

GROVE CITY, OHIO COUNCIL LEGISLATIVE AGENDA

February 06, 2023

6:30 Caucus

7:00 p.m. Regular Meeting

Call to Order: President Berry

Roll Call: Clerk of Council

Approval of Minutes

Welcome & Reading of Agenda: Pres. Berry

LANDS: Mr. Schottke

Ordinance C-01-23 Authorize the City Administrator to enter into an Agreement granting a Permanent Easement to the Grant Run Estates Homeowner's Association. Second reading and public hearing.

Ordinance C-03-23 Rescind the B.M.R. Farms Plat located North of Holton Rd. and East of S.R.104. First reading.

Resolution CR-01-23 Approve the Development Plan for Season's Grove located at 1050 Lamplighter Drive.

SERVICE: Ms. Houk

Resolution CR-02-23 Intent to Appropriate Property and Easements for the Demorest Road Corridor Reconstruction and Related Improvements for the Public Purpose of Making or Repairing a Public Road to be open to the public at no charge.

Resolution CR-03-23 Form the Grove City Bicycle Transportation Task Force.

Resolution CR-04-23 Submit Accreditation paperwork to Bicycle Friendly America by February, 2024.

FINANCE: Mr. Holt

Ordinance C-02-23 Approve the Option Contract with Robert M. Stephenson and Beverly A. Stephenson and Appropriate \$202,500.00 from the General Fund for said purchase. Second reading and public hearing.

Resolution CR-05-23 Approve Admission of Hilliard and Gahanna to the Central Ohio Risk Management Association Self-Insurance Pool.

Call for New Business

Call for Dept. Reports & Closing Comments

Adjourn

ON FILE: Minutes of: 01/17 Council & 01/23 BZA

Date: 01/09/23
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Mr. Smith
Approved: Mr. Boso
Emergency: 30 Days: XX
Current Expense: _____

No.: C-01-23
1st Reading: 01/17/23
Public Notice: 01/18/23
2nd Reading: 02/06/23
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-01-23

AN ORDINANCE TO AUTHORIZE THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT GRANTING A PERMANENT EASEMENT TO THE GRANT RUN ESTATES HOMEOWNER'S ASSOCIATION

WHEREAS, an entrance feature was approved with the development plan for the Grant Run Estates subdivision with CR-45-00; and

WHEREAS, the construction of the roundabout at Buckeye Parkway and Borror Road necessitated the removal of the entrance feature; and

WHEREAS, the City of Grove City owns Reserve "A" at the southwest corner of the roundabout at Buckeye Parkway and Borror Road; and

WHEREAS, an agreement has been drafted granting a permanent easement to the Grant Run Estates Homeowner's Association to permit the installation and maintenance of a new entrance feature on City property.

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

SECTION 1. This City Council hereby authorizes the City Administrator to execute an Agreement to Grant an Easement to the Grant Run Estates Homeowner's Association upon the terms and conditions set forth in Exhibit A.

SECTION 2. This Ordinance shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Passed:

Richard L. Stage, Mayor

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I certify that this
ordinance is correct as to form.

Stephen J. Smith, Director of Law



KAMAN & CUSIMANO LLC

COMMUNITY ASSOCIATION ATTORNEYS

Andrew F. Meinert, Esq.
ameinert@kamancus.com
614-882-3100

C-01-23

8101 North High Street, Suite 370
Columbus, Ohio 43235
Fax: 614-882-3800

October 26, 2022

VIA ELECTRONIC MAIL ONLY: jdematteo19@yahoo.com

Grant Run Estates HOA
c/o Jennifer DeMatteo, Secretary
5637 Platinum Drive
Grove City, Ohio 43123

Re: Easement Agreement

Dear Ms. DeMatteo:

On behalf of the Board of Directors for the Grant Run Estates Homeowners' Association, you advised us that the City of Grove City accepted my revisions to the Encroachment Agreement they proposed to the Board, and also agreed to grant the Association an easement for the entrance signage, rather than a license. In conjunction with this information, you requested I draft an easement agreement incorporating the terms from the encroachment agreement, including my revisions, that may be presented to the City. My response to this request is based on my review of the information received, review of the Grant Run Estates Declaration and Bylaws, including amendments we have received, research and review of the Ohio Planned Community Act, Ohio contract and easement law, pertinent case law, and on our experience in representing community associations throughout Ohio.

Enclosed, please find the Easement Agreement for the Board's review. As you can see, the Agreement contains nearly identical terms to the encroachment agreement, but replaces certain language to grant an easement rather than a simple license that may be revoked. I also modified the termination provision so that it requires both parties' written consent.

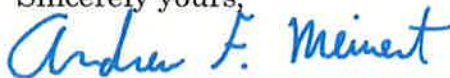
Once approved, the Board may present the Agreement to the City for their review and approval. Once approved and signed by the City, the Board President should counter-execute the Agreement where indicated. All signatures **must be notarized**. The original, fully signed, dated, and notarized Agreement should be sent to me to be recorded with the Franklin County

Recorder's office. *Alternatively, the Board may coordinate directly with the City to have the Agreement recorded.*

Under Ohio law, nothing may be put in the margins of the document. This means that all signatures and notary stamps must be within the margins of the document. If the document or Exhibits are not in compliance with these requirements, an additional \$20.00 county filing fee will be incurred.

I trust the above and the enclosed responds to the Board's request. Should you or any of the other Board members have any questions or wish to further discuss this matter, please do not hesitate to contact me.

Sincerely yours,



ANDREW F. MEINERT

AFM:sm
Enclosure

EASEMENT AGREEMENT

This **Easement Agreement** (the "Agreement") is executed, delivered and made effective as of this ____ day of _____, 2022, by and between the **City of Grove City**, an Ohio municipal corporation, with an address of: 4035 Broadway, Grove City, Ohio 43123 (the "City") and the **Grant Run Estates Homeowners' Association** ("Association"), whose mailing address is: c/o Elite Management Services, Inc., P.O. Box 26366, Charlotte, North Carolina, 28221.

Recitals

A. The City has previously enacted Chapter 901 of the City of Grove City Codified Ordinances (the "Code") entitled "Division of Streets, Sewers, Public Lands and Buildings and Equipment Maintenance" as a comprehensive plan to address the management, administration, and regulation of City-owned property.

B. Under the City Charter, the City Administrator is responsible for all administrative activities and other responsibilities as delegated by the Mayor, including the administration of Chapter 901.

C. The City is the owner of certain property, Franklin County Parcel Number 040-011308, in Grove City, Ohio which real property is legally described in Instrument No. 201907080081872 ("Parcel"), filed with the Franklin County Recorder's office ("Warranty Deed").

D. Association desires to place an entrance feature for a residential development on said Parcel, and the City desires to grant Association an easement for such purposes. A drawing depicting the location and size of the entrance feature is attached hereto as Exhibit "A" ("Easement Area"), and an illustration of the sign associated with the entrance feature is attached as Exhibit "B".

AGREEMENT

NOW, THEREFORE, the parties agree as follows:

1. **Easement on City-Owned Property.** The City grants a permanent, non-exclusive easement for the entrance feature and any signage, lighting, landscaping, or other features associated with the entrance feature ("Property") to be placed on the Parcel by Association, its successors and assigns, subject to the terms and conditions herein. Association acknowledges that the City retains and reserves the right and ability to utilize the Parcel at any time or for any reason. In the event it is necessary to gain access to the Parcel or use it in any manner at the location of the Easement Area, Association acknowledges that the City may take any and all necessary action including, but not limited to, removing any of Association's Property located within the Parcel or causing the relocation of the Property at the Association's expense, provided that the City must first provide Association with at least 30 days to cause the Property to be removed to the City's satisfaction. The Association will be responsible for any expenses, damages to, or reconstruction of any Property damaged or removed by the City's activity. Association is responsible for all Property installed in the Easement Area, but is not responsible for any other portions of the Parcel, including the lawn, except as otherwise provided by this Agreement.
2. **Extension.** Association, its successors and assigns, agree not to extend their Easement Area any further into the Parcel than as shown on the attached Exhibit "A."
3. **Assumption of Liabilities.** Association, its successors and assigns, agree to be financially responsible to the City for any and all reasonable costs, expenses or liabilities (including reasonable fees of attorneys, paralegals, experts, court reporters and others) incurred to remove or bypass any and all Property or other obstructions from the Parcel as directed by the City. The City may give Association a reasonable opportunity to remove the Property installed in accordance with this Agreement if, in the sole opinion of the City, it is feasible to do so.
4. **Indemnity.** Association shall indemnify, protect, defend, and hold harmless the City from and against all loss, liability, damage, actions, causes of action, or claims for injury, death, loss or damage of whatever nature to any person, property or business interest, caused by or resulting from an act or omission of Association or its agents, employees, customers, servants, licensees, tenants, subtenants, guests or invitees in respect to the matters set forth in this Agreement and its use of the Parcel, and from and against any and all costs, expenses or liabilities (including reasonable fees of attorneys, paralegals, experts, court reporters and others) incurred by the City in connection with any claim, action or proceeding in respect of any such loss, liability, damage, action, cause of action, or claim relating to this Agreement.

5. **Insurance.** The Association shall take out and maintain during the life of this Agreement, such Public Liability (Bodily Injury and Property Damage) Insurance as shall protect the Association from claims for damages for personal injury, including accidental death, as well as from claims for property damage which may arise from Association's operations under this Agreement, whether such operation be by the Association or by anyone directly or indirectly employed by the Association. Such insurance policy shall include the City as an additionally named insured. The Association shall maintain coverage of the types and in the amounts as specified below. Proof of such insurance coverage shall be evidenced by submitting a certificate of insurance upon City's written request. Association's "Umbrella" type policy with limits specified below may be submitted for this requirement, with the City as a named insured. The amounts of such insurance shall be as follows:

Bodily Injury Liability:

Each Person \$500,000.00

Each Accident \$1,000,000.00

Property Damage Liability:

Each Accident \$500,000.00

All Accidents \$1,000,000.00

Such insurance shall remain in full force and effect during the life of this Agreement. The required insurance may not be changed or canceled unless the insured and the City are notified in writing not less than thirty days prior to such change or cancellation. In the event of cancellation, the Association shall cease all operations under this Agreement until proper insurance has been restored, or the City waives such insurance requirement in writing.

6. **Term.** Under this Agreement, Association shall be authorized to perpetually use and/or occupy the Parcel as provided herein, except upon the termination of this Agreement as provided below.

7. **Termination.** This Agreement may only be terminated upon the mutual written consent of Association and City, evidenced through a document recorded with the Recorder's Office, Franklin County, Ohio with reference made to this Agreement.

8. **Miscellaneous Provisions.**

(a) **Successors and Assigns.** This Agreement shall run with the land and be binding upon and inure to the benefit of the respective heirs, personal representatives, successors, transferees, and assigns of the parties hereto.

(b) Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed to be a duplicate original, but all of which, taken together, shall constitute a single instrument.

(c) Captions. The captions contained in this Agreement are included only for convenience of reference and do not define, limit, explain or modify this Agreement or its interpretation, construction or meaning and are in no way to be construed as a part of this Agreement.

(d) Severability. If any provision of this Agreement or the application of any provision or any circumstance shall be determined to be invalid or unenforceable, then such determination shall not affect any other provision of this Agreement or the application of said provision to any other person or circumstance, all of which other provisions shall remain in full force and effect.

(e) Amendments in Writing. No change, amendment, termination or attempted waiver of any of the provisions of this Agreement shall be binding upon any party unless in writing and signed by both of the parties hereto and recorded with the Recorder's Office, Franklin County, Ohio with reference made to this Agreement.

(f) Covenants Run With the Land. It is intended that the covenants, easements, agreements, promises and duties set forth in this Agreement shall be construed as covenants that run with the land.

(g) Conformance With Grove City Code. Association must be in full compliance with regulations in the Grove City Codified Ordinances.

(h) Venue. The parties hereto hereby consent to the exclusive jurisdiction of the courts of the State of Ohio in Franklin County, and the United States District Court for the Southern District of Ohio, and waive any contention that any such court is an improper venue for enforcement of this Agreement.

(i) Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio.

(j) Non-Assignability. This Agreement shall not be assigned without the written permission of the City.

