



Prepared: 02/05/2016  
Introduced: 02/16/2016  
Amended:  
Adopted:  
Effective:

## RESOLUTION R-10-2016

### A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN ANNEXATION AGREEMENT WITH JERSEY TOWNSHIP

**WHEREAS**, the City and the Township share certain boundaries and therefore have a shared interest in the general area found south of south of SR 161, north of Morse Road, west of Harrison Road and east of the Franklin County Corporation boundary as illustrated in the exhibits of attached certain Annexation Agreement ("Agreement" or "Annexation Agreement") attached hereto and incorporated herein by reference as Exhibit 1; and

**WHEREAS**, it is anticipated that real property comprised of four (4) real estate parcels totaling approximately 75+/- acres ("Annexation Parcels") described and depicted in the exhibits of the attached Agreement, will be the subject of an annexation petition to be filed with the Licking County Commissioners soon after the Effective Date of the Agreement; and

**WHEREAS**, the City and the Township desire to maintain a cooperative relationship that will foster economic development on the property and to provide for public infrastructure improvements that will serve the residents and property owners of the City and Township; and

**WHEREAS**, the Ohio Revised Code Sections 709.021 and 709.022 establish provisions for the annexation of property that includes an annexation agreement between the City and the Township; and

**WHEREAS**, in furtherance of this relationship, the City and the Township desire to enter this Agreement to memorialize the terms of their mutual agreement on the procedure under which the annexation(s) of the Annexation Parcels to the City will occur in order to ensure that such annexation(s) are completed in accordance with the procedure that has been historically utilized by the City; and

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

**Section 1.** Council hereby authorizes the City Manager to enter into an Annexation Agreement, attached hereto as Exhibit 1, with Jersey Township regarding Annexation Parcels.

**Section 2.** This Agreement shall cover and be applicable only to the Annexation Parcels which are identified in the attached Agreement. The area/boundaries of the Annexation Parcels to which the Agreement applies shall not be reduced, enlarged, modified, or altered in any way except by written mutual agreement of the parties approved authorizing legislation from both the

legislative authority of the Township and the City. Any changes to the boundaries of the Annexation Parcels shall require a written amendment to the Agreement.

**Section 3.** On or after the Effective Date, all or part of the Annexation Parcels shall, upon proper petition(s) to and with the approval of the Licking County Board of Commissioners and acceptance of the annexation by the City, be annexed to and accepted by the City under the conditions set forth in the annexation agreement.

**Section 4.** Pursuant to Article 6.07 of the New Albany Charter, this Resolution shall take effect upon adoption.

**CERTIFIED AS ADOPTED** this \_\_\_\_\_ day of February, 2016

**ATTEST:**

\_\_\_\_\_  
Sloan T. Spalding  
Mayor

\_\_\_\_\_  
Jennifer H. Mason  
Clerk of Council

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Mitchell Banchefsky,  
Law Director

**CERTIFICATE OF COPY**

I, Jennifer Mason, Clerk of Council of the City of New Albany, Ohio, hereby certify that this document is a true and correct copy of Resolution No. R-10-2016 passed by the Council on February 16, 2016, signed by Mayor Sloan Spalding and will become effective on February 16, 2016.

\_\_\_\_\_  
Jennifer Mason, Clerk of Council

\_\_\_\_\_  
Date

Exhibit 1

## ANNEXATION AGREEMENT

THIS ANNEXATION AGREEMENT (this "Agreement"), is entered into as of the last date of signature below (the "Effective Date") by and between the City of New Albany, Ohio (the "City"), an Ohio Charter municipal corporation having its address at 99 W. Main Street, New Albany, Ohio 43054, and the Township of Jersey, Licking County, Ohio (the "Township"), a township duly organized and validly existing under the laws of the State of Ohio having its address at 1481 Mink Street, Pataskala, Ohio 43062.

### WITNESSETH:

WHEREAS, the City and the Township share certain boundaries and therefore have a shared interest in the general area found south of SR 161, north of Morse Road, west of Harrison Road and east of the Franklin County Corporation Line as illustrated in Exhibit C (the "Annexation Area"); and

WHEREAS, the City and the Township desire to maintain a cooperative relationship that will foster economic development within the Annexation Area and to provide for public infrastructure improvements that will serve the residents and property owners of the City and the Township; and

WHEREAS, in furtherance of this relationship, the City and the Township desire to enter this Agreement to memorialize the terms of their mutual agreement on the procedure under which future annexation(s) of certain properties (the "Annexation Parcels") within the Annexation Area will be annexed to the City. This Agreement will serve to ensure that such annexation(s) are completed in accordance with the procedure that has been historically utilized by the City. Said Annexation Parcels consist of approximately 75+/- acres, more fully described in Exhibits A1, A2, A3, and A4 and depicted in Exhibits B1, B2, B3, and B4, attached hereto and incorporated herein by reference; and

WHEREAS, the City desires to work in good faith with the Township in order to identify certain public infrastructure improvements that the City will construct and fund in the general vicinity of the Annexation Parcels that will serve residents and property owners in the Township and the City.

