

ORDINANCE C-29-10

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO TAKE ANY AND ALL NECESSARY ACTIONS TO CONVEY CERTAIN REAL PROPERTY TO G&T ENTERPRISES, LLC D/B/A SOUND COMMUNICATIONS TO FINALIZE THE REAL ESTATE EXCHANGE AGREEMENT AND DECLARE AN EMERGENCY

WHEREAS, the City of Grove City previously transferred certain real property being parcels 040-000498 and 040-000786 that were not required for City purposes as part of an economic development agreement with Sound Communications; and

WHEREAS, the previous agreements were conditioned upon the provision of adequate parking to serve the above listed properties; and

WHEREAS, the City has now acquired a parcel consisting of .185 acres more or less, that is immediately adjacent to the above listed properties and serves as parking for such; and

WHEREAS, transfer of the .185 acre parking lot will be the final step in the exchange.

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

SECTION 1. Council hereby authorizes the City Administrator to take all necessary actions to convey the .185 acre parcel more fully described in Exhibit A, in fee simple, to G&T Enterprises, LLC D/B/A Sound Communications to finalize the real estate exchange between the parties.

SECTION 2. This Ordinance is hereby declare to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare, in that the transfer must be completed by May 20, 2010 in order for G&T Enterprises, LLC D/B/A Sound Communications to satisfy its 1031 exchange deadline which is crucial for the entire transaction, and shall therefore go into immediate effect.

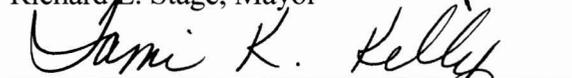
  
Ted A. Berry, President of Council

Passed: 05-03-10

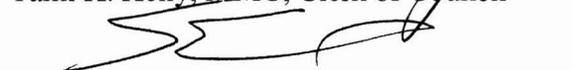
  
Richard L. Stage, Mayor

Effective: 05-03-10

Attest:

  
Tami K. Kelly, MMC, Clerk of Council

I certify that this ordinance is correct as to form.

  
Stephen J. Smith, Director of Law

# EMHT

Evans, Mechwart, Hambleton & Tilton, Inc.  
Engineers • Surveyors • Planners • Scientists  
5500 New Albany Road, Columbus, OH 43054  
Phone: 614.775.4500 Fax: 614.775.4800

## SURVEY OF ACREAGE TRACT VIRGINIA MILITARY SURVEY No. 1388 CITY OF GROVE CITY, FRANKLIN COUNTY, OHIO

C-29-10  
EXHIBIT A

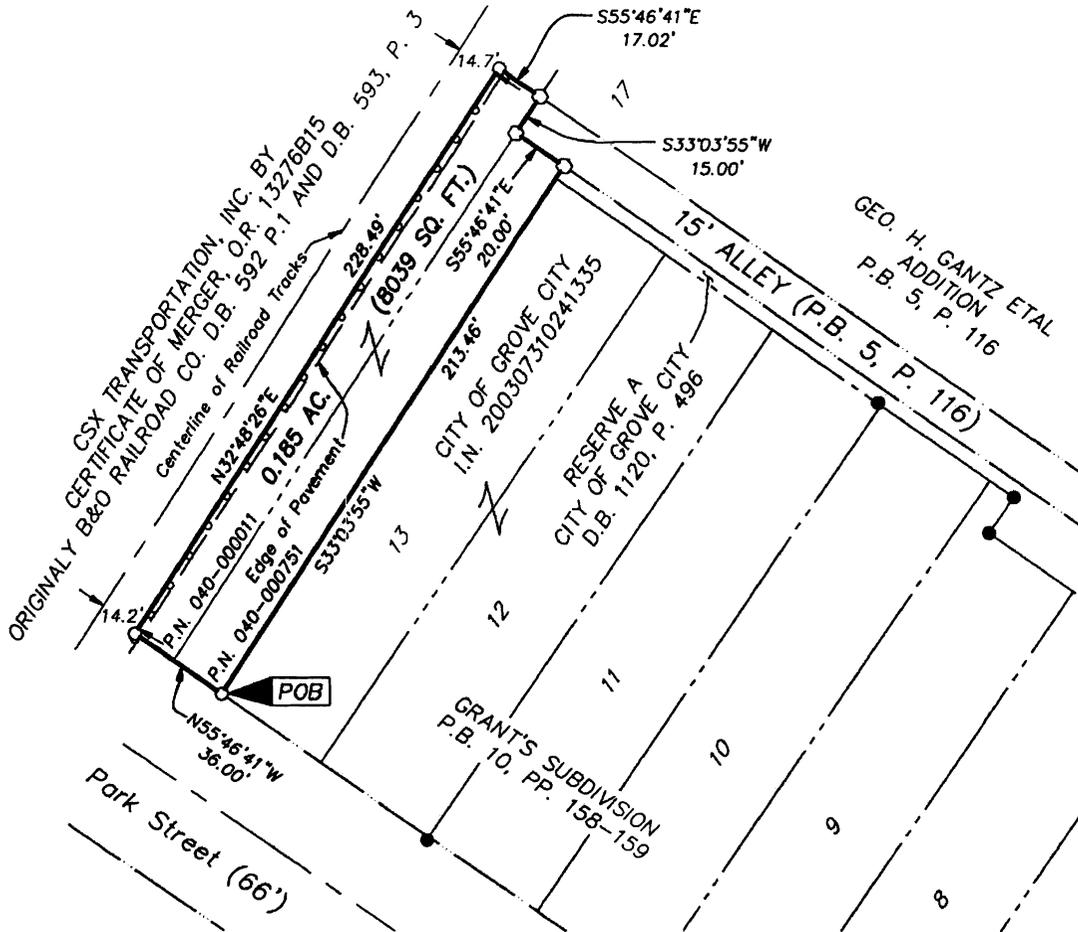
M C M X X V

Date: November 4, 2009

Job No. 2008-0371

Scale: 1" = 50'