(k) Notices. All consents, demands, elections, notices, requests, and other communications hereunder required must be in writing and must be sent by 1) electronic mail and 2) regular U.S. mail, postage prepaid, telecopy, or hand delivery and addressed to the following addresses:

Association:

City:

c/o: Michelle Skeen
Community Association Manager
Elite Management Services, Inc.
P.O. Box 26366
Charlotte, North Carolina 28221
Mskeen@emspm.com

c/o: _____

(I) Exoneration. No signatory for Association assumes, nor will they be under, any personal liability by reason of this Agreement.

IN WITNESS WHEREOF, the undersigned has hereunto set their hand this ____ day of _____, 2022.

"CITY"
City of Grove City

By: _____

Title: _____

STATE OF OHIO)
)
COUNTY OF _____)

BEFORE ME, a Notary Public, in and for said County and State, personally appeared the above named _____, on behalf of the City of Grove City, who acknowledged that they did sign the foregoing instrument and that the same is her free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this _____ of _____, 2022.

Notary Public

Place notary stamp/seal here:

“ASSOCIATION”

“ASSOCIATION”

By: _____

Title: _____

STATE OF OHIO)
) SS.
COUNTY OF _____)

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this _____ of _____, 2022.

Notary Public

Page 6 of 8

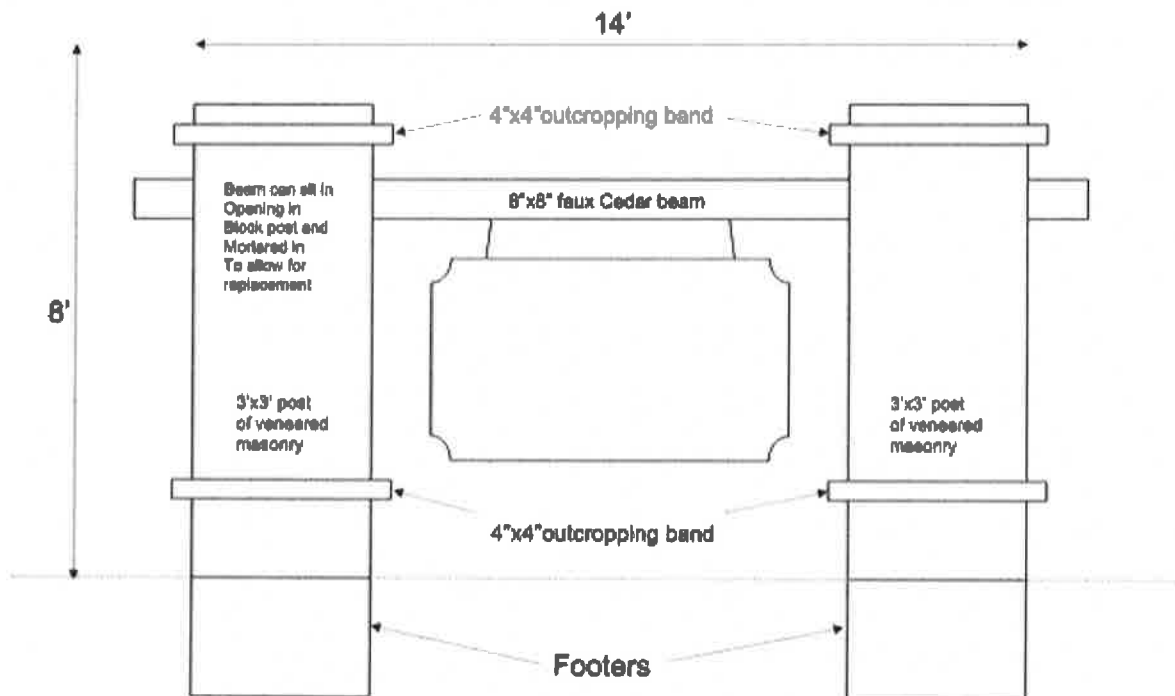
EXHIBIT A

Drawing Depicting Specific Location and Size of Easement Area



EXHIBIT B

Drawing Depicting Entrance Feature Sign



C-01-23

**SIGN AND LANDSCAPE EASEMENT
0.193 ACRE**

Situated in the State of Ohio, County of Franklin, City of Grove City, lying in Virginia Military Survey Number 1388, and being a strip of land on, over, and across Reserve "A" of Grant Run Estates Section 1 by deed of record in Plat Book 97, Page 89 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at a northwesterly corner of said Reserve "A", at a northeasterly corner of that 1.740 acre tract conveyed to Steven Douglas Casa by deed of record in Official Record 22010A13 and Instrument Number 201904100040417 and being in the southerly right-of-way line of said Borror Road;

Thence South $03^{\circ} 41' 26''$ West, with the line common to said Reserve "A" and said 1.740 acre tract, a distance of 291.04 feet to the TRUE POINT OF BEGINNING;

Thence South $86^{\circ} 18' 34''$ East, across said Reserve "A", a distance of 54.44 feet to a point on the arc of a curve in the easterly line of said Reserve "A", the westerly right-of-way line of Buckeye Parkway (R/W varies) of record in said Grant Run Estates Section 1;

Thence with the easterly line of said Reserve "A" and with said westerly right-of-way line, with the arc of a curve to the left, having a central angle of $17^{\circ} 44' 24''$, a radius of 250.00 feet, an arc length of 77.41 feet, a chord bearing of South $24^{\circ} 53' 33''$ East and chord distance of 77.10 feet to a point;

Thence South $47^{\circ} 56' 44''$ West, across said Reserve "A", a distance of 80.00 feet to a point;

Thence North $86^{\circ} 18' 34''$ West, continuing across said Reserve "A", a distance of 35.50 feet to a point in the westerly line of said Reserve "A" and in the easterly line of that 12.597 acre tract conveyed to Larry C. Hinton and Joyce E. Hinton by deed of record in Instrument Number 201906210074581;

Thence North $03^{\circ} 41' 26''$ East, with the westerly line of said Reserve "A" and with the easterly line of said 12.597 and 1.740 acre tracts, a distance of 125.00 feet to the TRUE POINT OF BEGINNING, containing 0.193 acre, more or less.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

Joshua M. Kleemeyer
Joshua M. Kleemeyer
Professional Surveyor No. 8790

12/20/22
Date

C-01-23



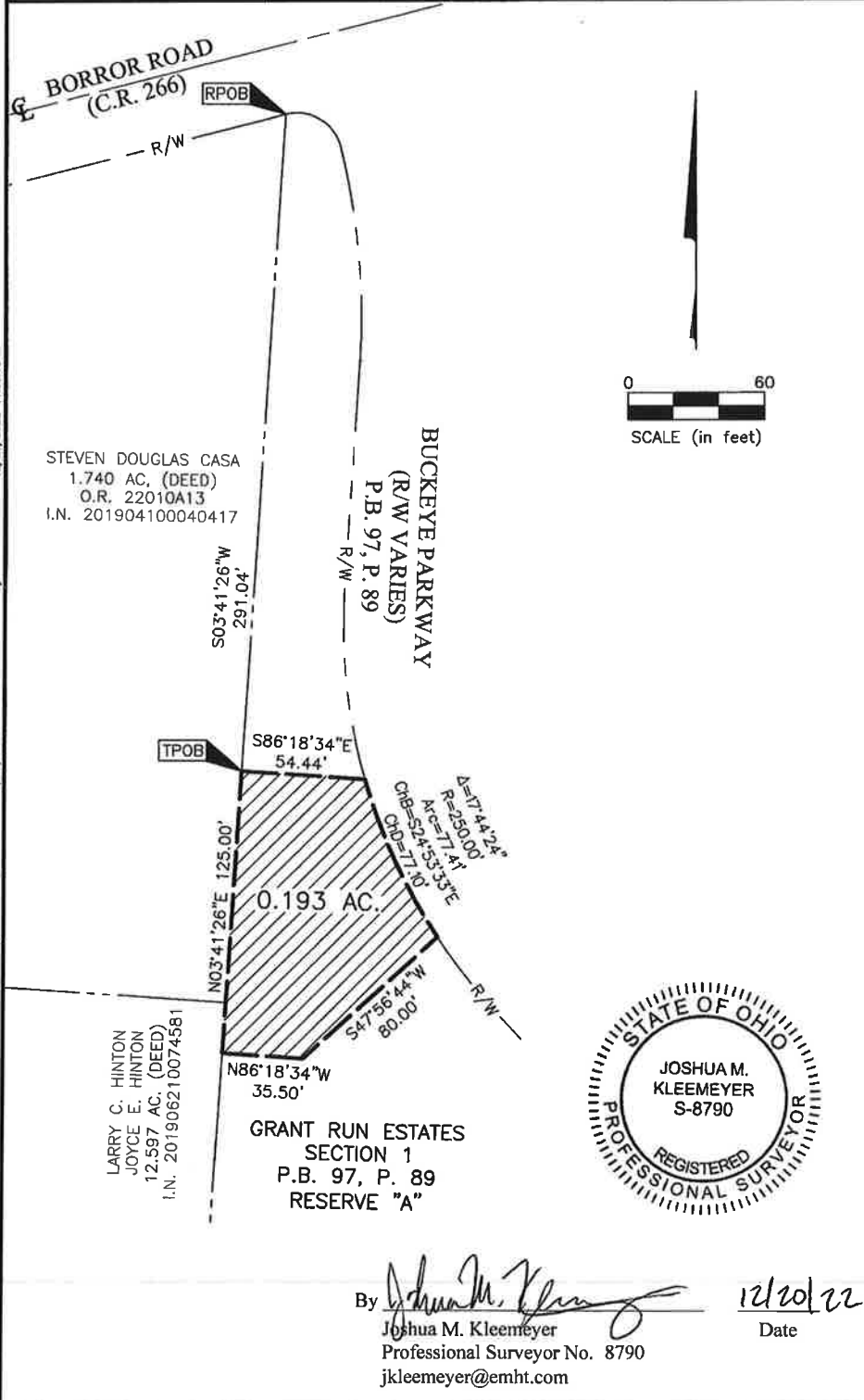
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.2646
emht.com

SIGN AND LANDSCAPE EASEMENT

VIRGINIA MILITARY SURVEY NUMBER 6115

CITY OF GROVE CITY, COUNTY OF FRANKLIN, STATE OF OHIO

Date: December 20, 2022 Scale: 1" = 60' Job No: 2022-0821 Sheet No: 1 of 1



Date: 01/31/23
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Mr. Smith
Sponsor : Mr. Schottke
Emergency: 30 Days:
Current Expense:

No.: C-03 -23
1st Reading: 02/06/23
Public Notice: 02/07/23
2nd Reading: 02/20/23
Passed: Rejected:
Codified: Code No:
Passage Publication:

ORDINANCE C-03-23

AN ORDINANCE TO RESCIND THE B.M.R. FARMS PLAT

WHEREAS, in 1965, a Plat was approved for B.M.R. Farms Inc. that included public right-of-way for Melynda Lane, Kathleen Court, Susanne Court, and Melynda Court; and

WHEREAS, no improvements were ever made to pursuant to the B.M.R. Farms Inc. Plat; and

WHEREAS, the public right-of-way on the B.M.R. Farms Inc. Plat is not needed for any municipal purpose; and

WHEREAS, Council is satisfied that there is good cause to rescind the Plat and that it will not be detrimental to the general interest of the public.

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

SECTION 1. The B.M.R. Farms Plat, as depicted in Exhibit A, and found in Franklin County Records PB/38/55 and Instrument 190001010006678 is hereby rescinded.

SECTION 2. This Ordinance shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Passed:

Richard L. Stage, Mayor

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I certify that this
ordinance is correct as to form.

Stephen J. Smith, Director of Law

C-03-23
Exhibit A

BMR FARMS

BOOK 38 PAGE 55

B M R
F A R M S
INC
Page 579

B M R
F A R M S
INC
Page 579

MELYNDA

LANE

LAKE

REVERE

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KATHLEEN COURT

SUSANNE COURT

MELYNDA CL

B M R FARMS INC
DB 2409, Page 679

DAVIES INC

DAVID
DB 1162,
DB 1162,

100 Acres

STATE OF OHIO
COUNTY OF FRANKLIN 55

Situated in the State of Ohio, County of Franklin, Township of Jackson, being a part of Virginia Military Survey No. 478, containing 13.856 Acres of the 62-382, Acre Tract conveyed to "B M R FARMS INC" by and of record in Deed Book 2409, Page 679, Recorders Office, Franklin County, Ohio.

