced two Wendy’s High School Heisman State Finalists in Greg Guiller and Andy Rhinehart, an award to the state’s best high school student athletes. Also their soccer team have seen success with two district titles (2013, 2014) and one OCC Cardinal Division title in 2014. The school has also produced NBA player B. J. Mullens of the Oklahoma City Thunder. Also, the school has produced MLB player Drew Dosch, class of 2010, of the Baltimore Orioles.

Notable people

- Songwriter Oley Speaks was a native of Canal Winchester, and the Canal Winchester Area Historical Society has a collection of his works.[12][13][14]
- NBA player Byron Mullens Graduated from Canal Winchester High School.


12. [1] (http://www.canalwinchesterohio.gov/) Village of Canal Winchester Web Site


External links

- City website (http://www.canalwinchesterohio.gov/)
- Canal Winchester Chamber of Commerce (http://www.canalwinchester.com/)


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Franklin County, Ohio

Franklin County is a county in the U.S. state of Ohio. As of 2017 census estimates, the population was 1,291,981, making it the most populous county in Ohio. Its county seat is Columbus, the state capital and most populous city in Ohio. The county was established on April 30, 1803, less than two months after Ohio became a state, and was named after Benjamin Franklin. Franklin County originally extended all the way north to Lake Erie before Ohio subdivided further into more counties.

Franklin County is included in the Columbus, OH Metropolitan Statistical Area.

Franklin County, particularly Columbus, has been a centerpiece for presidential and congressional politics, most notably the 2000 presidential election, the 2004 presidential election, and the 2006 midterm elections. Franklin County is home to one of the largest universities in the United States, The Ohio State University, which as of fall 2017 has an enrollment of 59,837 students on its main Columbus campus.

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https://en.wikipedia.org/wiki/Franklin_County,_Ohio
Adjacent counties
- Delaware County (north)
- Fairfield County (southeast)
- Licking County (east)
- Madison County (west)
- Pickaway County (south)
- Union County (northwest)

Major highways
- I-70
- I-71
- I-73 (future)
- I-270
- I-670
- US 23
- US 33
- US 40
- US 62
- SR 3
- SR 16
- SR 104
- SR 161
- SR 257
- SR 315
- SR 317
- SR 605
- SR 665
- SR 745

Demographics

2000 census
At the 2000 census there were 1,068,978 people, 438,778 households, and 263,705 families residing in the county.[16] The population density was 1,980 per square mile (765/km²). There were 471,016 housing units at an average density of 872 per square mile (337/km²).[17] The racial makeup of the county was 75.48% White, 17.89% Black or African American, 0.27% Native American, 3.07% Asian, 0.04% Pacific Islander, 1.03% from other races, and 2.23% from two or more races. 2.27% of the population were Hispanic or Latino of any race.[16]

There were 438,778 households of which 30.40% had children under the age of 18 living with them, 43.00% were married couples living together, 13.00% had a female householder with no husband present, and 39.90% were non-families. 30.90% of all households were made up of individuals and 7.40% had someone living alone who was 65 years of age or older. The average household size was 2.39 and the average family size was 3.03.[16]

25.10% of the population were under the age of 18, 11.70% from 18 to 24, 33.30% from 25 to 44, 20.10% from 45 to 64, and 9.80% who were 65 years of age or older. The median age was 32 years. For every 100 females there were

<table>
<thead>
<tr>
<th>Historical population</th>
<th>Census</th>
<th>Pop.</th>
<th>%±</th>
</tr>
</thead>
<tbody>
<tr>
<td>1810</td>
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<tr>
<td>1820</td>
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<td>14,741</td>
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<td>1840</td>
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<td>1930</td>
<td>361,055</td>
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<td>1950</td>
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<td>1980</td>
<td>869,132</td>
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<tr>
<td>1990</td>
<td>961,437</td>
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<td>10.6%</td>
</tr>
</tbody>
</table>
Communities

Franklin County is currently made up of 16 cities, 10 villages, and 17 townships.