**NOW, THEREFORE**, in consideration of the foregoing and of the mutual covenants and agreements hereinafter set forth, the parties hereby agree as follows:

1. Territory Defined: This Agreement shall cover and be applicable only to the Annexation Parcels which are presently located within the boundaries of the Township. The boundaries of the Annexation Parcels shall not be reduced, enlarged, modified, or altered in any way except by written consent approved and given by the legislative authorities of both the City and the Township by means of appropriate action authorizing such reduction, enlargement, modification, or alteration. Any such changes to the boundaries of the Property shall require a written amendment to this Agreement.
2. Annexation of the Property: On or after the Effective Date, all or part of the Annexation Parcels shall, upon proper petition(s) to and with the final approval of the Licking County

Board of Commissioners (the "Commissioners"), be annexed to and accepted by the City under the conditions hereinafter set forth in this Section 2 and subject to all other conditions and limitations in this Agreement. It is anticipated that the Annexation Parcels will be the subject of an annexation petition to be filed with the Commissioners soon after the Effective Date.

- A. Procedure: Annexations of all or part of the Annexation Parcels to the City shall be filed pursuant to and comply with the provisions of Sections 709.021 and 709.022 of the Ohio Revised Code, as such provisions exist on the Effective Date. It is the intention of the parties to require any petition seeking to annex all or a portion of the Annexation Parcels to the City to be filed pursuant to and in compliance with the provisions of Sections 709.021 and 709.022 of the Ohio Revised Code as set forth in this Section 2.A, and to prohibit the City from assisting or accepting an annexation petition concerning the Annexation Parcels which fails to comply with this requirement.
- B. Effect of Annexation: Immediately following both (i) the approval of a particular annexation petition affecting all or part of Annexation Parcels by the Commissioners and (ii) the City's acceptance into municipal boundaries of the real property affected by the petition(s), then the annexed property shall be treated and viewed with the same legal effect as if it had been approved as an annexation completed under Section 709.02 of the Ohio Revised Code. Should, at any time, any of the Annexation Parcels annexed into the City, pursuant to this Agreement, be excluded from the Township, the City shall compensate the Township as in accordance with Section 709.19 of the Ohio Revised Code.
- C. In the event that the Annexation Parcels are subject to redevelopment and associated change in use from agricultural and/or residential uses to commercial use, which results in a reduction in the total aggregate property tax revenue received by the Township from the Annexation Parcels in tax years 2016 through 2020, when compared with property tax revenue received by the Township for tax year 2015 (January 1, 2015 tax lien date) (Baseline Year), the City agrees to compensate the Township annually in an amount equal to any such aggregate reduction in said property tax revenue. In the event any of the parcels which make up the Annexation Parcels are combined with other parcels not subject to this Agreement, then in that case, the total tax property revenue received by the Township for such combined parcel(s) shall be utilized in the comparison calculation to the Baseline Year.
- D. Cooperative Efforts: Upon the filing of any annexation petition concerning all or part of the Annexation Parcels in accordance with Section 2.A of this Agreement, the Township and the City shall cooperate in good faith to facilitate the approval and success of such petition. In such an instance, each party shall refrain from taking any action that would directly or indirectly delay the annexation process or endanger the possible approval of the annexation petition by the Commissioners.

3. Public Infrastructure: In addition to their agreement regarding annexations of the Annexation Parcels as provided in Section 2 above, the City and the Township desire to work cooperatively to identify new public infrastructure improvements that may be necessary to serve area in the vicinity of the Annexation Parcels. To this end, the City and the Township acknowledge that certain improvements may need to be made by the City to Beech and Worthington roads. Certain additional public infrastructure improvements also may need to be made by the City from time-to-time in the future in order to serve the area generally identified as the "New Albany International Business Campus".

The City and the Township shall make reasonable and good faith efforts to identify such public infrastructure improvements in the future as the need arises and to negotiate the specifications and parameters for such improvements. Any commitments regarding the construction and/or financing of improvements as contemplated in this Section 3 shall require the prior approval of the New Albany City Council.

4. Miscellaneous:

- A. The term of this Agreement shall commence on the Effective Date and shall terminate at 11:59 p.m. on the fiftieth (50<sup>th</sup>) anniversary of the Effective Date (the "Initial Term"). Unless the legislative authority of the City or the Township, at least ninety (90) days before the expiration of the Initial Term or any subsequent term as provided herein, acts to terminate the Agreement at the expiration of said term, this Agreement shall automatically renew for consecutive terms of twenty (20) years each, with no limit on the number of renewal terms.

- B. Notices. Any notice required to be given hereunder shall be given in writing by ordinary United States mail, postage prepaid, by nationally recognized overnight courier or by hand delivery addressed to the parties at their respective addresses as set forth below.

**If to City:**

The City of New Albany  
 Attn: Joseph Stefanov  
 City Manager  
 99 W. Main Street  
 New Albany, Ohio 43054  
 Fax: \_\_\_\_\_

**If to Township:**

Jersey Township Board of Trustees  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Fax: \_\_\_\_\_

Notices shall be deemed received at the earlier of (i) actual hand delivery to the address of the receiving party, (ii) when received or when receipt is refused or (iii) two business days following proper deposit in the United States mail or delivery by facsimile.

- C. Entire Contract. This Agreement embodies the entire understanding among the parties with respect to the subject matter herein contemplated. Any amendments

hereto shall be in writing and shall be executed by both the City and the Township.

- D. Counterparts. This Agreement may be executed in counterparts, each of which, when executed and delivered, shall be deemed an original, and all counterparts shall constitute one and the same instrument.