The undersigned, "B M R FARMS INC" by FRANK BENTLEY, President, do hereby certify that the attached plat correctly represents its "B M R FARMS" a subdivision of Lots 1 to 17 inclusive and Reserve "A" does hereby accept this plat of same and dedications to public use as such all or parts of the Lane and Courts shown herein and not heretofore indicated.

The undersigned further agrees that any use or improvements made on this land shall be in conformity with all existing valid zoning, planning, health or sanitary laws and regulations including the applicable official zoning, planning and health or sanitary laws and regulations of Franklin County, Ohio, and that the undersigned shall be responsible for the same under or through the undersigned.

The undersigned further agrees that any use or improvements made on this land shall be in conformity with all existing valid zoning, planning, health or sanitary laws and regulations including the applicable official zoning, planning and health or sanitary laws and regulations of Franklin County, Ohio, and that the undersigned shall be responsible for the same under or through the undersigned.

The undersigned further agrees that any use or improvements made on this land shall be in conformity with all existing valid zoning, planning, health or sanitary laws and regulations including the applicable official zoning, planning and health or sanitary laws and regulations of Franklin County, Ohio, and that the undersigned shall be responsible for the same under or through the undersigned.

Witness my hand and seal this 6th day of August, 1965.

FRANK BENTLEY, President
"B M R FARMS INC"

WITNESSES

FRANK BENTLEY, President
"B M R FARMS INC"

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 6th day of August, 1965.

By Commission Expires May 24, 1967

Approved this 12th day of August, 1965

Approved this 12th day of August, 1965

Approved this 12th day of August, 1965

Approved this 12th day of August, 1965

Approved this 12th day of August, 1965

Approved this 12th day of August, 1965

Approved this 12th day of August, 1965

Approved this 12th day of August, 1965

Approved this 12th day of August, 1965

Approved this 12th day of August, 1965

Approved this 12th day of August, 1965

Approved this 12th day of August, 1965

APPROVED BY PLATTED

EVANS, MECHWART, HAMBLETON & TILTON, INC.

CONSULTING ENGINEERS & SURVEYORS

COLUMBIA, OHIO

APPROVED BY PLATTED

EVANS, MECHWART, HAMBLETON & TILTON, INC.

CONSULTING ENGINEERS & SURVEYORS

COLUMBIA, OHIO

APPROVED BY PLATTED

EVANS, MECHWART, HAMBLETON & TILTON, INC.

CONSULTING ENGINEERS & SURVEYORS

COLUMBIA, OHIO

APPROVED BY PLATTED

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Date: 01/09/23
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Plan. Comm.
Sponsor: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: CR-01-23
1st Reading: 01/17/23
Public Notice: Postponed to 2/6
2nd Reading: _____
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

RESOLUTION NO. CR-01-23

A RESOLUTION TO APPROVE THE DEVELOPMENT PLAN FOR SEASON'S GROVE LOCATED AT 1050 LAMPLIGHTER DRIVE

WHEREAS, on January 03, 2023, the Planning Commission recommended approval of the Development Plan for Season's Grove with the following stipulations:

1. A deviation from the approved Zoning Text shall be granted to exceed the maximum number of units permitted on the property by six (6) for a total of 82 units; and
2. The applicant shall work with the City and Fire Department to resolve concerns regarding access.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. This Council hereby approves the Development Plan for Season's Grove located at 1050 Lamplighter Drive, contingent upon the stipulations set by Planning Commission.

SECTION 2. This approval shall be good for 12 months from the date passed, or as otherwise provided in Section 1101.07(b) of the Codified Ordinances of the City of Grove City, Ohio.

SECTION 3. This resolution shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Richard L. Stage, Mayor

Passed:

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I Certify that this resolution
is correct as to form.

Stephen J. Smith, Director of Law

Date: 01/31/23
Introduced By: Ms. Houk
Committee: Service
Originated By: Mr. Smith
Approved: Mr. Boso
Emergency: 30 Days
Current Expense:

No.: CR-02-23
1st Reading: 02/06/23
Public Notice: 0 / /23
2nd Reading: 0 / /23
Passed: Rejected:
Codified: Code No:
Passage Publication:

RESOLUTION CR-02-23

A RESOLUTION OF INTENT TO APPROPRIATE PROPERTY AND EASEMENTS FOR THE DEMOREST ROAD CORRIDOR RECONSTRUCTION AND RELATED IMPROVEMENTS FOR THE PUBLIC PURPOSE OF MAKING OR REPAIRING A PUBLIC ROAD TO BE OPEN TO THE PUBLIC AT NO CHARGE

WHEREAS, the City of Grove City is planning to make capital improvements to Demorest Road corridor; and

WHEREAS, the Demorest Road corridor is in need of improvements to support safe vehicular, pedestrian and bicycle traffic in conjunction with development along the project corridor, including the Brookpark Middle School site; and

WHEREAS, this Project is considered to be a priority need for the community; and

WHEREAS, the City's Consulting Engineer has prepared plans for the Demorest Road corridor reconstruction and related improvements as shown in Exhibit A; and

WHEREAS, the Project requires that the City obtain, for the public purpose of making, repairing, and improving a public roadway which shall be open to the public without charge, multiple property interests from multiple properties, as described and depicted in the attached exhibits; and

WHEREAS, pursuant to Section 719.04 of the Ohio Revised Code, it is necessary for Council to declare its intent to appropriate property for the improvements related to the Project.

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

SECTION 1. This Council considers it necessary and declares its intention to appropriate certain fee simple interests for public right of way, without limitation of existing access rights, and easements in and to the premises described in the attached Exhibits for the Demorest Road Corridor Reconstruction and related improvements.

SECTION 2. The City Administrator or designee is authorized to cause written notice of the passage of this Resolution to be given to the owners having an interest of record in the premises. The notices shall be served and returned accordingly to law.

SECTION 3. The resolution shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council



Evans, Mechwart, Hamilton & Thon, Inc.
Engineers - Surveyors - Planners - Scientists
6620 New Albany Road, Columbus, OH 43254
Phone: 614.778.4000 Toll Free: 888.775.5688
emht.com

SURVEY OF ACREAGE PARCEL

SURVEY NUMBER 1388

VIRGINIA MILITARY DISTRICT

CITY OF GROVE CITY, COUNTY OF FRANKLIN, STATE OF OHIO

Date: November 14, 2022 Scale: 1" = 80' Job No: 2022-0097 Sheet No: 1 of 1

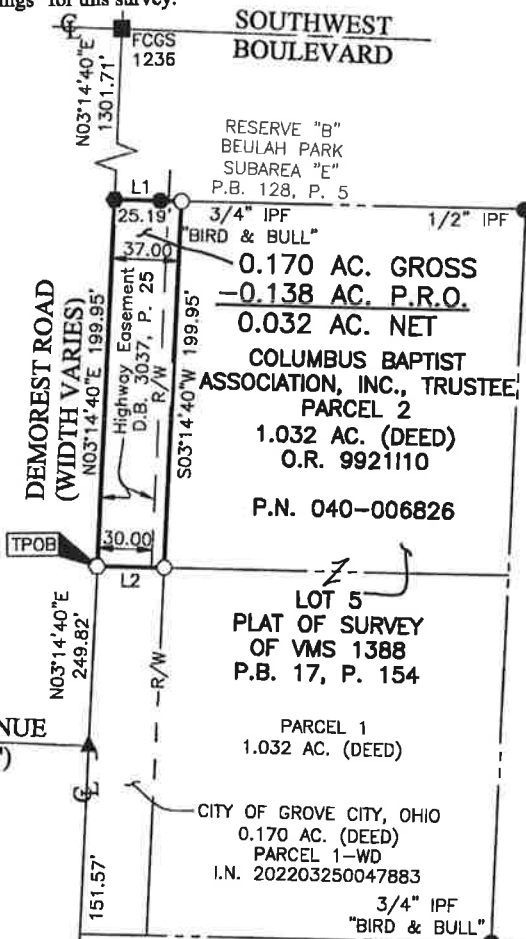
BASIS OF BEARINGS:

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey.

SURVEY NOTE:

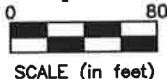
This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey in October 2019, March 2021, April 2021, and March 2022.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S88°03'03"E	37.01'
L2	N88°03'03"W	37.01'



- Iron Pin Set
- Iron Pin Found
- Stone Found
- P.K. Nail Found
- Monument Found
- Magnetic Nail Set
- Magnetic Nail Found
- ▲ Railroad Spike Found

I.P. Set are 13/16" I.D. iron pipes 30" long with cap inscribed EMHT INC.



SCALE (in feet)

By

Brandon R. King
Professional Surveyor No. 8772
bking@emht.com



11-14-2022

Date

J:\20220097\DWG\ASSET\BOUNDARY\20220097-VS-BN01-01.DWG plotted by KING, BRANDON on 11/14/2022 1:56:56 PM last saved by KING on 11/14/2022 1:56:36 PM

**0.170 ACRE
ALL RIGHTS, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

Situated in the State of Ohio, County of Franklin, City of Grove City, lying in Virginia Military District Survey Number 1388, and being part of that 1.032 acre tract conveyed as Parcel 2 to Columbus Baptist Association, Inc., Trustee by deed of record in Official Record 9921110 and Lot 5 of that Plat of Survey of VMS 1388, of record in Plat Book 17, Page 154 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at an aluminum disk in pvc encased concrete monument (FCGS 5131) found in the centerline of Demorest Road (width varies);

Thence North 03° 14' 40" East, with said centerline (passing a railroad spike found at a distance of 151.57 feet), a total distance of 249.82 feet to a magnetic nail set, at the southwesterly corner of said Parcel 2 and the northwesterly corner of that 0.170 acre tract conveyed as Parcel 1-WD to City of Grove City, Ohio by deed of record in Instrument Number 202203250047883, being the TRUE POINT OF BEGINNING;

Thence North 03° 14' 40" East, continuing with said centerline, a distance of 199.95 feet to a magnetic nail found at the northwesterly corner of said Parcel 2 and a southwesterly corner of Reserve "B" of that subdivision titled "Beulah Park Subarea "E"", of record in Plat Book 128, Page 5 (reference an aluminum disk in pvc encased concrete monument (FCGS 1236) found at the centerline intersection with Southwest Boulevard, being North 03° 14' 40" East, a distance of 1301.71 feet);

Thence South 88° 03' 03" East, with the line common to said Parcel 2 and Reserve "B" (passing a 3/4 inch iron pipe capped "Bird & Bull" found at a distance of 25.19 feet), a total distance of 37.01 feet to an iron pin set;

Thence South 03° 14' 40" West, across said Parcel 2, a distance of 199.95 feet to an iron pin set at the northwesterly corner of the remainder of that 1.032 acre tract conveyed as Parcel 1 to Columbus Baptist Association, Inc., Trustee by deed of record in Official Record 9921110 and the northeasterly corner of said 0.170 acre tract;

Thence North 88° 03' 03" West, with the line common to said Parcel 2 and said 0.170 acre tract, a distance of 37.01 feet to the TRUE POINT OF BEGINNING, containing 0.170 acre, more or less, of which 0.138 acre is located within the present roadway occupied.

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 shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey

0.170 ACRE

- 2 -

This description is based on an actual field survey performed by or under the direct supervision of Brandon R. King, Professional Surveyor Number 8772 in October 2019, March 2021, April 2021, and March 2022.



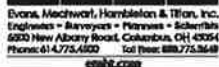
EVANS, MECHWART, HAMBLETON & TILTON, INC.

A handwritten signature of Brandon R. King in black ink.

Nov. 14, 2022

Brandon R. King
Professional Surveyor No. 8772

Date

**SURVEY NUMBER 1388**

VIRGINIA MILITARY DISTRICT

CITY OF GROVE CITY, COUNTY OF FRANKLIN, STATE OF OHIO

Date: November 8, 2022	Scale: 1" = 80'	Job No: 2022-0097	Sheet No: 1 of 1
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SURVEY NOTE:

This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey in October 2019, March 2021, April 2021, and March 2022.

