



Prepared: 01/20/2016
Introduced: 02/02/2016
Revised:
Adopted:
Effective:

ORDINANCE O-02-2016

AN ORDINANCE TO ACCEPT WATER LINE, SANITARY SEWER, STREET AND STORM SEWER IMPROVEMENTS AND APPURTENANCES THERETO FOR MILLBROOK FARM AT SUGAR RUN, PHASE 1, AS REQUESTED BY PULTE HOMES

WHEREAS, in accordance with New Albany Ordinance 77-91 as amended, and pursuant to written certification by the City Engineer that the improvements and appurtenances thereto for Millbrook Farm at Sugar Run, Phase 1, have been completed to the standards set by Ordinance 77-97 as amended; and

WHEREAS, a two-year maintenance bond in the amount of \$98,900, an engineering inspection fee deposit in the amount of \$1,732, a five-year settlement bond of \$6,850. Prior to second reading, any infrastructure items that cannot be completed due to weather conditions will be identified and a performance bond or escrow amount will be submitted in an amount deemed acceptable to the city as required by codified ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of New Albany, Counties of Franklin and Licking, State of Ohio that:

SECTION 1. The improvements and appurtenances thereto for are hereby accepted. Any weather-related items, street trees and landscaping covered under performance bonds must be installed as outlined in such performance bonds by July 30, 2016.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting and that all deliberations of this Council and any decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements of the City of New Albany, Franklin and Licking Counties, Ohio.

SECTION 3. Pursuant to Article VI, Section 6.07(a) of the charter of the City of New Albany, this Ordinance shall be in effect on and after the earliest period allowed by law.

CERTIFIED AS ADOPTED this _____ day of _____, 2016.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council



Prepared: 01/22/2016
Introduced: 02/02/2016
Revised:
Adopted:
Effective:

ORDINANCE O-03-2016

AN ORDINANCE TO ACCEPT THE GENERAL WARRANTY DEED FOR THE PARCELS KNOWN AS 222-004819 (RESERVE A OF MILLBROOK FARM AT SUGAR RUN) AND 222-004820 (RESERVE B OF MILLBROOK FARM AT SUGAR RUN) FROM GRAYWOLF PROPERTIES LLC FOR PUBLIC PARKLAND

WHEREAS, Resolution R-24-2015 was adopted by the New Albany Council on May 19, 2015 approving the final plat for Millbrook Farm at Sugar Run, which included the commitment to dedicate reserves A and B to the City for public parkland; and

WHEREAS, the general warranty deeds have since been provided to the City of New Albany by Graywolf Properties LLC granting to the city the parkland which was required and committed to; and

WHEREAS, New Albany City Council has agreed to the terms and conditions by which this parkland will be donated.

NOW, THEREFORE, BE IT ORDAINED by Council for the city of New Albany, Counties of Franklin and Licking, State of Ohio, that:

SECTION 1. City Council hereby accepts the lands, described in the general warranty deed attached hereto as Exhibit A and shown on the map attached hereto as Exhibit B, under the terms and conditions outlined and the covenants and restrictions stipulated in the deed and final plat.

SECTION 2. That the general warranty deed is attached to this Ordinance and made a part hereof as if fully reproduced herein.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting and that all deliberations of this Council and any decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements of the City of New Albany, Franklin and Licking Counties, Ohio.

SECTION 4. Pursuant to Article VI, Section 6.07(a) of the charter of the City of New Albany, this Ordinance shall be in effect on and after the earliest period allowed by law.

CERTIFIED AS ADOPTED this _____ day of _____, 2016.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

PROPOSED

Exhibit A
Ordinance O-03-2016

GENERAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that Graywolf Properties LLC, an Ohio limited liability company, for valuable consideration paid, grant(s), with general warranty covenants to the City of New Albany, Ohio, whose tax mailing address is _____, the following described Real Property:

Situated in the State of Ohio, County of Franklin, and in the City of New Albany:

Being Reserves A and B of Millbrook Farm at Sugar Run, as the same are numbered and delineated upon the recorded plat thereof, of record in Instrument No. 20150715 0095708 (a/k/a Plat Book 119, page 15) Recorder's Office, Franklin County, Ohio.