Cities

- Bexley
- Canal Winchester
- Columbus (county seat)
- Dublin
- Gahanna
- Grandview Heights
- Grove City
- Groveport
- Hilliard
- New Albany
- Pickerington
- Reynoldsburg
- Upper Arlington
- Westerville
- Whitehall
- Worthington

Villages

- Brice
- Hambsburg
- Lockbourne
- Marble Cliff
- Minerva Park

- Obetz
- Riverlea
- Urbancrest
- Valleyview

Townships

- Blendon
- Brown
- Clinton


ORDINANCE NO. 19-053

AN ORDINANCE TO AMEND SECTION 331.44 OF THE CODIFIED ORDINANCES OF THE CITY OF CANAL WINCHESTER

WHEREAS, the City of Canal Winchester recognizes the dangerous and increasing trend of distracted driving; and

WHEREAS, the City wishes to protect its residents, visitors, and children from injury caused by distracted driving; and

WHEREAS, texting while driving is currently only punishable in Canal Winchester as a secondary offense in addition to other charges;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, OHIO:

Section 1. That Section 331.44 of the Codified Ordinances of the City of Canal Winchester be amended to reflect the changes in the attached Exhibit A.

Section 2.

DATE PASSED ________________________ _________________________________

PRESIDENT OF COUNCIL

ATTEST ________________________________ _________________________________

CLERK OF COUNCIL MAYOR

APPROVED AS TO FORM:

____________________________________

LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

____________________________________

CLERK OF COUNCIL
331.44 SENDING, READING, OR WRITING A TEXT MESSAGE OR ACCESSING THE INTERNET WHILE DRIVING.

(a) As used in this section:

(1) “Text message” means any message sent, stored or received via mobile communication device. For the purpose of this section, an email message shall be considered a text message.

(2) “Electronic wireless communications device” means any portable electronic device capable of transmitting or receiving data in the form of a text message or capable of accessing the internet including but not limited to a wireless telephone, a text-messaging device, a personal digital assistant, or a personal computer, but specifically excluding portable internet based vehicle navigation systems being used for that purpose.

(3) “Emergency vehicles” and “public safety vehicles” shall have the same meaning as set forth in Ohio R.C. 4511.01(D) and (E).

(b) No person shall operate a motor vehicle on any street, highway, or property used by the public for purposes of vehicular traffic or parking while using in any manner an electronic wireless communications device.

(c) Division (b) of this section shall not apply to any of the following:

(1) A person using an electronic wireless communications device for emergency purposes, including an emergency contact with a law enforcement agency, hospital or health care provider, fire department, or other similar emergency agency or entity;

(2) A person using an electronic wireless communications device whose motor vehicle is in a stationary position and the motor vehicle is outside a lane of travel;

(3) A person using a navigation device in a voice-operated or hands-free manner who does not manipulate the device while driving.

(d) (1) Except as provided in division (d)(2) of this section, whoever violates division (b) of this section shall be fined one hundred fifty dollars. In addition, the court shall impose a class seven suspension of the offender’s driver’s license or permit for a definite period of sixty days.

(2) If the person previously has been adjudicated for a violation of this section, whoever violates this section shall be fined three hundred dollars. In addition, the court shall impose a class seven suspension of the person’s driver’s license or permit for a definite period of one year.
ORDINANCE NO. 19-054

AN ORDINANCE TO AUTHORIZE THE MAYOR AND FINANCE DIRECTOR TO ENTER INTO CONTRACTS WITH THE DIRECTOR OF TRANSPORTATION FOR THE IMPROVEMENTS OF STATE ROUTE 674

WHEREAS, the State of Ohio has identified the need to improve SR-674 (Gender Rd.) within the corporation limits of the City of Canal Winchester; and,

WHEREAS, it is the recommendation of the Director of Public Service for the City of Canal Winchester to cooperate with the Ohio Department of Transportation to facilitate the project and gives consent to the Director of Transportation to complete the project; and,

WHEREAS, the project is identified as:
   PID Number 107784
   FRA-674-2.07

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

Section 1. Being in the public interest, the City of Canal Winchester gives consent to the Director of Transportation to complete the above described project

Section 2. The City shall cooperate with the Director of Transportation in the above described project as follows:

The City hereby agrees to cooperate with the Director of Transportation of the State of Ohio in the planning, design and construction of the identified highway improvement project and grants consent to the Ohio Department of Transportation for its development and construction of the project in accordance with plans, specifications and estimates as approved by the Director;

The Ohio Department of Transportation shall assume and bear one hundred percent (100%) of the necessary costs of the State’s highway improvement project; the City’s share of the cost for the pavement surface treatment is estimated to be $140,445.