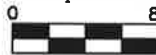
LINE TABLE		
LINE	BEARING	DISTANCE
L1	S86°54'45"E	37.00'
L2	S86°54'45"E	24.32'
L3	N87°43'41"W	11.78'
L4	N87°43'41"W	37.01'

BASIS OF BEARINGS:

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey.

- Iron Pin Set
- Iron Pin Found
- Stone Found
- P.K. Nail Found
- Monument Found
- Magnetic Nail Set
- Magnetic Nail Found
- ▲ Railroad Spike Found

I.P. Set are 13/16" I.D. iron pipes
30" long with cap inscribed EMHT INC.



SCALE (in feet)

LOT 5
PLAT OF SURVEY
OF VMS 1388
P.B. 17, P. 154

OTTA JALLAQ
3.100 AC. (DEED)
I.N. 201912310176000

P.N. 040-006827

0.511	AC.	GROSS
-0.345	AC.	P.R.O.
0.166	AC.	NET

RESERVE "A"
BEULAH PARK
SUBAREA "E"
P.B. 128, P. 5

By

Brandon R. King
Professional Surveyor No. 8772
bking@emht.com

11.8.2022

Date _____

\\A:\20220097\DWG\04SHEETS\BOUNDARY\20220097-VS-BNDY-04.DWG plotted by KING, BRANDON on 11/8/2022 3:13:15 PM last saved by NDISTELHORST on 11/4/2022 12:35:31 PM

**0.511 ACRE
ALL RIGHTS, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

Situated in the State of Ohio, County of Franklin, City of Grove City, lying in Virginia Military District Survey Number 1388, and being part of that 3.100 acre tract conveyed to Otta Jallaq by deed of record in Instrument Number 201912310176000 and part of Lot 5 of that Plat of Survey of VMS 1388, of record in Plat Book 17, Page 154 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at an aluminum disk in pvc encased concrete monument (FCGS 1236) found in the centerline intersection of Demorest Road (width varies) and Southwest Boulevard;

Thence South $03^{\circ} 14' 40''$ West, with the centerline of said Demorest Road, a distance of 599.36 feet to a magnetic nail set at the northwesterly corner of said 3.100 acre tract and the southwesterly corner of that 0.517 acre tract conveyed to Anatoliy Popchuk by deed of record in Instrument Number 201405060055272, being the TRUE POINT OF BEGINNING;

Thence South $86^{\circ} 54' 45''$ East, with the line common to said 3.100 and 0.517 acre tracts and partially crossing said Demorest Road (passing a $\frac{3}{4}$ inch iron pin found at a distance of 24.32 feet), a total distance of 37.00 feet to an iron pin set;

Thence South $03^{\circ} 14' 40''$ West, crossing said 3.100 acre tract, a distance of 601.77 feet to an iron pin set in the line common to said 3.100 acre tract and that Reserve "A" of that subdivision titled "Beulah Park Subarea "E"", of record in Plat Book 128, Page 5;

Thence North $87^{\circ} 43' 41''$ West, partially with said common line and partially crossing said Demorest Road (passing a $\frac{3}{4}$ inch iron pin capped "Bird & Bull" found at a distance of 11.78 feet) a total distance of 37.01 feet to a magnetic nail found in the centerline of said Demorest Road (reference an aluminum disk in pvc encased concrete monument (FCGS 5131) found in the centerline of Demorest Road, being South $03^{\circ} 14' 40''$ West, a distance of 549.82 feet);

Thence North $03^{\circ} 14' 40''$ East, with the said centerline (passing a railroad spike found at a distance of 501.83), a total distance of 602.30 feet to the TRUE POINT OF BEGINNING, containing 0.511 acre, more or less, of which 0.345 acre is within the present roadway occupied.

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 shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North $03^{\circ} 10' 25''$ East, is designated as the "basis of bearings" for this survey

0.511 ACRE

- 2 -

This description is based on an actual field survey performed by or under the direct supervision of Brandon R. King, Professional Surveyor Number 8772 in October 2019, March 2021, April 2021, and March 2022.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

A handwritten signature in black ink, appearing to read "B. King", written over the printed name.

Nov. 8, 2022

Brandon R. King
Professional Surveyor No. 8772

Date



Evans, Mechwart, Hamilton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
3600 New Albany Road, Columbus, OH 43204
Phone: 614.775.4000 Fax: 614.775.3648
www.emht.com

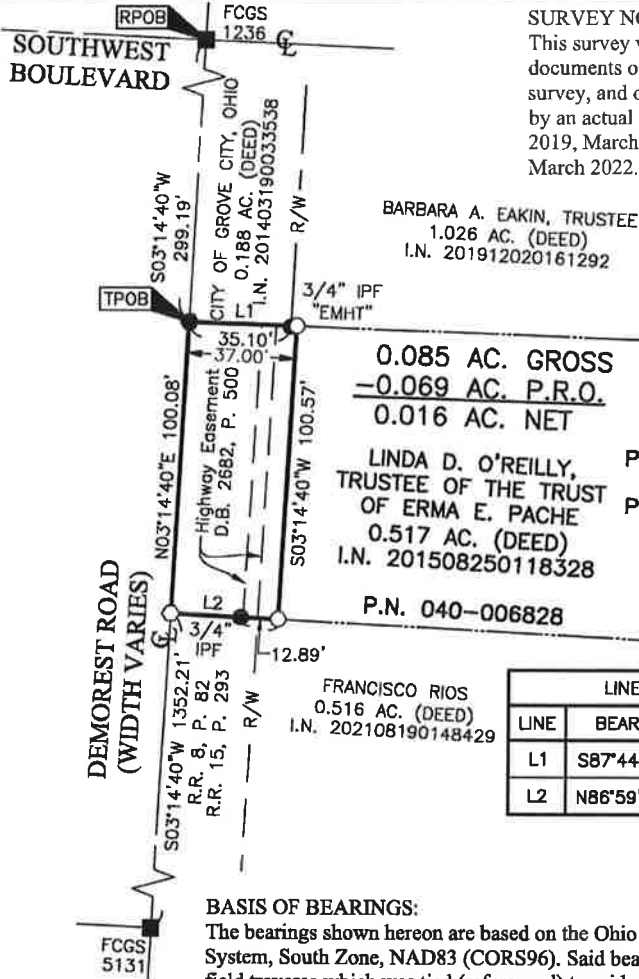
SURVEY OF ACREAGE PARCEL

SURVEY NUMBER 1388

VIRGINIA MILITARY DISTRICT

CITY OF GROVE CITY, COUNTY OF FRANKLIN, STATE OF OHIO

Date: November 14, 2022 Scale: 1" = 50' Job No: 2022-0097 Sheet No: 1 of 1



SURVEY NOTE:

This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey in October 2019, March 2021, April 2021, and March 2022.

BARBARA A. EAKIN, TRUSTEE
1.026 AC. (DEED)
I.N. 201912020161292

0.085 AC. GROSS
-0.069 AC. P.R.O.
0.016 AC. NET

LINDA D. O'REILLY,
TRUSTEE OF THE TRUST
OF ERMA E. PACHE
0.517 AC. (DEED)
I.N. 201508250118328

LOT 5
PLAT OF SURVEY
OF VMS 1388
P.B. 17, P. 154

P.N. 040-006828

FRANCISCO RIOS
0.516 AC. (DEED)
I.N. 202108190148429

LINE TABLE

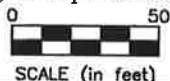
LINE	BEARING	DISTANCE
L1	S87°44'48"E	37.01'
L2	N86°59'31"W	37.00'

BASIS OF BEARINGS:

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10'25" East, is designated as the "basis of bearings" for this survey.

- Iron Pin Set
- Iron Pin Found
- Monument Found
- Magnetic Nail Set
- Magnetic Nail Found
- ▲ Railroad Spike Found

I.P. Set are 13/16" I.D. iron pipes
30" long with cap inscribed EMHT INC.



SCALE (in feet)

By

Brandon R. King
Professional Surveyor No. 8772
bking@emht.com

11-14-2022

Date



J:\20220097\DWG\CASHSETT\BOUNDARY_20220097-VS-BNDY-07.DWG plotted by KING, BRANDON on 11/14/2022 2:53:37 PM last saved by KING on 11/9/2022 8:02:48 AM

**0.085 ACRE
ALL RIGHTS, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

Situated in the State of Ohio, County of Franklin, City of Grove City, lying in Virginia Military District Survey Number 1388, and being part of that 0.517 acre tract conveyed to Linda D. O'Reilly, Trustee of the Trust of Erma E. Pache by deed of record in Instrument Number 201508250118328 and part of Lot 5 of that Plat of Survey of VMS 1388, of record in Plat Book 17, Page 154 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at an aluminum disk in pvc encased concrete monument (FCGS 1236) found in the centerline intersection of Demorest Road (width varies) and Southwest Boulevard;

Thence South 03° 14' 40" West, with the centerline of said Demorest Road, a distance of 299.19 feet to a magnetic nail found at the northwesterly corner of said 0.517 acre tract and the southwesterly corner of that 0.188 acre tract conveyed to City of Grove City, Ohio by deed of record in Instrument Number 201403190033538, being the TRUE POINT OF BEGINNING;

Thence South 87° 44' 48" East, with the northerly line of said 0.517 acre tract, the southerly lines of said 0.188 acre tract and that 1.026 acre tract conveyed to Barbara A. Eakin, Trustee by deed of record in Instrument Number 201912020161292, and partially crossing said Demorest Road (passing a 3/4 inch iron pin capped "EMHT" found at a distance of 35.10 feet), a total distance of 37.01 feet to an iron pin set;

Thence South 03° 14' 40" West, crossing said 0.517 acre tract, a distance of 100.57 feet to an iron pin set in the line common to said 0.517 acre tract and that 0.516 acre tract conveyed to Francisco Rios by deed of record in Instrument Number 202108190148429;

Thence North 86° 59' 31" West, with said common line (passing a 3/4 inch iron pin found at a distance of 12.89 feet), a total distance of 37.00 feet to a magnetic nail set in the centerline of said Demorest Road (reference an aluminum disk in pvc encased concrete monument (FCGS 5131) found in the centerline of Demorest Road, being South 03° 14' 40" West, a distance of 1352.21 feet);

Thence North 03° 14' 40" East, with said centerline, a distance of 100.08 feet to the TRUE POINT OF BEGINNING, containing 0.085 acre, more or less, of which 0.069 acre is within the present roadway occupied.

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 shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey

0.085 ACRE

- 2 -

This description is based on an actual field survey performed by or under the direct supervision of Brandon R. King, Professional Surveyor Number 8772 in October 2019, March 2021, April 2021, and March 2022.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

A handwritten signature in black ink, appearing to read "BR KING", written over a horizontal line.