*[Remainder of this page intentionally blank – Signatures on following page.]*

**City of New Albany**

By: \_\_\_\_\_  
Joseph Stefanov, City Manager

Approved as to Form:

\_\_\_\_\_  
Mitchell Banchevsky,  
Law Director

**Jersey Township**

By: \_\_\_\_\_  
Derek Myers, Trustee

By: \_\_\_\_\_  
Jim Endsley, Trustee

By: \_\_\_\_\_  
Ed Bright, Trustee

Approved as to Form:

\_\_\_\_\_  
[INSERT NAME AND TITLE]

**EXHIBITS A1 – A4**

**Description of the "Annexation Parcels "**

Exhibit A-1

ANNEXATION DESCRIPTION  
61.2+- ACRES

FROM: JERSEY TOWNSHIP

TO: CITY OF NEW ALBANY

<b>PRE-APPROVAL</b> LICKING COUNTY ENGINEER	
APPROVED <input checked="" type="checkbox"/>	CONDITIONAL <input type="checkbox"/>
APPROVED BY: <i>[Signature]</i>	
DATE: 1-11-16	

Situated in the State of Ohio, County of Licking, Township of Jersey, lying in the Northwest Quarter of Section 16, Township 2, Range 15, United States Military Lands, and being all of the remainder of that 49 acre tract conveyed to Frank B. Searcy, Trustee of the Frank B. Searcy Living Trust dated December 23, 1998, by deed of record in Instrument Number 199907260030820, and Theresa M. Searcy, Trustee of the Theresa M. Searcy Living Trust dated December 23, 1998 by deed of record in Instrument Number 199907260030821, the remainder of that 3.580 acre tract conveyed to Rockstone Holdings LLC by deed of record in Instrument Number 201507100014280, that 3.374 acre and 0.570 acre tracts conveyed to Rockstone Holdings LLC by deed of record in Instrument Number 201507100014278, that 0.660 acre tract conveyed as Parcel 17-WDV to Board of Licking County Commissioners by deed of record in Instrument Number 200706040014111, that 0.612 acre tract conveyed as Parcel No. 13-WDV to Licking County by deed of record in Instrument Number 200508250026462, that 0.427 acre tract conveyed as Parcel No. 13-E to State of Ohio Department of Transportation by deed of record in Instrument Number 200511100036015, that 1.799 acre tract conveyed as Parcel 27-WDV to Board of Licking County Commissioners by deed of record in Instrument Number 200712140031878, that 0.499 acre tract conveyed as Parcel 28-WDV to Licking County by deed of record in Instrument Number 200508180024135, that 0.445 acre tract conveyed as Parcel 29-WDV to Board of Licking County Commissioners by deed of record in Instrument Number 200712120031620, that 0.853 acre tract conveyed as Parcel 30-WDV to Licking County by deed of record in Instrument Number 200511150036423, and part of that 2.128 acre tract conveyed as Parcel No. 7-WDV2 to Board of Commissioners of Licking County, Ohio by deed of record in Instrument Number 200510280034302 and that 0.169 acre tract conveyed as Parcel No. 7-WDV1 to Board of Commissioners of Licking County, Ohio by deed of record in Instrument Number 200510280034302 (all references are to the records of the Recorder's Office, Licking County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Dublin-Granville Road (A.K.A. Worthington Road per Licking County) with Beech Road (FRA-161-23.20 & LIC-161-0.00 ODOT Plans);

Thence South 03° 15' 23" West, with the centerline of Beech Road, a distance of 198.14 feet to a point of curvature;

Thence continuing with said centerline, with the arc of a curve to the right, having a central angle of 02° 08' 30", a radius of 7639.44 feet, an arc length of 285.57 feet, a chord bearing of South 04° 19' 38" West and chord distance of 285.55 feet to a point;

Thence North 37° 00' 34" West, across said Beech Road and said 2.128 acre tract, a distance of 0.12 feet to a point on the westerly line of the existing Village of New Albany Corporation Line as established by Ordinance Number O-30-2002 of record in Instrument 200210280040677 and the southerly line of the existing City of New Albany Corporation Line as established by Ordinance Number O-13-2015, of record in Instrument Number 201506090011439, being the TRUE POINT OF BEGINNING;

Thence South 03° 08' 04" West, with said westerly Corporation Line (O-30-2002), a distance of 537.23 feet to a point in the southerly line of said 2.128 and northerly line of said 0.853 acre tract;

Thence South 86° 28' 10" East, with said Corporation Line (O-30-2002), with line common to said 2.128 and 0.853 acre tracts, across said Beech Road, a distance of 57.00 feet to a point on the easterly right-of-way line of said Beech Road, at a common corner of said 2.128 and 0.853 acre tracts, the remainder of that 7.838 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 200107180025705, and that 5.272 acre tract conveyed to Lynne E. Hamilton and Brenda E. Gerwig by deed of record in Instrument Number 201505040008274;

## ANNEXATION DESCRIPTION

61.2+/- ACRES

- 2 -

Thence South 07° 13' 03" West, with said easterly right-of-way line, the common line to said 5.272 and 0.853 acre tracts, a distance of 311.11 feet to a point;

Thence South 04° 19' 40" West, continuing with said easterly right-of-way line and the line common to said 5.272 and 0.853 acre tracts, a distance of 244.19 feet to a point at a common corner of said 5.272 acre tract, said 0.853 acre tract, said 0.445 acre tract, and the remainder of that 2 acre tract conveyed to Deborah A. Bryan-Eckard by deed of record in Official Record 508, Page 350;

Thence South 02° 12' 30" West, continuing with said easterly right-of-way line, with the line common to the remainder of said 2 acre tract and said 0.445 acre tract, a distance of 319.06 feet to a point at the common corner of the remainder of said 2 acre tract, said 0.445 acre tract, said 0.169 acre tract, and the remainder of that 22.10 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 200002110004512, being in said existing Corporation Line (O-30-2002);