Prior Instrument Reference: Instrument Number 201411060148070 and Instrument Number 201411060148073 of the Deed Records of Franklin, County, Ohio.

Parcel Numbers: 222-004819-00 and 222-004820-00
Property Addresses: 0 Steeplechase Lane

Executed this _____ day of January, 2016.

Graywolf Properties LLC

By: _____
Steven Testa, Sole Manager

State of _____
County of _____

Be it remembered, that on this _____ day of January, 2016, before me, the subscriber, a Notary Public, in and for said State, personally came Steven Testa, Sole Manager of Graywolf Properties LLC, who acknowledged the signing thereof to be his voluntary act and deed.

In testimony whereof, I have hereunto subscribed my name and affixed my seal on the day and year last aforesaid.

Notary Public
My Commission Expires: _____

This instrument prepared by:
Steven G. Gentry, Esq.
2000 W. Henderson Road
Suite 355
Columbus, Ohio 43220

Return to STEWART TITLE BOX

File No: 01032-14860



Prepared: 1/22/2016
Introduced: 2/02/2016
Revised:
Adopted:
Effective:

ORDINANCE O-04-2016

AN ORDINANCE TO AMEND THE OYER ESTATES FINAL PLAT TO REMOVE THE RECORDED 30 AND 50 FOOT BUILDING LINES AND TO AMEND THE NEW ALBANY COUNTRY CLUB SECTION 19A FINAL PLAT TO REMOVE THE RECORDED 5, 20, AND 25 FOOT BUILDING LINES AND VACATE KESWICK ALLEY AND THE RECORDED EASEMENTS AT THE SOUTHEAST AND SOUTHWEST CORNERS OF MARKET SQUARE AND MAIN STREET AS REQUESTED BY THE NEW ALBANY COMPANY

WHEREAS, a request has been made by The New Albany Company to remove recorded 30 and 50 foot building setback lines established by the Oyer Estates final plat generally located at the southeast corner of the Main Street (U.S. 62) and Market Square intersection as shown on Exhibit A; and

WHEREAS, a request has been made by The New Albany Company to remove various recorded 5, 20, and 25 foot building lines and to vacate Keswick Alley and the easements in and around Keswick Alley established by the New Albany Country Club Section 19A final plat located at the southwest corner of the Main Street (U.S. 62) and Market Square intersection as shown on Exhibit B; and

WHEREAS, the Oyer Estates final plat's lots are no longer in existence and the removal of the building line are necessary for the current property owner to redevelop the property; and

WHEREAS, the New Albany Country Club Section 19A final plat's lots have been modified since the plat's creation and the removal of the building line and vacation of Keswick Alley and the easements in and around Keswick Alley are necessary for the current property owner to redevelop the property; and

WHEREAS, Council is satisfied that there is good cause for such easement and alley vacations, and setback removals, and that it will not be detrimental to the general interests and shall be approved.

NOW, THEREFORE, BE IT ORDAINED by Council for the city of New Albany, Counties of Franklin and Licking, State of Ohio, that:

SECTION 1. That the alley, easements and building setback lines as shown on lots 1A through 2A on the New Albany Country Club Section 19A and lots 1 through 10 on the Oyer Estates final plat, illustrated on the site plans attached and marked Exhibit A and B, are hereby vacated and removed.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting and that all deliberations of this Council and any decision making bodies of the City of New Albany which resulted in such formal actions

were in meetings open to the public and in compliance with all legal requirements of the City of New Albany, Franklin and Licking Counties, Ohio.

SECTION 3. Pursuant to Article VI, Section 6.07(a) of the charter of the City of New Albany, this Ordinance shall be in effect on and after the earliest period allowed by law.