Nov. 14, 2022

Brandon R. King
Professional Surveyor No. 8772

Date

BRK:nd
0.085 ac 20220097-VS-BNDY-07.docx

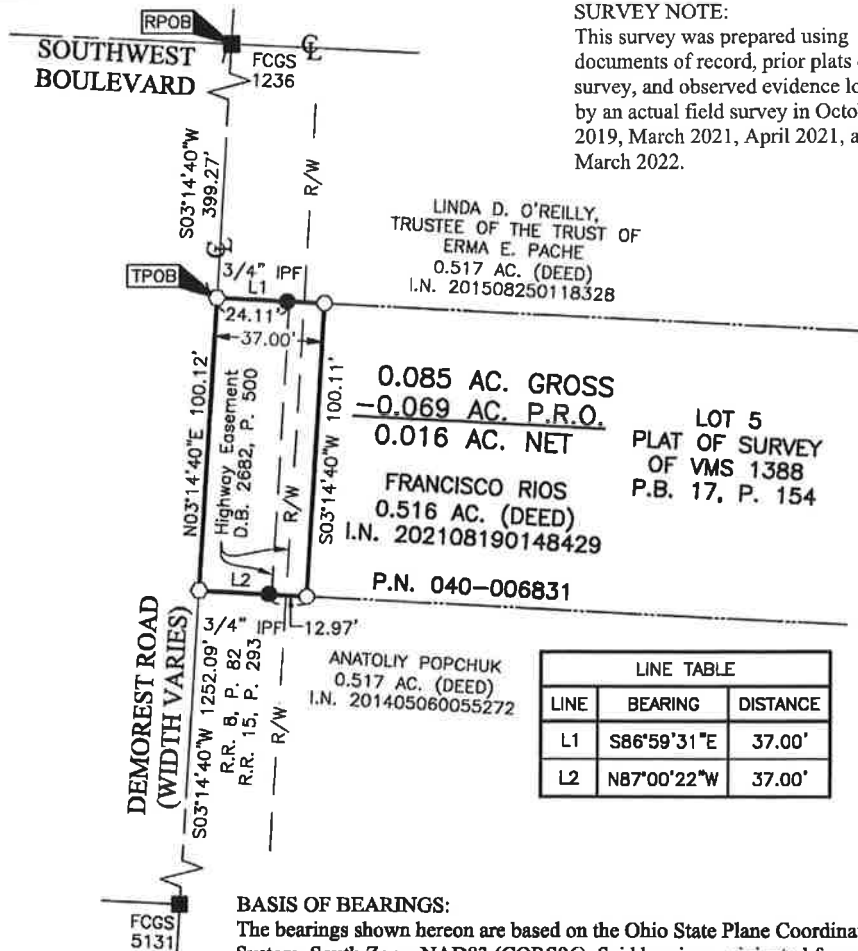
EMHTEvans, Mechwart, Hombston & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
3600 New Albany Road, Columbus, OH 43264
Phone: 614.775.4300 Fax: 614.775.4348
www.emht.com**SURVEY OF ACREAGE PARCEL**

SURVEY NUMBER 1388

VIRGINIA MILITARY DISTRICT

CITY OF GROVE CITY, COUNTY OF FRANKLIN, STATE OF OHIO

Date: November 8, 2022 Scale: 1" = 50' Job No: 2022-0097 Sheet No: 1 of 1



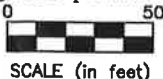
LINE TABLE		
LINE	BEARING	DISTANCE
L1	S86°59'31"E	37.00'
L2	N87°00'22"W	37.00'

BASIS OF BEARINGS:

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey.

- Iron Pin Set
- Iron Pin Found
- Monument Found
- Magnetic Nail Set
- Magnetic Nail Found
- ▲ Railroad Spike Found

I.P. Set are 13/16" I.D. iron pipes
30" long with cap inscribed EMHT INC.



SCALE (in feet)

By

Brandon R. King
Professional Surveyor No. 8772
bking@emht.com

11-8-2022

Date

**0.085 ACRE
ALL RIGHTS, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

Situated in the State of Ohio, County of Franklin, City of Grove City, lying in Virginia Military District Survey Number 1388, and being part of that 0.516 acre tract conveyed to Francisco Rios by deed of record in Instrument Number 202108190148429 and part of Lot 5 of that Plat of Survey of VMS 1388, of record in Plat Book 17, Page 154 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at an aluminum disk in pvc encased concrete monument (FCGS 1236) found at the centerline intersection of Demorest Road (width varies) and Southwest Boulevard;

Thence South 03° 14' 40" West, with the centerline of said Demorest Road, a distance of 399.27 feet to a magnetic nail set at the northwesterly corner of said 0.516 acre tract and the southwesterly corner of that 0.517 acre tract conveyed to Linda D. O'Reilly, Trustee of the Trust of Erma E. Pache by deed of record in Instrument Number 201508250118328, being the TRUE POINT OF BEGINNING;

Thence South 86° 59' 31" East, with the line common to said 0.516 and 0.517 acre tracts and partially crossing said Demorest Road (passing a 3/4 inch iron pin found at a distance of 24.11 feet), a distance of 37.00 feet to an iron pin set;

Thence South 03° 14' 40" West, crossing said 0.516 acre tract, a distance of 100.11 feet to an iron pin set in the line common to said 0.516 acre tract and that 0.517 acre tract conveyed to Anatoliy Popchuk by deed of record in Instrument Number 201405060055272;

Thence North 87° 00' 22" West, with said common line and partially crossing said Demorest Road (passing a 3/4 inch iron pin found at a distance of 12.97 feet), a total distance of 37.00 feet to a magnetic nail set in the centerline of said Demorest Road (reference an aluminum disk in pvc encased concrete monument (FCGS 5131) found in the centerline of Demorest Road, being South 03°14'40" East, a distance of 1252.09 feet);

Thence North 03° 14' 40" East, with said centerline, a distance of 100.12 feet to the TRUE POINT OF BEGINNING, containing 0.085 acre, more or less, of which 0.069 acre is within the present roadway occupied.

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 shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey

0.085 ACRE

- 2 -

This description is based on an actual field survey performed by or under the direct supervision of Brandon R. King, Professional Surveyor Number 8772 in October 2019, March 2021, April 2021, and March 2022.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

A handwritten signature in black ink, appearing to read "BRK", written over the printed name of Brandon R. King.

Nov. 2, 2022

Brandon R. King
Professional Surveyor No. 8772

Date

BRK:nd
0.085 ac 20220097-VS-BNDY-06.docx



Evans, Hochstadt, Hensel & Hensel, Inc.
Engineers - Surveyors - Planners - Scientists
5500 New Albany Road, Columbus, OH 43244
Phone: 614/773-4500 Fax: 614/773-4544
emht.com

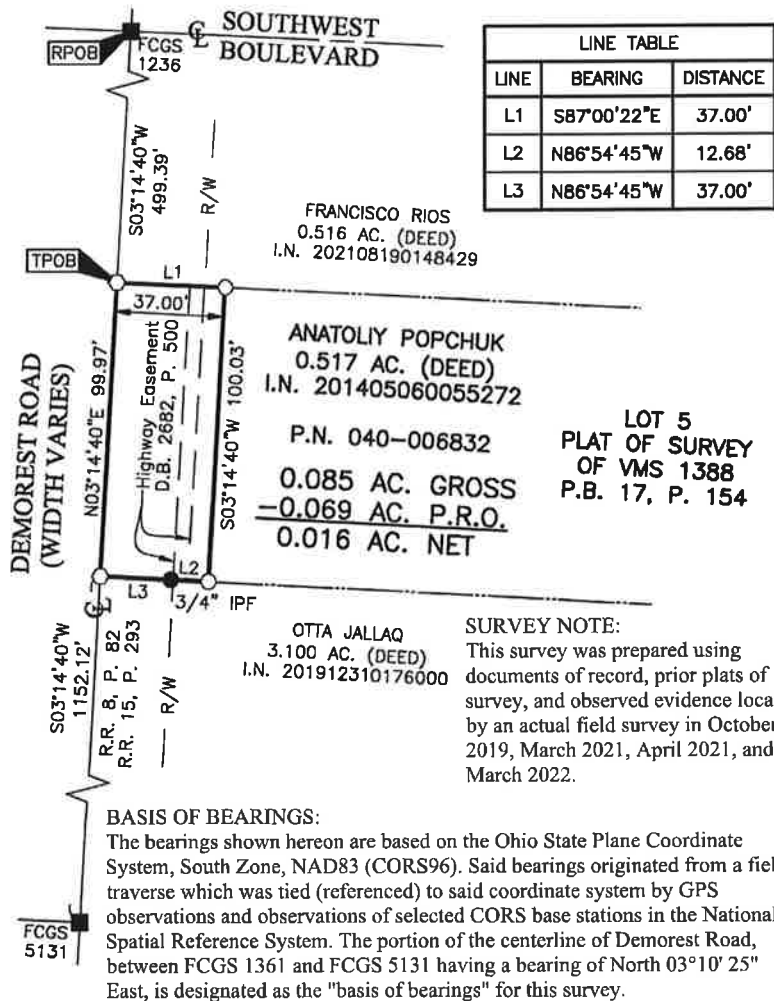
SURVEY OF ACREAGE PARCEL

SURVEY NUMBER 1388

VIRGINIA MILITARY DISTRICT

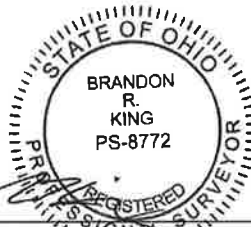
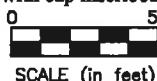
CITY OF GROVE CITY, COUNTY OF FRANKLIN, STATE OF OHIO

Date: November 8, 2022 Scale: 1" = 50' Job No: 2022-0097 Sheet No: 1 of 1



- Iron Pin Set
- Iron Pin Found
- Monument Found
- Magnetic Nail Set
- ▲ Railroad Spike Found

I.P. Set are 13/16" I.D. iron pipes
30" long with cap inscribed EMHT INC.



By *Brandon R. King*
Brandon R. King
Professional Surveyor No. 8772
bking@emht.com

11-8-2022
Date

U:\20220097\DWG\040-REETS\BOUNDARY\20220097-VS-BNDY-05.DWG plotted by KING, BRANDON on 11/11/2022 12:08:01 PM last saved by KING on 11/8/2022 4:28:40 PM

**0.085 ACRE
ALL RIGHTS, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

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Situated in the State of Ohio, County of Franklin, City of Grove City, lying in Virginia Military District Survey Number 1388, and being part of that 0.517 acre tract conveyed to Anatoliy Popchuk by deed of record in Instrument Number 201405060055272 and part of Lot 5 of that Plat of Survey of VMS 1388, of record in Plat Book 17, Page 154 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at an aluminum disk in pvc encased concrete monument (FCGS 1236) found at the centerline intersection of Demorest Road (width varies) and Southwest Boulevard;

Thence South 03° 14' 40" West, with the centerline of said Demorest Road, a distance of 499.39 feet to a magnetic nail set at the northwesterly corner of said 0.517 acre tract and the southwesterly corner of that 0.516 acre tract conveyed to Francisco Rios by deed of record in Instrument Number 202108190148429, being the TRUE POINT OF BEGINNING;

Thence South 87° 00' 22" East, with the line common to said 0.517 and 0.516 acre tracts and partially crossing said Demorest Road, a distance of 37.00 feet to an iron pin set;

Thence South 03° 14' 40" West, crossing said 0.517 acre tract, a distance of 100.03 feet to an iron pin set in the line common to said 0.517 acre tract and that 3.100 acre tract conveyed to Otta Jallaq by deed of record in Instrument Number 201912310176000;

Thence North 86° 54' 45" West, with said common line and partially crossing said Demorest Road (passing a 3/4 iron pin found at a distance of 12.68 feet), a total distance of 37.00 feet to a magnetic nail set in the centerline of Demorest Road (reference an aluminum disk in pvc encased concrete monument (FCGS 5131) found in the centerline of Demorest Road, being South 03°14'40" West, found at a distance 1152.12 feet);

Thence North 03° 14' 40" East, with said centerline, a distance of 99.97 feet to the TRUE POINT OF BEGINNING, containing 0.085 acre, more or less, of which 0.069 acre is within the present roadway occupied.

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 shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey

0.085 ACRE

- 2 -

This description is based on an actual field survey performed by or under the direct supervision of Brandon R. King, Professional Surveyor Number 8772 in October 2019, March 2021, April 2021, and March 2022.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

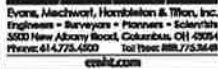
A handwritten signature in black ink, appearing to read "BRK", written over the printed name.