Thence North 86° 57' 08" West, with said Corporation Line (O-30-2002), with the line common to said 0.445 and 0.169 acre tracts, across said Beech Road, a distance of 34.65 feet to a point in the original easterly right-of-way line of said Beech Road;

Thence South 03° 08' 02" West, with said Corporation Line (O-30-2002), with the original easterly right-of-way line of said Beech Road, a distance of 151.37 feet to a point in the existing City of New Albany Corporation Line as established by Ordinance Number O-11-2015 of record in Instrument Number 201506090011437;

Thence North 86° 13' 13" West, with said Corporation Line (O-11-2015), across the right-of-way of said Beech Road, with a distance of 60.00 feet to a point in the westerly right-of-way line thereof, at the common corner of said 0.499 acre tract and that 51.478 acre tract conveyed to MBJ Holdings LLC., by deed of record in Instrument Number 201501140000751;

Thence North 28° 38' 33" West, with said westerly right-of-way line, easterly line of said 51.478 acre tract and said Corporation Line (O-11-2015), a distance of 57.55 feet to a point;

Thence North 03° 58' 28" East, with said westerly right-of-way line, said Corporation Line (O-11-2015), the line common to said 51.478 and 0.499 acre tracts, a distance of 330.02 feet to a point at the common corner of the remainder of said 49 acre tract, said 1.799 acre tract, said 0.499 acre tract and said 51.478 acre tract;

Thence North 86° 36' 25" West, with the line common to said 49 and 51.478 acre tracts being the half section line of Section 16, with said Corporation Line (O-11-2015), a distance of 1775.40 feet to a point at the common corner of said 49 acre tract, and that 68.591 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 200212230049294;

Thence North 02° 28' 24" East, with the line common to said 49 and 68.591 acre tracts, with said Corporation Line (O-11-2015), a distance of 1170.36 feet to a point;

Thence South 87° 00' 34" East, with the northerly line of said 49 acre tract and the southerly line of said 68.591 acre tract, with said Corporation Line (O-11-2015), a distance of 61.32 feet to a point at the common corner of said 68.591 acre tract and said 3.580 acre tract;

Thence North 03° 44' 25" East, with the westerly line of said 3.580 acre tract, the easterly line of said 68.591 acre tract and that 0.932 acre tract conveyed as Parcel No. 5-WDV to Board of Licking County Commissioners by deed of record in Instrument Number 200604260011638, with said Corporation Line (O-11-2015), a distance of 1053.49 feet to an angle point in the southerly right-of-way line of said Dublin-Granville Road (A.K.A. Worthington Road per Licking County);

Thence North 03° 40' 02" East, with the westerly line of said 0.612 and 0.427 acre tracts, the easterly line of said 0.932 acre tract and that 0.572 acre tract conveyed as Parcel No. 5-WL to State of Ohio Department of Transportation by deed of record in Instrument Number 200604260011638, across said Dublin-Granville Road (A.K.A. Worthington Road per Licking County) and partially with the southerly limited access right-of-way line of State Route 161, with said Corporation Line (O-11-

ANNEXATION DESCRIPTION

61.2+/- ACRES

- 3 -

2015), a distance of 296.24 feet to an angle point in the said southerly limited access right-of-way line, being the common corner of said 0.427 acre tract and that 0.242 acre tract conveyed as Parcel No. 13-WL to State of Ohio Department of Transportation by deed of record in Instrument Number 200508250026463, and being an angle point in the existing Village of New Albany Corporation Line as established by Ordinance Number O-34-2010, of record in Instrument Number 201101100000694;

Thence South 89° 58' 09" East, with the line common to said 0.242 and 0.427 acre tracts, with said Corporation Line (O-34-2010) and with said southerly limited access right-of-way line, a distance of 143.59 feet to a point at the common corner of said 0.242 acre tract, said 0.427 acre tract, said 0.570 acre tract, and that 0.196 acre tract conveyed as Parcel No. 17-WL to State of Ohio by deed of record in Instrument Number 200706040014111;

Thence South 26° 06' 16" East, with the line common to said 0.570 and 0.196 acre tracts, being said southerly limited access right-of-way line, with said Corporation Line (O-34-2010), a distance of 143.39 feet to a point in the existing City of New Albany Corporation Line as established by Ordinance Number O-13-2015, of record in Instrument Number 201506090011439, being the common corner of said 0.570 acre tract, said 0.196 acre tract, that 10.830 acre tract conveyed to 160 Main Street LLC by deed of record in Instrument Number 200804230009324 and that 2.528 acre tract conveyed as Parcel No. 18-WL1 to State of Ohio, Department of Transportation by deed of record in Instrument Number 200712120031622;

Thence South 03° 43' 57" West, with the easterly line of said 0.570 acre tract, said 0.660 acre tract and said 3.374 acre tract, the westerly line of said 10.830 acre tract, that 6.845 acre tract conveyed as Parcel No. 18-WDV to The Board of Licking County Commissioners by deed of record in Instrument Number 200712120031622 and that 12.131 acre tract conveyed to 160 Main Street LLC by deed of record in Instrument Number 200804230009324, across said Worthington Road, and with said Corporation Line (O-13-2015), a distance of 1355.06 feet to a point at the common corner of said 3.374 and 12.131 acre tracts, being in the northerly line of said 49 acre tract;

Thence South 87° 00' 34" East, with the northerly line of said 49 acre tract and the southerly line of said 12.131 acre tract, that 5.129 acre tract conveyed to MBJ Holdings LLC by deed of record in Instrument Number 200503020006069, that 0.477 acre tract conveyed to MBJ Holdings LLC by deed of record in Instrument Number 200504190011492, that 0.185 acre tract conveyed as Parcel 25-WDV to Licking County by deed of record in Instrument Number 200503020006063 and across said 2.128 acre tract, with said Corporation Line (O-13-2015), a distance of 1516.27 feet to the TRUE POINT OF BEGINNING, containing 61.2 acres, more or less.