The City agrees to assume and bear one hundred percent (100%) of the total cost of those features requested by the City which are not necessary for the improvement as determined by the State and Federal Highway Administration.

Section 3. The City agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. Right-of-way costs include eligible utility costs. The City agrees that all utility accommodation, relocation, and reimbursement shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.
Section 4. Upon completion of the project, and unless otherwise agreed, the City shall: (1) provide adequate maintenance for the project in accordance with all applicable state and federal law, including, but not limited to Title 23, U.S.C., Section 116; (2) provide ample resources, as necessary, for the maintenance of the project; (3) maintain the right-of-way, keeping it free of obstructions, and (4) hold said right-of-way inviolate for public highway purposes.

Section 5. The Mayor and Finance Director are hereby empowered on behalf of the City of Canal Winchester to enter into contracts with the Director of Transportation necessary to complete the above described project.

Section 6. That this ordinance is hereby declared to be an emergency measure, necessary for the preservation of public health, safety and welfare, such emergency arising for the need to meet ODOT’s project schedule; wherefore this ordinance shall take effect and be in force from and after its passage.

DATE PASSED ______________________   ______________________________

PRESIDENT OF COUNCIL

ATTEST ____________________________   ______________________________

CLERK OF COUNCIL     MAYOR

DATE APPROVED_______________

APPROVED AS TO FORM:

______________________________

LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

______________________________

Clerk of Council
Policing Service:

Many times in my nearly 12 years as mayor of Canal Winchester the issue of policing service by Madison Township within the city of Canal Winchester has come up by council & residents alike. I want to take this opportunity to try to explain how or why it has come about.

In the 1970’s the Madison Township Police Department was formed per a levy placed on the Ballot. This Police Department was to be named the ‘Madison Township Police Department’, and was advertised as the Police Department for all residents of Madison Township - both incorporated and unincorporated areas of the township. At the time, Canal Winchester had its own Police Department, which consisted of a Chief, Sargent, I believe 1-2 full time officers and a couple of Auxiliary Officers working part-time. Our population then was about one quarter of what is today. The Township Levy passed, and the Madison Township Police Department was born in January of 1972. Since that time there have been renewal levies for the Madison Township Police Department, which as I recall most (and perhaps all) have passed. The levies were voted on by the residents of Madison Township. Throughout the 1970’s, many areas outside of the Village of Canal Winchester and in Madison Township were growing at a tremendously fast pace in Commercial Growth, Retailers & Residential; Winchester Pike & Hamilton Road just to mention a couple. When this happened, the focus for Madison Township Police turned to the growing areas of the township and was time well spent.

It was a year later that Canal Winchester sent out an RFP (request for proposal) because the village wanted to dis-ban The Canal Winchester Police Department due to the expense of a Chief, Sargent, Officers, Vehicles, Radio equipment space requirements, personnel issues, supplies, training expenses and more. This was done in 1985 or 86. The Franklin County Sheriff’s Department won the contract over Madison Township & the Fairfield County Sheriff’s Department. In later years, Fairfield County was awarded the contract based on their overall services they provide at no extra cost. These extra services include but are not limited to: K-9 Unit, SWAT, Detective Bureau, Drug Task Force, Hostage negotiators, and Community Watch program, direct contact with the Chief Deputy and the Sheriff and much more. These are all programs and services Canal Winchester had never seen prior to the contract. Today this still holds true. Our contract with the Fairfield County Sheriff’s Department extends through 2021 at which time if council so choses will be sent out for an RFP for services beginning in the year 2022.