Nov. 8, 2022

Brandon R. King
Professional Surveyor No. 8772

Date

BRK:nd
0.085 ac 20220097-VS-BNDY-05.docx

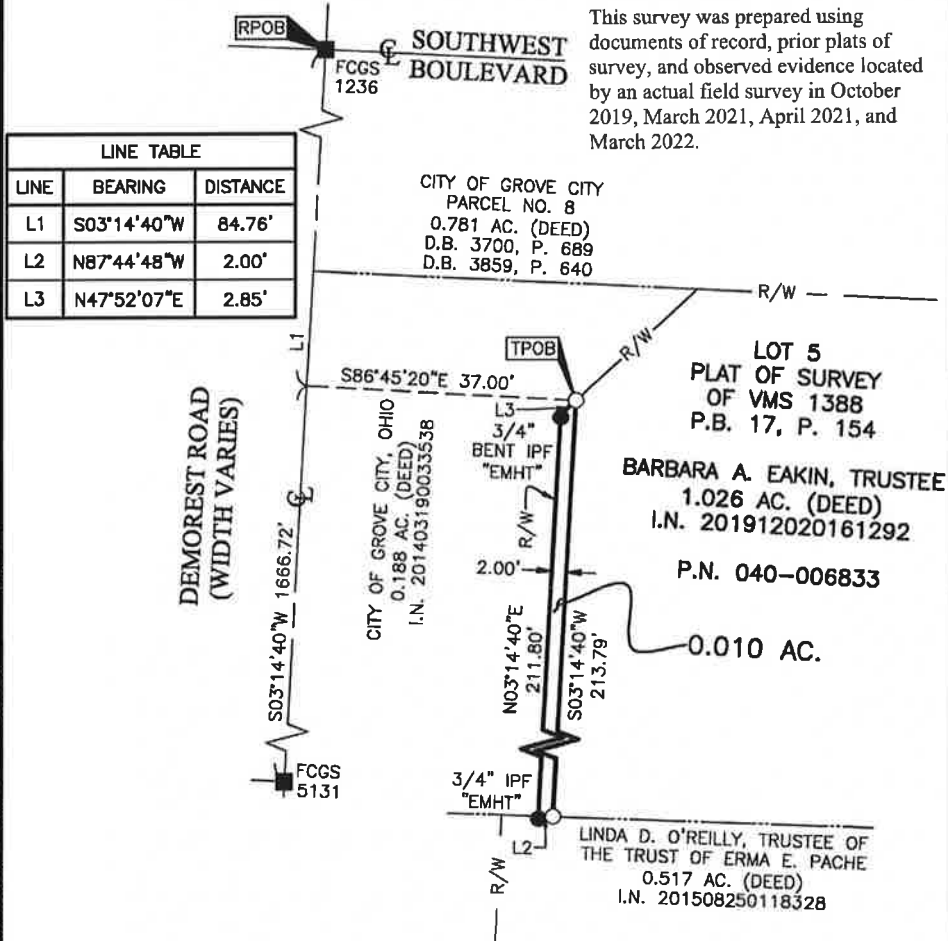


SURVEY NUMBER 1388
VIRGINIA MILITARY DISTRICT
CITY OF GROVE CITY, COUNTY OF FRANKLIN, STATE OF OHIO

Date: November 14, 2022	Scale: 1" = 20'	Job No: 2022-0097	Sheet No: 1 of 1
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LINE TABLE		
LINE	BEARING	DISTANCE
L1	S03°14'40"W	84.76'
L2	N87°44'48"W	2.00'
L3	N47°52'07"E	2.85'

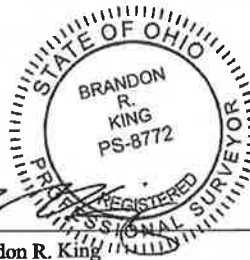
This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey in October 2019, March 2021, April 2021, and March 2022.



The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey.

- Iron Pin Set
- Iron Pin Found
- Monument Found
- ⬡ Magnetic Nail Set
- ⬤ Magnetic Nail Found
- ▲ Railroad Spike Found

I.P. Set are 13/16" I.D. iron pipes
30" long with cap inscribed EMHT INC.



By Brandon R. King
Professional Surveyor No. 8772
bking@emht.com

11-14-2022
Date

0.010 ACRE

- 2 -

Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey

This description is based on an actual field survey performed by or under the direct supervision of Brandon R. King, Professional Surveyor Number 8772 in October 2019, March 2021, April 2021, and March 2022.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

A handwritten signature in black ink, appearing to read "B. King".

Nov. 14, 2022

Brandon R. King
Professional Surveyor No. 8772

Date

BRK:nd
0.010 ac 20220097-VS-BNDY-08.docx

**0.010 ACRE
ALL RIGHTS, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

Situated in the State of Ohio, County of Franklin, City of Grove City, lying in Virginia Military District Survey Number 1388, and being part of that 1.026 acre tract conveyed to Barbara A. Eakin, Trustee by deed of record in Instrument Number 201912020161292 and part of Lot 5 of that Plat of Survey of VMS 1388, of record in Plat Book 17, Page 154 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at an aluminum disk in pvc encased concrete monument (FCGS 1236) found in the centerline intersection of Demorest Road (width varies) and Southwest Boulevard;

Thence South 03° 14' 40" West, with the centerline of said Demorest Road, a distance of 84.76 feet to a point (reference an aluminum disk in pvc encased concrete monument (FCGS 5131) found in the centerline of Demorest Road, being South 03° 14' 40" West, a distance of 1666.72 feet);

Thence South 86° 45' 20" East, crossing said Demorest Road and that 0.188 acre tract conveyed to City of Grove City, Ohio by deed of record in Instrument Number 201403190033538, a distance of 37.00 to an iron pin set in the easterly right-of-way line thereof and in the line common to said 1.026 and 0.188 acre tracts, being the TRUE POINT OF BEGINNING;

Thence South 03° 14' 40" West, crossing said 1.026 acre tract, a distance of 213.79 feet to an iron pin set in the line common to said 1.026 acre tract and that 0.517 acre tract conveyed to Linda D. O'Reilly, Trustee of the Trust of Erma E. Pache by deed of record in Instrument Number 201508250118328;

Thence North 87° 44' 48" West, with said common line, a distance of 2.00 feet to a 3/4 inch iron pin found capped "EMHT" in the easterly right-of-way line of said Demorest Road and the easterly line of said 0.188 acre tract;

Thence North 03° 14' 40" East, with said easterly right-of-way line and said easterly line of said 0.188 acre tract, a distance of 211.80 feet to a 3/4 inch bent iron pin found capped "EMHT";

Thence North 47° 52' 07" East, continuing with said easterly right-of-way line and said easterly line of said 0.188 acre tract, a distance of 2.85 feet to the TRUE POINT OF BEGINNING, containing 0.010 acre, 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 shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest

0.010 ACRE

- 2 -

Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey

This description is based on an actual field survey performed by or under the direct supervision of Brandon R. King, Professional Surveyor Number 8772 in October 2019, March 2021, April 2021, and March 2022.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

A handwritten signature of Brandon R. King in black ink.

Nov. 14, 2022

Brandon R. King
Professional Surveyor No. 8772

Date

BRK:nd
0.010 ac 20220097-VS-BNDY-08.docx



Evans, Mechwart, Hambleton & Thayer, Inc.
Engineers - Surveyors - Planners - Scientists
5600 New Albany Road, Columbus, OH 43054
Phone: 614.773.4300 Fax: 614.773.3648
emht.com

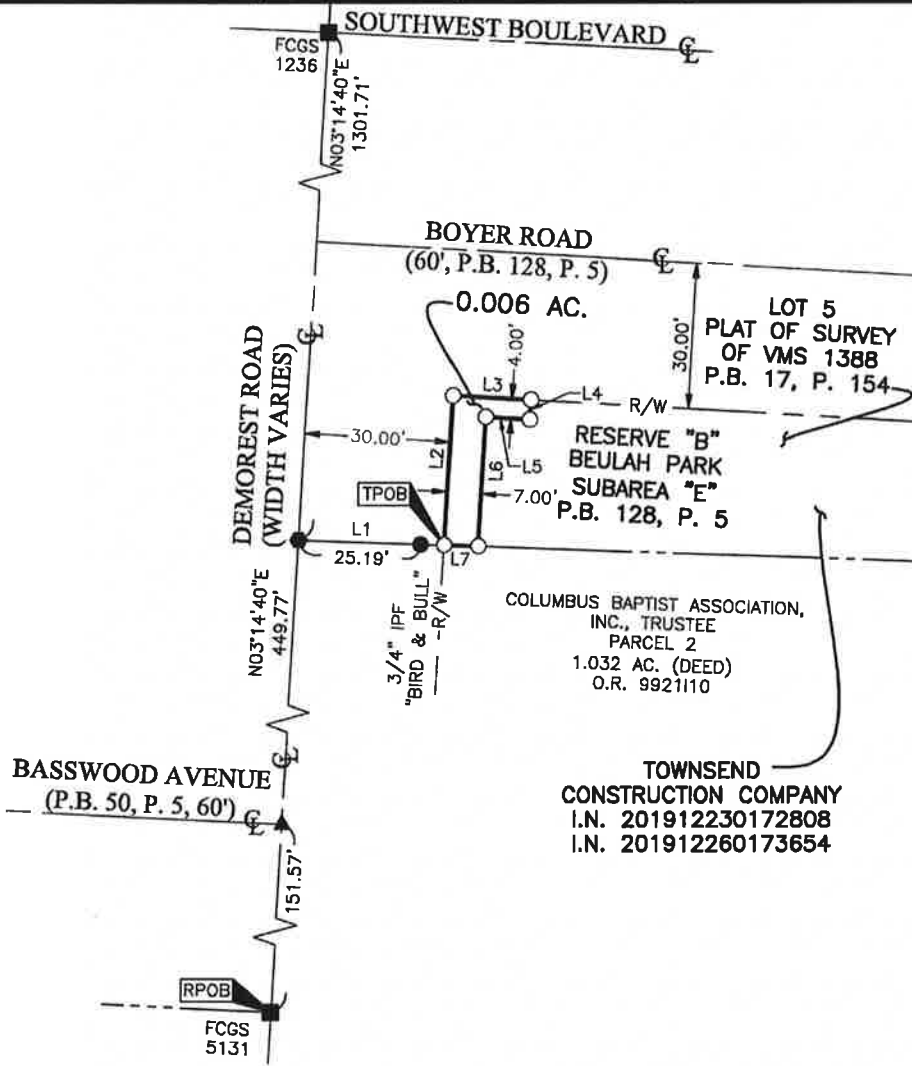
SURVEY OF ACREAGE PARCEL

SURVEY NUMBER 1388

VIRGINIA MILITARY DISTRICT

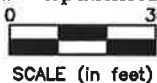
CITY OF GROVE CITY, COUNTY OF FRANKLIN, STATE OF OHIO

Date: November 14, 2022 Scale: 1" = 30' Job No: 2022-0097 Sheet No: 1 of 2



- Iron Pin Set
- Iron Pin Found
- Stone Found
- P.K. Nail Found
- Monument Found
- Magnetic Nail Set
- Magnetic Nail Found
- ▲ Railroad Spike Found

I.P. Set are 13/16" I.D. iron pipes
30" long with cap inscribed EMHT INC.



By *BR*
Brandon R. King
Professional Surveyor No. 8772
bking@emht.com

11-14-2022
Date

J:\20220097.DWG\GASSETS\BOUNDARY_20220097-16-BNDY-02.DWG plotted by KMC, BRANDON on 11/14/2022 2:08:38 PM last saved by BRANDON on 11/14/2022 2:06:02 PM



Evans, Mechwart, Henshelen & Tison, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Fax: 614.775.3446
emht.com

SURVEY OF ACREAGE PARCEL

SURVEY NUMBER 1388

VIRGINIA MILITARY DISTRICT

CITY OF GROVE CITY, COUNTY OF FRANKLIN, STATE OF OHIO

Date: November 14, 2022

Scale: 1" = 30'

Job No: 2022-0097

Sheet No: 2 of 2

BASIS OF BEARINGS:

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey.

SURVEY NOTE:

This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey in October 2019, March 2021, April 2021 and October 2022.