This description is for annexation purposes only and is not to be used for transfer.

EVANS, MECHWART, HAMBLETON & TILTON, INC.



*Handwritten signature of Joshua M. Meyer*

1-7-2016

Joshua M. Meyer  
Professional Surveyor No. 8485

Date

Exhibit A-2

ANNEXATION DESCRIPTION  
9.3+/- ACRES

FROM: JERSEY TOWNSHIP

TO: CITY OF NEW ALBANY

PRE-APPROVAL	
LICKING COUNTY ENGINEER	
APPROVED <input checked="" type="checkbox"/>	CONDITIONAL <input type="checkbox"/>
APPROVED BY: <i>[Signature]</i>	
DATE: 1-5-16	

Situated in the State of Ohio, County of Licking, Township of Jersey, lying in the Southwest Quarter of Section 16, Township 2, Range 15, United States Military Lands, and being all of the remainder of that 9.378 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201509140019689 (all references are to the records of the Recorder's Office, Licking County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the intersection of the centerline of Beech Road (County Road 88) with the line common to Section 16 and Section 25 of said Township 2, Range 15, being in the existing City of New Albany Corporation Line as established by Ordinance Number O-23-2011, of record in Instrument Number 201206120012996, being in the existing City of New Albany Corporation Line as established by Ordinance Number O-15-2015, of record in Instrument Number 201506090011435;

Thence North 03° 31' 11" East, with said centerline and said Corporation Line, a distance of 643.20 feet to a point at a common corner of said 9.378 acre tract, that 2.91 acre tract conveyed to MBJ Holdings LLC., by deed of record in Instrument Number 201409160017933 and in the westerly line of that 1.9733 acre tract conveyed to Eugene Hamilton by deed of record in Instrument Number 199803250009985, being the TRUE POINT OF BEGINNING;

Thence North 86° 34' 43" West, across the westerly right-of-way line of said Beech Road, with the southerly line of said 9.378 acre tract, the northerly line of said 2.91 acre tract and that 7.284 acre tract conveyed to MBJ Holdings LLC., by deed of record in Instrument Number 201407280014231, with the said Corporation Line (O-15-2015), a distance of 1660.30 feet to a point in the easterly line of that 50 acre tract conveyed to David L. Haegele and Deborah S. Haegele, Trustees by deed of record in Instrument Number 200708170021693;

Thence North 03° 17' 57" East, with the common line to said 9.378 and 50 acre tracts, a distance of 325.04 feet to a point at the common corner of said 9.378 acre tract, and that 57.212 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 200505200015068 and in the easterly line of said 50 acre tract, being in the existing Village of New Albany Corporation Line as established by Ordinance Number O-30-2002, of record in Instrument Number 200210280040677;

Thence South 86° 39' 13" East, with the line common to said 9.378 and 57.212 acre tracts, with said Corporation Line (O-30-2002), of record in Instrument Number 200210280040677, a distance of 1158.21 feet to a point at a common corner of said 9.378 acre tract and that 3.00 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201407310014404, being in the existing City of New Albany Corporation Line as established by Ordinance Number O-14-2015, of record in Instrument Number 201506090011431;

Thence South 02° 51' 46" West, with the line common to said 9.378 and 3.00 acre tracts, with the existing Corporation Line (O-14-2015), of record in Instrument Number 201506090011431, a distance of 267.15 feet to a point at a common corner of said 9.378 and 3.00 acre tracts;

Thence South 86° 18' 36" East, with the line common to said 9.378 and 3.00 acre tracts, with said Corporation Line (O-14-2015), a distance of 500.28 feet crossing the westerly right-of-way of Beech Road to a point at a common corner of said 9.378 and 3.00 acre tracts, being in said centerline, being in said Corporation Line (O-23-2011) and the westerly line of that 27.595

**ANNEXATION DESCRIPTION**

**9.3+/- ACRES**

- 2 -

acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201108050014459;

Thence South 03° 31' 11" West, with said centerline, the line common to said 9.378, 27.595, and 1.9733 acre tracts, partially with said Corporation Line (O-23-2011), a distance of 57.08 feet to the TRUE POINT OF BEGINNING containing 9.3 acres, more or less.

This description is for annexation purposes only and is not to be used for transfer.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

A handwritten signature in black ink, appearing to read "J.M. Meyer".