CERTIFIED AS ADOPTED this _____ day of _____, 2016.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

PROPOSED

EXHIBIT A



Evans, Mechwart, Hambleton & Hiron, Inc.
 Engineers • Surveyors • Planners • Scientists
 3500 New Albany Road, Columbus, OH 43264
 Phone: 614-776-4303 Fax: 614-776-3546
 emht.com

EXHIBIT

OYER ESTATES, P.B. 24, P. 98

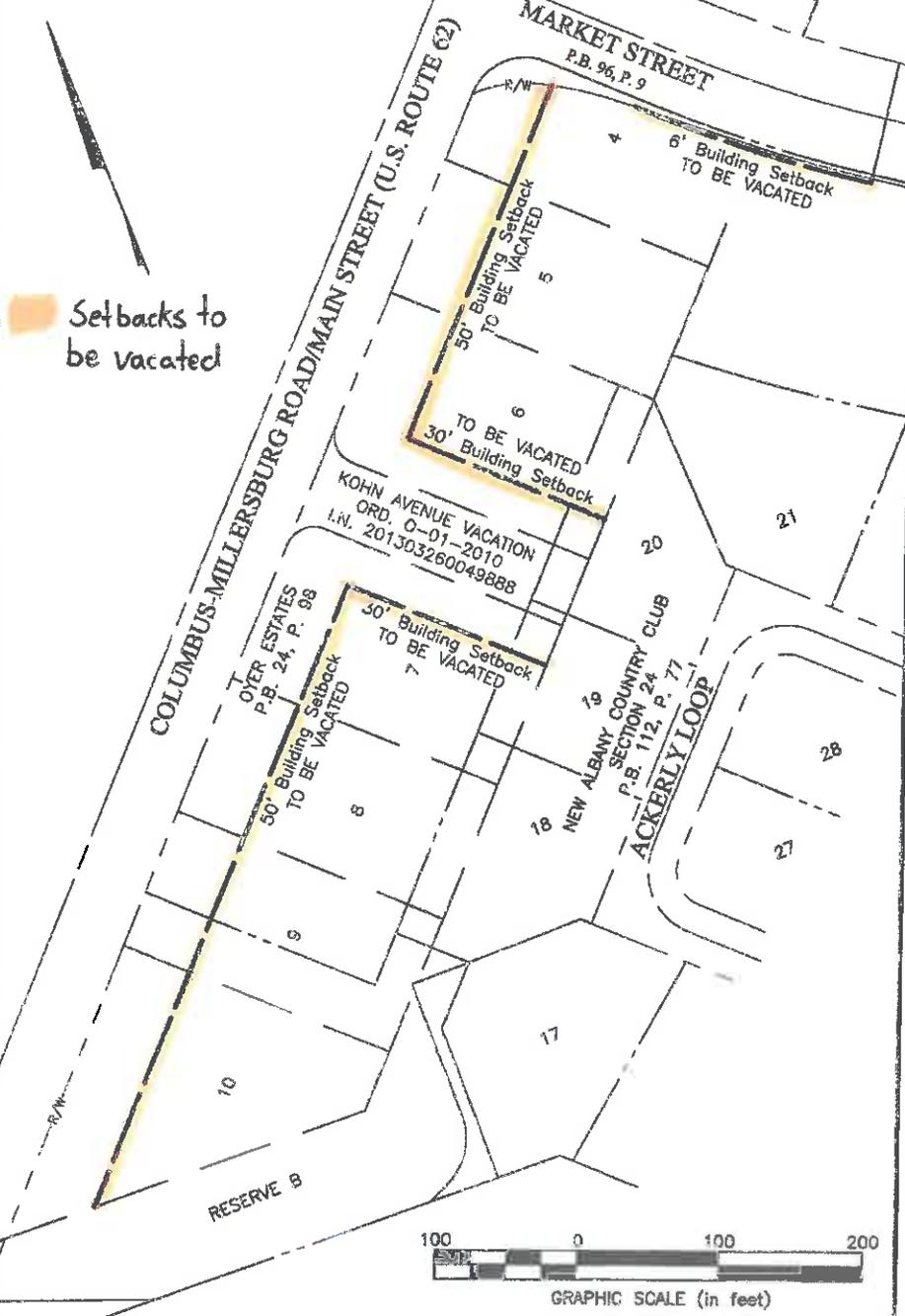
MARKET STREET DEDICATION AND EASEMENTS, P.B. 96, PP. 9-10
 CITY OF NEW ALBANY, COUNTY OF FRANKLIN, STATE OF OHIO