LINE TABLE

LINE	BEARING	DISTANCE
L1	S88°03'03"E	30.01'
L2	N03°14'40"E	30.45'
L3	S86°47'58"E	16.03'
L4	S03°12'02"W	4.00'
L5	N86°47'58"W	9.04'
L6	S03°14'40"W	26.30'
L7	N88°03'03"W	7.00'

**0.006 ACRE
ALL RIGHTS, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

Situated in the State of Ohio, County of Franklin, City of Grove City, lying in Virginia Military District Survey Number 1388, and being part of that Reserve "B" of that subdivision titled "Beulah Park Subarea "E"", of record in Plat Book 128, Page 5, part of that tract conveyed to Townsend Construction by deeds of record in Instrument Numbers 201912230172808 and 201912260173654, and part of Lot 5 of that Plat of Survey of VMS 1388, of record in Plat Book 17, Page 154 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at an aluminum disk in pvc encased concrete monument (FCGS 5131) found on the centerline of Demorest Road (width varies);

Thence North 03° 14' 40" East, with said centerline (passing a rail road spike found at a distance of 151.57 feet), a total distance of 449.77 feet to a magnetic nail found at the northwesterly corner of that 1.032 acre tract conveyed as Parcel 2 to Columbus Baptist Association, Inc., Trustee by deed of record in Official Record 9921110 (reference an aluminum disk in pvc encased concrete monument (FCGS 1236) found at the centerline intersection with Southwest Boulevard, being North 03° 14' 40" East, a distance of 1301.71 feet);

Thence South 88° 03' 03" East, with the northerly line of said 1.032 acre tract and crossing said Demorest Road (passing a 3/4 inch iron pin capped "Bird & Bull" found at a distance of 25.19 feet), a total distance of 30.01 feet to an iron pin set in the easterly Right-of-Way line thereof and a southwesterly corner of said Reserve "B", being the TRUE POINT OF BEGINNING;

Thence North 03° 14' 40" East, with said easterly right-of-way line, a distance of 30.45 feet to an iron pin set in the southerly right-of-way line of Boyer Road (60 feet wide, as demonstrated in Plat Book 128, Page 5);

Thence South 86° 47' 58" East, with said southerly right-of-way line, a distance of 16.03 feet to an iron pin set;

Thence crossing said Reserve "B", the following courses and distances:

South 03° 12' 12" West, a distance of 4.00 feet to an iron pin set;

North 86° 47' 48" West, a distance of 9.04 feet to an iron pin set; and

South 03° 14' 40" West, a distance of 26.30 feet to an iron pin set in the line common to said Reserve "B" and said 1.032 acre tract;

Thence North 88° 03' 03" West, with said common line, a distance of 7.00 feet to the TRUE POINT OF BEGINNING, containing 0.006 acre, 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 shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied

0.006 ACRE

- 2 -

(referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey

This description is based on an actual field survey performed by or under the direct supervision of Brandon R. King, Professional Surveyor Number 8772 in October 2019, March 2021, April 2021, and October 2022.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

A handwritten signature in black ink, appearing to read "B. King".

Nov. 14, 2022

Brandon R. King
Professional Surveyor No. 8772

Date

BRK.nd
0.006 ac 20220097-VS-BNDY-02.docx



SURVEY OF ACREAGE PARCEL

SURVEY NUMBER 1388

VIRGINIA MILITARY DISTRICT

CITY OF GROVE CITY, COUNTY OF FRANKLIN, STATE OF OHIO

Date: November 14, 2022 Scale: 1" = 80' Job No: 2022-0097 Sheet No: 1 of 1

BASIS OF BEARINGS:

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey.

SOUTHWEST BOULEVARD
RPOB
FCGS 1236
699.87'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S87°43'41"E	7.00'
L2	S03°14'40"W	9.55'
L3	N86°47'58"W	7.00'
L4	N03°14'40"E	9.43'

CYPRESS AVENUE
(P.B. 50, P. 5, 60')

LOT 5
PLAT OF SURVEY
OF VMS 1388
P.B. 17, P. 154

SURVEY NOTE:

This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey in October 2019, March 2021, April 2021, and March 2022.

DEMOREST ROAD
(WIDTH VARIES)

S03°14'40"W 1201.66'
25.23'
S87°43'41"E 30.00'
TPOB
L1
L4
L3
3/4" IPF
"BIRD & BULL"
R/W
R/W
OTTA JALLAQ
3.100 AC. (DEED)
I.N. 201912310176000

RESERVE "A"
BEULAH PARK
SUBAREA "E"
P.B. 128, P. 5

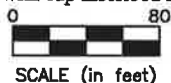
BOYER ROAD
(60', P.B. 128, P. 5)

0.002 AC.

TOWNSEND
CONSTRUCTION COMPANY
I.N. 201912230172808
I.N. 201912260173654

- Iron Pin Set
- Iron Pin Found
- Stone Found
- ★ P.K. Nail Found
- Monument Found
- Magnetic Nail Set
- Magnetic Nail Found
- ▲ Railroad Spike Found

I.P. Set are 13/16" I.D. iron pipes
30" long with cap inscribed EMHT INC. By



Brandon R. King
Professional Surveyor No. 8772
bking@emht.com

11-14-2022
Date

**0.002 ACRE
ALL RIGHTS, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

Situated in the State of Ohio, County of Franklin, City of Grove City, lying in Virginia Military District Survey Number 1388, and being part of that Reserve "A" of that subdivision titled "Beulah park Subarea "E"", of record in Plat Book 128, Page 5, part of that tract conveyed to Townsend Construction Company by deeds of record in Instrument Numbers 201912230172808 and 201912260173654, and part of Lot 5 of that Plat of Survey of VMS 1388, of record in Plat Book 17, Page 154 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at an aluminum disk in pvc encased concrete monument (FCGS 1236) found at the centerline intersection of Demorest Road (width varies) and Southwest Boulevard;

Thence South $03^{\circ} 14' 40''$ West, with said centerline of Demorest Road (passing a railroad spike found at a distance of 699.87 feet), a total distance of 1201.66 feet to a magnetic nail found at the southwesterly corner of that 3.100 acre tract conveyed to Otta Jallaq by deed of record in Instrument Number 201912310176000 (reference an aluminum disk in pvc encased concrete monument (FCGS 5131) found in the centerline of Demorest Road, being South $03^{\circ} 14' 40''$ West, a distance of 549.82 feet);

Thence South $87^{\circ} 43' 41''$ East, with the southerly line of said 3.100 acre tract and crossing said Demorest Road (passing an $\frac{3}{4}$ inch iron pin capped "Bird & Bull" found at a distance of 25.23 feet), a total distance of 30.00 feet to an iron pin set, being the TRUE POINT OF BEGINNING;

Thence South $87^{\circ} 43' 41''$ East, with the line common to said Reserve "A" and 3.100 acre tract, a distance of 7.00 feet to an iron pin set;

Thence South $03^{\circ} 14' 40''$ West, crossing said Reserve "A", a distance of 9.55 feet to an iron pin set in the northerly right-of-way line of Boyer Road (60 feet wide, as demonstrated in Plat Book 128, Page 5);

Thence North $86^{\circ} 47' 58''$ West, with the said northerly right-of-way line, a distance of 7.00 feet to an iron pin set;

Thence North $03^{\circ} 14' 40''$ East, continuing with the said northerly right-of-way line, a distance of 9.43 feet to the TRUE POINT OF BEGINNING, containing 0.002 acre, 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 ($\frac{13}{16}$) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North $03^{\circ} 10' 25''$ East, is designated as the "basis of bearings" for this survey

0.002 ACRE

-2-

This description is based on an actual field survey performed by or under the direct supervision of Brandon R. King, Professional Surveyor Number 8772 in October 2019, March 2021, April 2021, and March 2022.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

A handwritten signature in black ink, appearing to read "BRK", written over the printed name.

Nov. 14, 2022

Brandon R. King
Professional Surveyor No. 8772

Date

BRK:nd
0.002 ac 20220097-VS-BNDY-03.docx

Date: 01/31/23
Introduced By: Ms. Houk
Committee: Service
Originated By: Mr. Berry
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: CR-03-23
1st Reading: 02/06/23
Public Notice: 0 / /23
2nd Reading: 0 / /23
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

RESOLUTION CR-03-23

A RESOLUTION TO FORM THE GROVE CITY BICYCLE TRANSPORTATION TASK FORCE

WHEREAS, the City has been working diligently to expand the Bike Path and Trail System within the community; and

WHEREAS, efforts to expand the City's trails to communities and trails beyond the corporation limits is desired by residents and part of the on-going efforts of the Parks & Recreation Department; and

WHEREAS, the GroveCity2050 Community Plan includes an objective within the Transportation Chapter to "Expand the sidewalk and bikeway networks to provide connectivity within Grove City and the region" with six specific action items to work toward this objective; and

WHEREAS, the City's Trails and Connectivity chapter of the Parks, Recreation and Open Space Master Plan calls for "creating a dynamic system that integrates easily into the surrounding regional system", with the primary focus being bike transportation; and

WHEREAS, the City is an active partner with a variety of regional agencies dedicated to the growth and connectivity of bicycle facilities including MORPC, Central Ohio Greenways, and Rapid 5; and

WHEREAS, the City has had conversations with and welcomes the continued involvement of Metro Parks, the City of Columbus, and the Airport Authority regarding the need for connections between Grove City and regional trails and destinations including downtown and the Camp Chase Trail; and

WHEREAS, the City has hired an intern whose primary responsibility has been reviewing policies related to bicycle safety, and updating maps, brochures and other City publications to ensure accurate, consistent and effective communication regarding bicycle safety; and

WHEREAS, in order to assist in moving these efforts forward, it is desirous to create a task force to focus on this specific area.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. The Grove City Bicycle Transportation Task Force is hereby established, as follows: one (1) member from the Park Board, one (1) member appointed by Service Director, one (1) member from Metro Parks, one (1) appointed by the Mayor, and one (1) appointed by each Council Member. The Director of Service and originator of this legislation shall serve as ex-officio liaison members.

SECTION 2. This Task Force shall be charged with the following:

1. Identify connection points/routes to the Darby Park/Camp Chase Trail and to Downtown Columbus;
2. Work with other communities/entities to invoke connectivity through cooperative agreements;
 - a. Task Force members are encouraged to invite other political jurisdictions and organizations to participate in their meetings to assist in achieving the tasks.
3. Focus will be given to safe routes using existing roads, railroads, and stream corridors;
4. Work with city's engineer to provide cost estimates;
5. Identifying Grants to assist in funding these efforts;
6. Examine the use of golf carts in the city;
7. Coordinate any efforts with respect to the Bicycle Friendly America work being done by the City;
8. Provide a report to Council by September 07, 2023.

SECTION 3. This resolution shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Passed:

Richard L. Stage, Mayor

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I certify that this
resolution is correct as to form.

Stephen J. Smith, Director of Law

Date: 01/31/23
Introduced By: Ms. Houk
Committee: Service
Originated By: Mr. Sigrist
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: CR-04-23
1st Reading: 02/06/23
Public Notice: 0 / /23
2nd Reading: 0 / /23
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

RESOLUTION CR-04-23

A RESOLUTION TO SUBMIT ACCREDITATION PAPERWORK TO BICYCLE FRIENDLY AMERICA BY FEBRUARY, 2024

WHEREAS, the City has been working diligently to expand the Bike Path and Trail System within the community, making it a desirous walkable, runnable and cyclable community; and

WHEREAS, the usage of such outdoor amenities continues to be a highly desired attribute of suburban living, leading to many positives, including, but not limited to, improved mental and physical health, reduced traffic congestion, reduced pollution, etc.; and

WHEREAS, with the continued nationwide increase in sales of heavier, faster, and quieter electric automobiles and trucks, it is a known safety risk that heavier vehicle accidents result in higher accident fatality rates; and

WHEREAS in January, 2022, Council's Safety Chair began working with the appropriate Administrative Staff, the City of Dublin and the City of Westerville Active Transportation Managers, and local bike shop Heritage Cycles owners, to study and consider a structured long-term approach to improving the bicycling/pedestrian culture of our City; and

WHEREAS, there is a national program called Bicycle Friendly America (BFA), in which over 500 cities across the United States participate, are evaluated every four years, and share best practices. This program provides a roadmap and hands-on assistance to build places more welcoming to people who bike.

WHEREAS, the BFA program is an accreditation-type program that serves as a tool for states, communities, businesses and universities to make bicycling a real transportation and recreation option for all people and it recognizes those doing it well; and

WHEREAS, the City's Development Department team enthusiastically agreed to own and do the accreditation preparation work seeing it as key work needed in the GROVECITY2050 Plan Path Forward and the City Administrator approved such work for the Development Department to embark on; and

WHEREAS, there is currently related work taking place inside the Development Department, such as reviewing policies related to bicycle safety, updating maps, brochures and other City publications to ensure accurate, consistent and effective communication regarding bicycle safety; and

WHEREAS, the BFA has two upcoming semi-annual submission periods, August, 2023 or February, 2024 and it is necessary to commit to one of these in order to complete this initiative.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. The City Administration will commit to a February, 2024 Bicycle Friendly America Submission by permitting the Development Department to lead the planning and execution of the needed accreditation pre-work.