1-7-2016

Joshua M. Meyer

Date

Professional Surveyor No. 8485

# Exhibit A-3

## ANNEXATION OF 4.0+/- ACRES

**FROM: TOWNSHIP OF JERSEY**  
**TO: CITY OF NEW ALBANY**

Situated in the State of Ohio, County of Licking, Township of Jersey, lying in Sections 15 and 16, Quarter Township 3, Township 2, Range 15, United States Military Lands, and being all of that 1.529 acre tract conveyed to Dolores May Baker by deed of record in Official Record 156, Page 830, that 1.189 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201512160027175, all of that 0.977 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201411170022766, part of the remainder of that 95.493 acre tract conveyed to MBJ Holdings, LLC by deeds of record in Instrument Numbers 199912010048758, 199912010048759, 199912010048760, and 199912010048761, and part of that 80.176 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 199912010048766 (all references are to the records of the Recorder's Office, Licking County, Ohio) and being more particularly described as follows:

Beginning, for reference, in the centerline of Lucille Lynd Road (formerly Worthington Road/S.R. 161) at a common corner of said Sections 15 and 16 with Sections 14 and 17 of said Quarter Township 3, Township 3, Range 15;

Thence North 86° 39' 33" West, with said centerline, with the line common to said Sections 15 and 16, a distance of 1069.56 feet to a point at the common corner of said 1.529 acre tract, and that 4.337 acre tract conveyed to Emerald Storage, LTD. by deed of record in Official Record 905, Page 64, being the TRUE POINT OF BEGINNING;

Thence South 03° 06' 27" West, with the easterly line of said 1.529 acre tract, the westerly line of said 4.337 acre tract, a distance of 440.00 feet to a point in the northerly line of that 101.539 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 200005030014047 and a northerly line of the existing Village of New Albany Corporation Line as established by Ordinance Number O-30-2002, of record in Instrument 200210280040677;

Thence North 86° 39' 33" West, with the northerly line of said 101.539 acre tract, the southerly line of said 1.189 and 0.977 acre tracts, with said Corporation Line (O-30-2002), a distance of 364.49 feet to a point at the southwesterly corner of said 0.977 acre tract, being the northwesterly corner of said 101.539 acre tract, being in the easterly line of that 31.892 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 199912010048763;

Thence North 03° 14' 20" East, with said Corporation Line (O-30-2002), with the line common to said 0.977 and 31.892 acre tracts, across said Lucille Lynd Road, across the remainder of said 95.493 acre tract, a distance of 484.61 feet to a point on the southerly limited access right-of-way line of State Route 161, being on the northerly line of the remainder of said 95.493 acre tract, being on the southerly line of that 28.262 acre tract conveyed as Parcel No. 7-WL4 to State of Ohio, Department of Transportation by deed of record in Instrument Number 200510280034304;

Thence South 83° 00' 56" East, with said Corporation Line (O-30-2002), with the line common to said 28.262 acre tract and the remainder of said 95.493 acre tract, with said southerly limited access right-of-way line, a distance of 6.10 feet to a point on the westerly line of that 0.375 acre tract conveyed as Parcel No. 14-WL to State of Ohio by deed of record in Instrument Number 200712140031874, being in the westerly line of the existing Village of New Albany Corporation Line as established by Ordinance Number O-34-2010, of record in Instrument 201101100000694;

Thence South 03° 12' 02" West, with said Corporation Line (O-34-2010), with the line common to said 0.375 acre tract and the remainder of said 95.493 acre tract, across said Lucille Lynd Road, a distance of 44.65 feet to a point on the centerline of said Lucille Lynd Road, being on the northerly line of said 0.977 acre tract, and being the common corner of 0.375 and the remainder of 95.493 acre tracts;

Thence South 87° 04' 03" East, with said Corporation Line (O-34-2010), with the line common to said 0.375 and 0.977 acre tracts, and with said centerline, a distance of 59.26 feet to a point;

Thence South 86° 39' 33" East, continuing with said Corporation Line (O-34-2010), with the line common to said 0.375 and 0.977 acre tracts, and with said centerline, a distance of 6.74 feet to a point at the common corner of said 0.375 and 80.176 acre tracts;

Thence North 03° 12' 02" East, with said Corporation Line (O-34-2010), with the line common to said 0.375 and 80.176 acre tracts, across said Lucille Lynd Road, a distance of 44.36 feet to a point on the

**ANNEXATION OF 4.0+/- ACRES**

-2-

northerly right-of-way line of said Lucille Lynd Road, being an angle point in said Corporation Line (O-30-2002);

Thence South  $86^{\circ} 46' 52''$  East, with said Corporation Line (O-30-2002), with said northerly right-of-way line, across said 80.176 acre tract, a distance of 291.29 feet to a point;

Thence South  $03^{\circ} 06' 27''$  West, across said 80.176 acre tract and said Lucille Lynd Road, a distance of 44.98 feet to the TRUE POINT OF BEGINNING, containing 4.0 acres, more or less.

This description is for annexation purposes only and is not to be used for transfer.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Joshua M. Meyer  
Professional Surveyor No. 8485

Date

Exhibit A-4

**ANNEXATION OF 1.2+/- ACRES**

**FROM: TOWNSHIP OF JERSEY**  
**TO: CITY OF NEW ALBANY**

Situated in the State of Ohio, County of Licking, Township of Jersey, lying in Section 16, Quarter Township 3, Township 2, Range 15, United States Military Lands, and being all of those 0.033 acre tract conveyed as Parcel No. 46-WDV to Board of Licking County Commissioners by deed of record in Instrument Number 200608010022415 and that 1.333 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201310100025382 (all references are to the records of the Recorder's Office, Licking County, Ohio) and being more particularly described as follows:

Beginning, for reference, in the centerline of Lucille Lynd Road (formerly Worthington Road/S.R. 161) at a common corner of said Sections 15 and 16 with Sections 14 and 17 of said Quarter Township 3, Township 3, Range 15;

Thence South 03° 06' 27" West, across said Lucille Lynd Road, with the line common to said Sections 16 and 17, a distance of 45.00 feet to the TRUE POINT OF BEGINNING;

Thence South 03° 06' 27" West, with the easterly lines of said 1.333 and 0.033 acre tract, continuing with said common section line, a distance of 395.00 feet to a point;

Thence North 86° 39' 33" West, with the southerly lines of said 1.333 and 0.033 acre tract, a distance of 132.00 feet to a point;

Thence North 03° 06' 27" East, with the westerly line of said 1.333 acre tract, a distance of 395.00 feet to a point in the southerly right-of-way line of said Lucille Lynd Road;

Thence South 86° 39' 34" East, with said southerly right-of-way line, a distance of 132.00 feet to the TRUE POINT OF BEGINNING containing 1.2 acres, more or less.