Date: January 12, 2016

Job No. 2015-1684

Scale: 1" = 100'

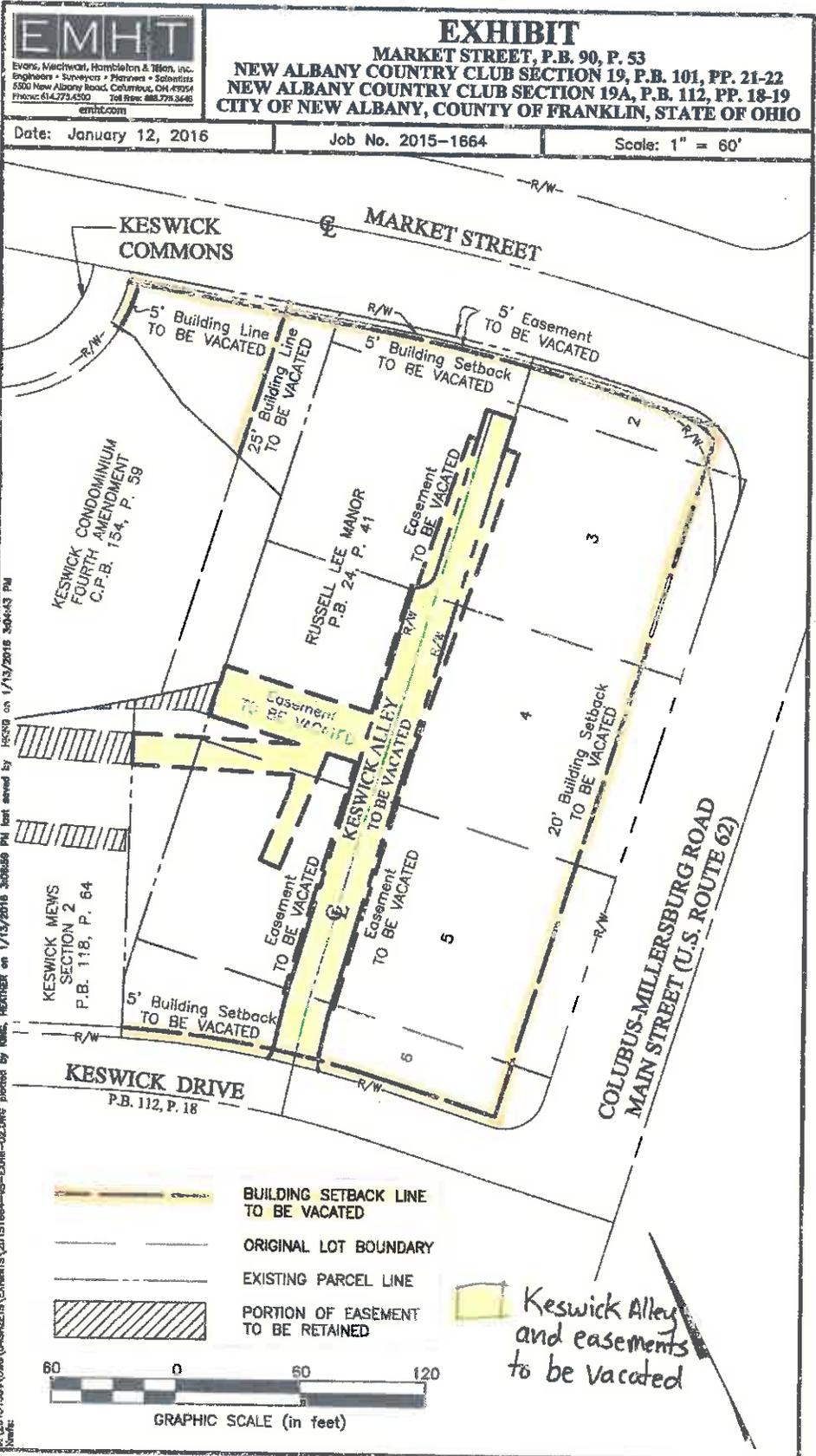
-  BUILDING SETBACK LINE TO BE VACATED
-  ORIGINAL LOT BOUNDARY
-  EXISTING PARCEL LINE



