

ORDINANCE NO. 95-48

TO DEDICATE FOR PUBLIC STREET AND ROADWAY PURPOSES A 0.455 ACRES, MORE OR LESS, TRACT OF LAND OWNED BY THE CITY OF WESTERVILLE LOCATED ALONG MAXTOWN ROAD EAST OF NORTHFIELD AVENUE.

WHEREAS, widening of Maxtown Road includes construction of the roadway on the adjacent lands of the City which acquired title to the property and deed of record in Deed Book 568, Page 305 of the Delaware County Reorder's Office; and

WHEREAS, such improved roadway will be a benefit to the citizens of the City of Westerville and to the remaining property of the City owned on Maxtown Road; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WESTERVILLE, OHIO:

Section 1. That the City hereby dedicates for public street and roadway purposes the 0.455 acres tract of land which is described in the description marked as Description Exhibit "A" and the accompanying survey marked as Exhibit "B", both of which are attached to this ordinance and made a part hereof.

Section 2. That the Clerk of Council is hereby directed to file a certified copy of this ordinance with the Delaware County Auditor and record such with the Delaware County Recorder.

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

PASSED: July 6, 1995 _____

Damon S. Ultermaier
Chairman of Council

APPROVED: *William E. O'Connell*
Director of Law

Sharon L. Haber
Clerk of Council

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EXHIBIT "A"
PARCEL II

Situate in the State of Ohio, County of Delaware, City of Westerville, Township of Genoa, being part of Farm Lot 11 in Section 3, Township 3 North, Range 17 West, United States Military Lands and being part of the original 42.190 acre tract conveyed to The City of Westerville, Ohio by deed of record in Deed Book 568, Page 305, records of the Recorder's Office, Delaware County, Ohio and being more particularly described as follows:

Beginning for reference at an iron pin found at the northeast corner of Farm Lot 11 in the centerline of Maxtown Road, Township Road No. 32 (60 feet wide).

Thence N 83° 49' 39" W, a distance of 763.85 feet along the centerline of Maxtown Road passing a railroad spike found at 763.80 feet (0.03 right) to the TRUE PLACE OF BEGINNING;

Thence S 06° 07' 46" W, a distance of 50.00 feet along the east line of the Grantor and being the west line of a 22.127 as conveyed to James T. Purdie and Phyllis N. Purdie by deed of record in Deed Book 438, Page 224, records of the Recorder's Office, Delaware County, Ohio and passing through the existing southerly right-of-way line of Maxtown Road at 30.00 feet to a point;

Thence along the line for this parcel the following two (2) courses:

1. N 83° 49' 39" W, a distance of 356.13 feet to a point;
2. Along the line of a curve to the left, the radius of which is 35.00 feet, the delta of which is 90° 01' 30" and the chord of which bears S 51° 09' 36" W, a distance of 49.51 feet to a point;

Thence N 06° 08' 51" E, a distance of 85.02 feet along the easterly right-of-way line of Northfield Road of record in Plat Cabinet 1, slide 337, records of the Recorder's Office, Delaware County, Ohio to a point;

Thence S. 83° 49' 39" E, a distance of 391.13 feet along the north line of the Grantor and the centerline of Maxtown Road to the TRUE PLACE OF BEGINNING, containing 0.455 acres, more or less inclusive of the present road which occupies 0.275 acres, more or less, and being subject to all easements, restrictions and rights-of-way of record.

The bearing datum of the afore-described tract is based on the bearing of N 29° 12' 00" E, for the centerline of State Route 3 as delineated upon the State of Ohio Right-of-Way Plan DEL-3-013 (1949), Sheet 3 of 3 and Delaware County S.H. 24 Sect T. (Pt.) and S.H. 336 Sect D (Pt.), Sheet 1 of 19, all on file at the engineer's office of the Ohio Department of Transportation, District 6, Delaware, Ohio.

R.D. Zande & Associates, Inc.
Larry W. Pennington, Registered Surveyor 6096