This description is for annexation purposes only and is not to be used for transfer.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Joshua M. Meyer  
Professional Surveyor No. 8485

Date

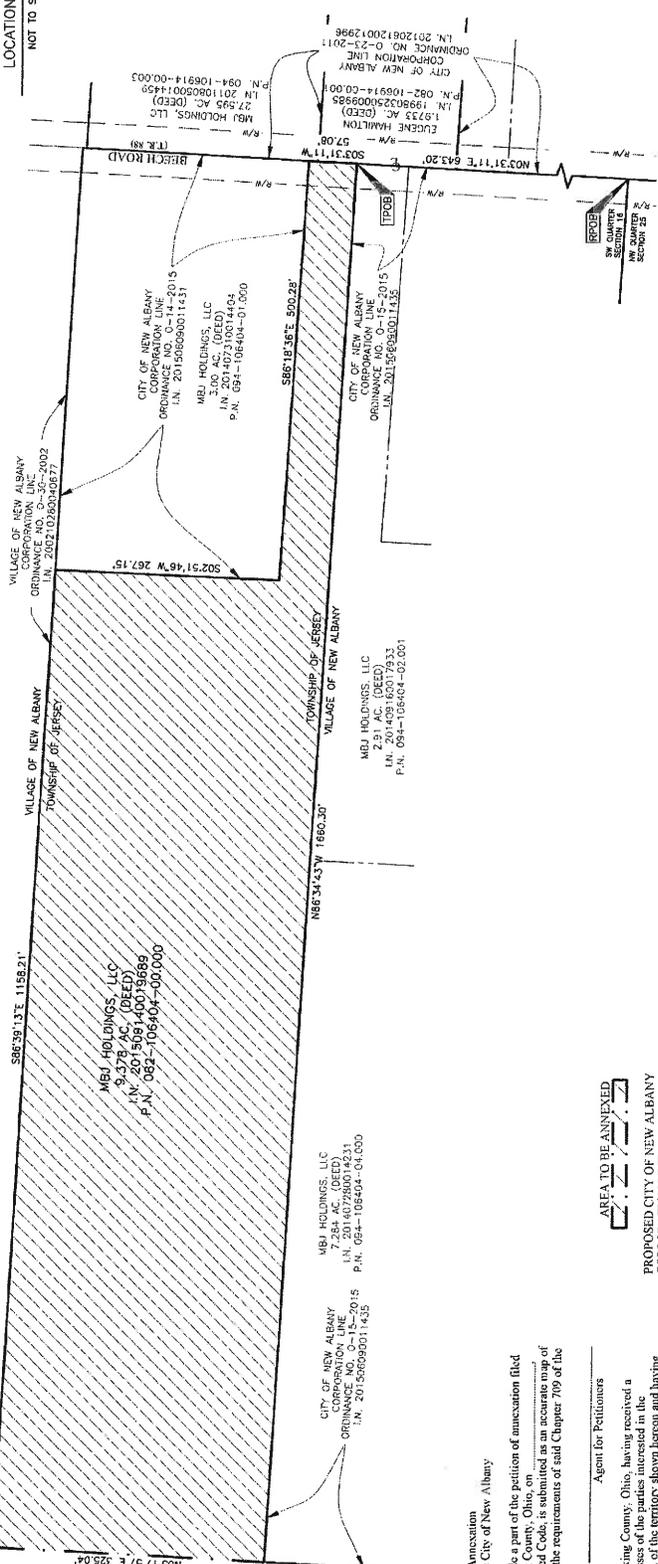
**EXHIBITS B1-B4**

**Depiction of the " Annexation Parcels "**



Exhibit B-2

# PROPOSED ANNEXATION OF 9.3± ACRES TO THE CITY OF NEW ALBANY FROM JERSEY TOWNSHIP SECTION 16, TOWNSHIP 2, RANGE 15 UNITED STATES MILITARY LANDS TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO



PROPOSED CITY OF NEW ALBANY  
CORPORATION LINE  
EXISTING CITY OF NEW ALBANY OR  
CITY OF PATASKALA CORPORATION LINE

Contiguity Note:  
Total perimeter of annexation area is 3968.66 feet, of which 3643.02 feet is contiguous with the City of New Albany by Ordinance Number O-23-2011, giving 92% perimeter contiguity.

Note:  
This annexation does not create islands of unincorporated areas within the limits of the area to be annexed.

Proposed Annexation  
of 9.3 ± acres to the City of New Albany

The within map marked exhibit "A" and made a part of the petition of annexation filed with the Board of Commissioners of Licking County, Ohio, on \_\_\_\_\_, 20\_\_\_\_, under Chapter 709 of the Ohio Revised Code, is submitted as an accurate map of the territory in said petition described under the requirements of said Chapter 709 of the Ohio Revised Code.

Agent for Petitioners  
The Board of County Commissioners of Licking County, Ohio, having received a petition bearing the signed names and addresses of the parties interested in the annexation to the City of New Albany, Ohio, of the territory shown hereon and having given due consideration to the prayer of said petition, do hereby grant the same.