 Setbacks to be vacated

J:\2015\1684\DWG\ASSETSET\COMBIBITS\20151684-US-EXHIBIT-DWG plotted by RMC, HEADPDR on 1/13/2016 11:18:19 AM last saved by DRING on 1/13/2016 11:17:58 AM

EXHIBIT B





Prepared: 01/06/2016
Introduced: 01/19/2016
Revised:
Adopted:
Effective:

RESOLUTION R-02-2016

A RESOLUTION TO APPROVE AN AGREEMENT AND AUTHORIZE THE CITY MANAGER TO SIGN THE AGREEMENT WITH THE PIZZUTI COMPANIES TO PROVIDE INCENTIVES AVAILABLE FOR PROJECT DEVELOPMENT IN THE OAK GROVE II COMMUNITY REINVESTMENT AREA

WHEREAS, the Council for the City of New Albany, Ohio (the "City") by its Resolution No. R-17-09 adopted March 3, 2009 (the "Original CRA Legislation"), created the Oak Grove II Community Reinvestment Area (the "Original Area"), and by its Resolutions No. R-41-10 adopted July 6, 2010, and its Resolution No. R-72-10 adopted November 16, 2010 (together the "CRA Expansion Legislation" and collectively with the Original CRA Legislation the "CRA Legislation"), amended the designation of the Original Area to include the areas known as the "Johnstown Monroe Area" and the "Johnstown Monroe Annex", respectively, and certain other parcels within the City (collectively, with the Original Area, the "Area"), and designated that entire Area the Oak Grove II Community Reinvestment Area (the "CRA"); and

WHEREAS, the Director of Development of the State of Ohio has determined that the Area contains the characteristics set forth in R.C. Section 3735.66 and confirmed the Area as a "Community Reinvestment Area"; and

WHEREAS, the Housing Officer received confirmation from the Director of Development of the State of Ohio for the Expanded CRA as a "Community Reinvestment Area"; and

WHEREAS, the Board of Education of the Johnstown Monroe Local School District has been notified in accordance with the applicable law; and

WHEREAS, the City has encouraged the development of real property and the acquisition of personal property to be located in the CRA; and

NOW, THEREFORE, BE IT RESOLVED by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

SECTION 1. The City Manager is hereby authorized to execute the Agreement and directed to take any further actions, and execute and deliver any further agreements, certificates or documents necessary to accomplish the granting of the incentives described in the Agreement, provided further that the approval of changes thereto by the City Manager and their character as not being substantially adverse to the City shall be evidenced conclusively by the execution thereof.

SECTION 2. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and any decision making bodies of the City

of New Albany which resulted in such formal actions were in meetings open to the public or in compliance with all legal requirements of the City of New Albany, Franklin County, Ohio.

SECTION 3. Pursuant to Article 6.07 of the New Albany Charter, this Resolution shall take effect upon adoption.

CERTIFIED AS ADOPTED this _____ day of _____, 2016.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council