\\cm-pat7401\PROJECT01\20090371\20090371\SV\DWG\80371\BY:DWG-LEGAL\PORTRMT> - NO XREFS - LAST SAVED BY MWANCHICK [11/4/2009 5:08:47 PM] - PLOTTED BY MWANCHICK [11/4/2009 5:08:56 PM]



### BASIS OF BEARINGS:

The bearings shown hereon are based on North 55° 46' 41" West for the northerly right-of-way line of Park Street. Said bearings originated from a field traverse which was tied to the Ohio State Plane Coordinate System (South Zone) as per NAD83 (CORS96) by positional solutions processed by the National Geodetic Survey's Online Positioning Users Service software.

### SURVEY NOTES:

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

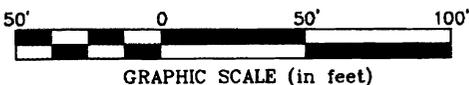
This survey was prepared without the benefit of a title report.

Occupation, in general, fits survey.

The total area of this plat of survey is 0.185 acre (8039 Sq. Ft.) of which 0.098 acre (4,269 Sq. Ft.) lies within parcel number 040-000751 and 0.087 acre (3,770 Sq. Ft.) lies within parcel number 040-000011

- = BOLLARD
- = I.P. FND.
- = I.P. SET
- = MAG. NAIL SET

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



By *Michael O. Wanchick* 11/4/09  
Michael O. Wanchick  
Professional Surveyor No. 7854

0.185 ACRE

Situated in the State of Ohio, County of Franklin, City of Grove City, lying in Virginia Military Survey No. 1388, being part of the tract conveyed to CSX Transportation, Inc. by certificate of merger in Official Record 13276B15 (originally acquired by the Baltimore and Ohio Railroad Company by deeds of record in Deed Book 592, Page 1 and Deed Book 593, Page 3), (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at iron pin set on the northerly right-of-way line of Park Street, at the southwest corner of Lot 13 of "Grant's Subdivision", a subdivision of record in Plat Book 10, Page 158, being on the easterly line of said CSX Transportation, Inc. tract, and at the southwest corner of the tract conveyed to City of Grove City by deed of record in Instrument Number 200307310241335;

Thence North 55° 46' 41" West, with the northerly right-of-way line of said Park Street, a distance of 36.00 feet, to an iron pin set being 14.2 feet southeasterly of the centerline of railroad tracks;

Thence North 32° 48' 26" East, across said CSX Transportation, Inc. tract, a distance of 228.49 feet, to an iron pin set being 14.7 feet southeasterly of said centerline of railroad tracks;

Thence South 55° 46' 41" East, continuing across said CSX Transportation, Inc. tract, a distance of 17.02 feet, to a magnetic nail set at the common corner of a 15 foot alley and Lot 17 of Geo. H. Gantz Etal Addition, a subdivision of record in Plat Book 5, Page 116;

Thence South 33° 03' 55" West, with the westerly terminus of said 15 foot alley, a distance of 15.00 feet, to a magnetic nail set;

Thence South 55° 46' 41" East, with the southerly right-of-way line of said 15 foot alley, a distance of 20.00 feet, to a magnetic nail set at the northwest corner of Reserve A of said "Grant's Subdivision", as conveyed to City of Grove City by deed of record in Deed Book 1120, Page 496;

Thence South 33° 03' 55" West, with the westerly lines of Reserve A and Lot 13 of said "Grant's Subdivision", a distance of 213.46 feet, to the POINT OF BEGINNING, containing 0.185 acre (8,039 square feet), more or less of which 0.098 acre (4,269 Sq. Ft.) lies within Parcel number 040-000751 and 0.087 acre (3,770 Sq. Ft.) lies within Parcel Number 040-000011.

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

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

The bearings herein are based on North 55° 46' 41" West for the northerly right-of-way line of Park Street. Said bearings originated from a field traverse which was tied to the Ohio State Plane Coordinate System (South Zone) as per NAD83 (CORS96) by positional solutions processed by the National Geodetic Survey's Online Positioning Users Service software.

EVANS, MECHWART, HAMBLETON, & TILTON, INC.

*Michael O. Wanchick* 11/4/09

Michael O. Wanchick Date  
Professional Surveyor No. 7854



MOW:mth/Nov  
0\_185 ac 80371

M-88 + 7-999  
All of  
(040)  
751  
+  
split  
0,087 acre  
out of  
(040)  
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