In my nearly twelve years as Mayor, Madison Township has never been asked by myself not to patrol Canal Winchester. In fact, I invite them to do so with an understanding that they coordinate with our Sargent in advance as was discussed several months ago so we know what they are doing and when they are doing it. The City Law Director, myself, Clerk of Courts and Finance Director have requested the Franklin County prosecutors look into the possibility of having arrests or traffic violations go through our City Mayors court. Currently all stops or arrests Madison Township makes are required to go to Franklin County Court, making the city responsible for court payments to the Franklin County jail which is about $85 per day, or more than $2,500 per month if the case is criminal, or a warrant arrest or the defendant has no bail. While this might seem to be trivial to some, it can add up to tens of thousands of dollars annually. The prosecutor has had this in front of
them for almost the entire year of 2019 with no resolution as of yet. I hope that soon we will have an answer.

To put the Madison Township Levy in perspective, as taxpayers we would have to draw a comparison to the likes of COTA levies, Columbus Zoo levies, Metro Parks Levies, ADMH Levies and more. We as residents of Canal Winchester, Madison Township, and Franklin County pay taxes to all of these and more. They are all very worthy causes and services provided and available to us, but the city has no control over any of them and there is no paid contract with Madison Township. My point is, the City Council and Mayor have nothing to do with what the township provides to Canal Winchester. They are a separate taxing authority from the city as are the others I mentioned, and they can patrol where they see the need, do with the money as they see fit, providing the tax dollars they are using are for Police Service and not swing sets at the Local Park or a similar situation.

If the residents want to see a change in how the township divides up their police services throughout the township, I would suggest the residents talk to a Madison Township Trustee or attend their meetings. Ask nicely why as a Madison Township taxpayer, Canal Winchester City residents you are not getting what you believe is fair service, and let them know Canal Winchester residents are paying to the township between $500,000-$600,000 collectively per year in Township Police Tax.
Gender Road Paving: We are presenting authorizing legislation for this project at the September 16th meetings.

Trail Lighting: Bill Sims and I met with South Central Power to get quotes on installing pole lighting along the Groveport bike path from Hanners Park west to the end of the trail.

WRF Generator Project: We have submitted the generator replacement project to an Ohio EPA low interest loan program that will provide up to $50,000 in principal forgiveness.

Gender Rd. Phase V: OPWC application has been submitted and we expect to hear results around the first of December.

5-Year CIP: Council has been sent the final version of the CIP the week of September 9th.

SWACO Consortium Meeting: I will continue to attend SWACO Consortium II meetings to get more information regarding the program.

Storm Sewer Replacement: We are working with Franklin County Engineers to have them perform the work under their contracts and we will then provide reimbursement.

Westchester Park Improvements: Plans are being submitted to ODNR for approval and we are finalizing quotes to award contracts separately, pending Council approval.

Additionally, the fitness station project with the School’s Battelle has been delayed by a few weeks due to delivery issues.

High St. RR X-ing: We obtained a proposal that was below the engineer’s estimate for the upgrade of the crossing. Costs for this project are being shared between the city railroad.

Transportation Thoroughfare Plan: We are working with EMH&T and MORPC to update our Transportation Thoroughfare Plan. We are waiting proposals From MORPC for their portion of the work and plan to proceed once it is obtained.

Lithopolis Wastewater Agreement: We continue to work with Mayor Taylor to possibly extend the contract early.

McGill Park: ODNR approved the grant and are waiting to have the LWCF grant finalized at the federal level.

Gender Rd. Signal Synchronization Project: ODOT has the consultant on board and the data collection portion is scheduled to start in soon.
Project Status:

Plant Production:

- We pumped 28.575 Million in August at an average of .922 MGD per day which is 46% of capacity. Maximum daily flow was 1.166 MGD and average hardness was 117 mg/l. There were no water complaints for this month.
- Premier Electric has installed the VFD/ A&B switches and BSI Engineering is nearly complete on the programming. Project completion is expected end of September.

Distribution:

- Hydrant flushing is scheduled for September 23rd to October 11th.
- AMI Metering System installs are ongoing. We have around 1762 units installed. (Water crews installed 44 since the last meeting) 1646 remaining (50.5 %) completed.
- Water Line testing is completed for the Hill Road extension and Turning Stone development and the mains are now in service.
- Tower Maintenance Contract is signed and sent back to Suez Utility Services. Suez will be on site to do a washout on the N. Gender tower at the end of the month.