SECTION 2. Similar to how the GROVECITY2050 Steering Committee was formed, the Development Dept. will seek citizen applications, finalize a BFA Steering Committee and present those candidates for Council endorsement.

SECTION 3. An update will be given to City Council by the BFA Steering Committee in October, 2023, showing the BFA Project Plan vs Actual progress and identifying any obstacles to meeting the February, 2024 submission plan.

SECTION 4. This resolution shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Passed:

Richard L. Stage, Mayor

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I certify that this
resolution is correct as to form.

Stephen J. Smith, Director of Law

Date: 01/09/23
Introduced By: Mr. Holt
Committee: Finance
Originated By: Mr. Smith
Approved: Mr. Boso
Emergency: 30 Days: XX
Current Expense: _____

No.: C-02-23
1st Reading: 01/17/23
Public Notice: 01/18/23
2nd Reading: 02/06/23
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

ORDINANCE C-02-23

AN ORDINANCE TO APPROVE THE OPTION CONTRACT WITH ROBERT M. STEPHENSON AND BEVERLY A. STEPHENSON AND APPROPRIATE \$202,500.00 FROM THE GENERAL FUND FOR SAID PURCHASE

WHEREAS, the City of Grove City has the ability to purchase Parcel Number 040-000417-00 located at 3343 Columbus Street for Two Hundred and Sixty Thousand Dollars (\$260,000).00 as set forth in Exhibit "A"; and

WHEREAS, the City will pay for an option with the ability to close on the purchase before December 31, 2025; and

WHEREAS, an appropriation to secure this purchase is necessary.

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

SECTION 1. Council hereby approves the Option Contract with Robert M. Stephenson and Beverly A. Stephenson attached as Exhibit A.

SECTION 2. There is hereby appropriated \$202,500.00 from the unappropriated monies of the General Fund and appropriated to account #100120.57100 for the Current Expense of said purchase.

SECTION 3. This Ordinance shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Passed:

Richard L. Stage, Mayor

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I certify that this
ordinance is correct as to form.

Stephen J. Smith, Director of Law

I certify that there is money in the treasury,
or is in the process of collection to pay the
within ordinance.

Michael A. Turner, Director of Finance

C-02-23
Exhibit "A"

OPTION CONTRACT TO PURCHASE REAL ESTATE

THIS OPTION TO PURCHASE REAL ESTATE (the "Option") is entered into effective as of the latest date on which it is executed by the signatories hereto (the "Effective Date") by and between Robert M. Stephenson and Beverly A. Stephenson ("Seller") and the City of Grove City, Ohio, a municipal corporation duly organized and validly existing under the Constitution and laws of the State of Ohio and its City Charter ("City"). Seller and the City are referred to individually herein as "Party" and collectively as "Parties."

Recitals

WHEREAS, Seller owns property located at 3343 Columbus Street in the City of Grove City and identified as Tax Parcel No. 040-000417-00 (the "Property").

WHEREAS, the City desires an option to purchase the Property to be used for public purposes upon the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual promises, agreements, and covenants herein contained, the Parties agree as follows:

Provisions

1. **Price and Terms.** Seller hereby grants to the City the exclusive option to purchase the Property during the period starting January 1, 2023 ending December 31, 2025 (the "Option Period"). The City may extend the Option Period for additional one year periods of time by giving the Seller notice of its intention to do so at least five days prior to the expiration of the previous option period so long as the Seller mutually agrees to such extension.

In consideration of \$200,000, (the "Option Payment") and the mutual benefits to be derived, the receipt and sufficiency of which are hereby acknowledged, the Seller hereby grants to the City the exclusive and irrevocable option to purchase, upon the terms and conditions hereinafter set forth, the Property together with all improvements located thereon:

SEE ATTACHED EXHIBIT "A" FOR DESCRIPTION

The Option Payment is non-refundable and shall be held and disbursed as follows: (a) applied against the purchase price at closing; (b) returned to Buyer, if Buyer does not release the Property Inspection contingency.

Notwithstanding the Option Payment, the Seller retains all rights to the furniture and business fixtures on the Property.

2. **Purchase Price.** The "Purchase Price" for the Property is \$260,000, provided that the Option Payment and the Option Payments paid by Buyer as stated in Section 1 above shall be applied to the Purchase Price. The Purchase Price shall constitute the entire amount of

compensation due to Seller for: (a) the Property Interest; (b) value of improvements taken; (c) any and all damages to any residual lands of Seller, if any; and (d) Seller's covenants set forth herein.

3. **Closing.** Any time after January 1, 2023 and before December 31, 2025 and upon 60 days written notice, Seller shall have the right to set a closing date and request final payment. The closing shall only occur if, at the time of closing, no tenants are present on the property.
4. **Property Inspection.** Buyer, at Buyer's expense, shall have until December 31st to have the Property and all improvements, fixtures and equipment inspected. Said inspections shall include, but are not limited to, the following: environmental inspection, radon gas inspection, soil suitability inspections, and such other tests and inspections (collectively, the "Inspection Reports") as Buyer, at its sole discretion, shall deem necessary and appropriate. Seller shall cooperate in making the property reasonably available for such inspection(s). Seller agrees to cooperate and allow Buyer to the Property to conduct the inspections permitted herein. Buyer agrees to indemnify and hold Seller harmless from any injury or damage caused by such inspections(s). If the inspection(s) confirm conditions which renders the Property unsuitable for Buyer's intended purpose, or for any other reason the Buyer, at its sole discretion, deems the Property unsuitable, Buyer may terminate this Agreement before the end of the Option Period by delivering copies of all Inspection Reports and a written notice (the "Termination Notice") of such termination to Seller. In the event Buyer delivers a Termination Notice, the Option Payment shall be returned to Buyer and either party shall have any further rights or obligations hereunder.
5. **Reports, Studies and Other Documentation.** During the Option Period, Seller agrees to supply within 15 days of request by City with any environmental, architectural, legal or other studies as well as any surveys, appraisals, or other plans which have been completed during the period of Seller's ownership of the Property and which are in the Seller's possession.
6. **Condition of Property.** The Buyer is buying the Property AS IS with no expressed or implied warranties.
7. **Deed to Transfer.** Upon receipt of the Purchase Price, Seller shall sell and convey to the City, its successors and assigns, the property interests that are more particularly described and depicted in Exhibit A. The rights, titles, and estates described and depicted in Exhibit A constitute a fee simple interest; therefore, such sale and conveyance by Seller shall be by a good and sufficient warranty deed regularly and ordinarily used to transfer such rights, titles, and estates, with, if applicable, full release of dower. The City shall pay all closing costs including, but not limited to, conveyance fee, deed preparation, title search fee, title insurance fee, and all other closing costs.
8. **Exclusions.** The following items shall be excluded from the sale: outdoor barber pole, antique barber chairs, antique barber signs, and all other furniture.

9. **Condition of Improvements.** Seller agrees that upon delivery of deed, the improvements constituting part of the Property shall be in the same condition as that on the day of this Contract, reasonable wear and tear excepted.
10. **Possession.** Upon execution of this option, the City shall be entitled to possession at closing
11. **Supplemental Instruments.** Seller agrees to execute any and all supplemental instruments or documents necessary to vest the City with the rights, titles, and interests described and depicted in Exhibit A.
12. **Warranty of Title.** Seller hereby warrants that it is the true and lawful owner of the property identified in Exhibit A and is lawfully seized of the same in fee simple and has the full and complete authority to transfer the same as set forth in this Agreement.
13. **Contingency.** This Agreement is contingent upon the approval of Grove City Council.
14. **Binding Agreement.** Any and all of the terms, conditions, and provisions of this Agreement shall be binding upon and shall inure to the benefit of Seller and the City and their respective heirs, executors, administrators, successors, and assigns.
15. **Multiple Originals.** This Agreement may be executed in two or more counterparts, each of which will be deemed an original, but all of which together shall constitute but one and the same instrument.
16. **Entire Agreement.** This instrument contains the entire agreement between the Parties, and it is expressly understood and agreed that no promises, provisions, terms, warranties,

conditions or obligations whatsoever, either expressed or implied, other than herein set forth, shall be binding upon either Seller or the City.

17. **Real Estate Commissions.** The Buyer and Seller agree that they are not represented by a Real Estate Broker and that no real estate commission will be paid.
18. **Amendments and Modifications.** No amendment or modification of this Agreement shall be valid or binding upon the Parties unless it is made in writing, cites this Agreement and is signed by Seller and the City.
19. **Governing Law.** This Agreement shall be governed by the laws of the State of Ohio, and the venue for any claim relating to said Agreement shall be an applicable Court in Franklin County, Ohio.
20. **Seller Attorney Fee.** The City shall pay for the Seller's attorney fee, up to a maximum of \$2,500, in the negotiation of this Option and shall pay any additional Seller's attorney fee at the time of Closing.

The Parties hereto have executed this Agreement on the date(s) indicated immediately below their respective signatures.

[The City's signature and acknowledgement on the following page]

THE CITY OF GROVE CITY, OHIO

Charles W. Boso, Jr., City Administrator

APPROVED AS TO FORM:

STEPHEN J. SMITH, LAW DIRECTOR

CERTIFICATION OF FUNDS

I hereby certify that the funds required to meet the City's obligation, payment, or expenditure under this Agreement have been lawfully appropriated or authorized for such purpose and are free from any obligation now outstanding.

Michael Turner, Director of Finance

Date

STATE OF OHIO)
COUNTY OF FRANKLIN) SS:

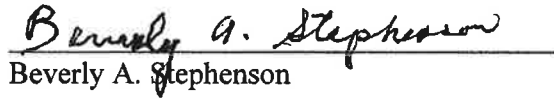
BE IT REMEMBER, that on this ____ day of _____, 2022 before me, the subscriber, a Notary Public in and for said county and state, personally came Charles W. Boso, Jr., City Administrator of the CITY OF GROVE CITY, OHIO, an Ohio municipal corporation, who acknowledged the signing thereof to be his free act and deed for and on behalf of the municipal corporation.

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

Notary Public

SELLER:


Robert M. Stephenson


Beverly A. Stephenson

STATE OF OHIO)
COUNTY OF FRANKLIN) SS:

BE IT REMEMBER, that on this ____ day of _____, 2022 before me, the subscriber, a Notary Public in and for said county and state, personally came Robert M. Stephenson, who acknowledged the signing thereof to be his free act and deed.

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

Notary Public

STATE OF OHIO)
COUNTY OF FRANKLIN) SS:

BE IT REMEMBER, that on this ____ day of _____, 2022 before me, the subscriber, a Notary Public in and for said county and state, personally came Beverly A. Stephenson, who acknowledged the signing thereof to be her free act and deed.

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

Notary Public

Date: 01/31/23
Introduced By: Mr. Holt
Committee: Finance
Originated By: Mr. Boso
Approved:
Emergency: 30 Days:
Current Expense:

No.: CR-05-23
1st Reading: 02/06/23
Public Notice: 0 / /23
2nd Reading: 0 / /23
Passed: Rejected:
Codified: Code No:
Passage Publication:

RESOLUTION NO. CR-05-23

A RESOLUTION APPROVING ADMISSION OF HILLIARD AND GAHANNA TO THE CENTRAL OHIO RISK MANAGEMENT ASSOCIATION SELF-INSURANCE POOL

WHEREAS, the Central Ohio Risk Management Association (CORMA) Self-Insurance Pool was formed in 1997, pursuant to Section 2744.081 of the Ohio Revised Code, for the purpose of pooling risk and insurance coverage; and

WHEREAS, CORMA currently is comprised of the cities of Westerville, Upper Arlington, Pickerington, Dublin, Grove City, Powell, Groveport, Canal Winchester, and Grandview Heights; and

WHEREAS, the addition of new members will result in the distribution of fixed administrative costs across a larger pool of members and will further expand the network of shared risk management best practices; and

WHEREAS, the Board of Trustees of CORMA recommends it will be in the best interest of said insurance pool to admit the cities of Hilliard and Gahanna.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. The City of Grove City hereby accepts the recommendation of the CORMA Board of Trustees and approves the admission of the City of Hilliard and City of Gahanna as new members in the CORMA Self-Insurance Pool.

SECTION 2. This resolution shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Richard L. Stage, Mayor

Passed:

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I Certify that this resolution
is correct as to form.

Stephen J. Smith, Director of Law