Board of Licking County Commissioners  
Petition Received \_\_\_\_\_, 20\_\_\_\_  
Commissioner \_\_\_\_\_, 20\_\_\_\_  
Commissioner \_\_\_\_\_  
Commissioner \_\_\_\_\_

Transferred this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, upon the duplicates of this office:  
Containing \_\_\_\_\_ acres.  
Transfer Fee \_\_\_\_\_

Received for Record \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ (AM-PM) and recorded \_\_\_\_\_ in plat ordinance, petition, etc. in Plat Book Volume \_\_\_\_\_, Page \_\_\_\_\_  
Plat Fee \_\_\_\_\_  
Ordinance, etc. Fee \_\_\_\_\_

Council for the City of New Albany, Ohio, by ordinance \_\_\_\_\_ passed \_\_\_\_\_ and approved by the mayor on \_\_\_\_\_ did the territory shown hereon for annexation to the City of New Albany, Ohio, a municipal corporation.

Attest: \_\_\_\_\_  
Clerk, City of New Albany



By: Joshua M. Meyer Date: 1-7-2016  
Professional Surveyor No. 8485

**EMHIT**  
Erwin, Meacham, Hamblen & Tibbo, Inc.  
5500 New Albany Road, Columbus, OH 43254  
Phone: 614.775.4500 Fax: 614.775.6368  
emhit.com

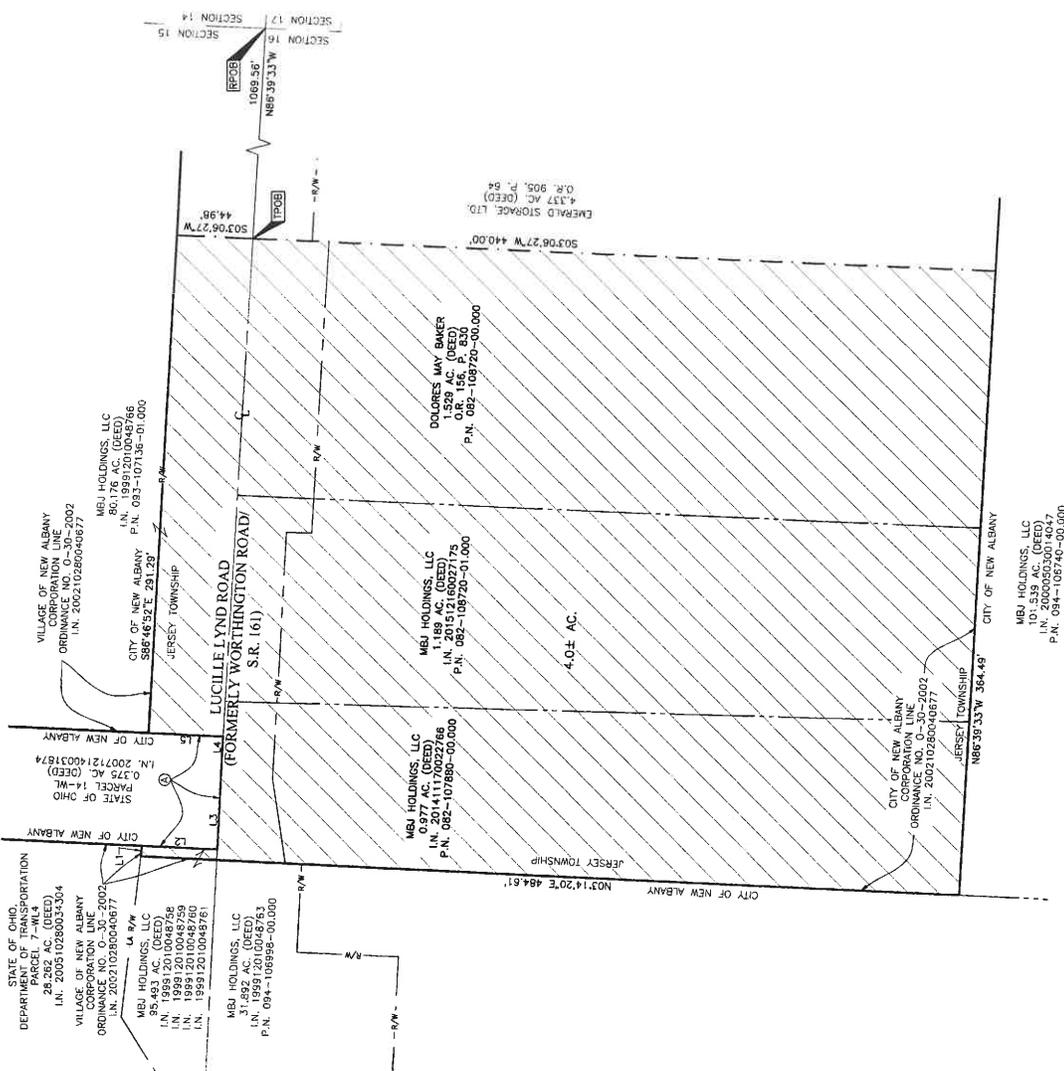
Date: December 21, 2015  
Scale: 1" = 100'  
Job No: 2015-1477  
Sheet: 1 of 1

MARK	DATE	DESCRIPTION



Exhibit B-3

# PROPOSED ANNEXATION OF 4.0± ACRES TO THE CITY OF NEW ALBANY FROM JERSEY TOWNSHIP SECTIONS 15 & 16, QUARTER TOWNSHIP 3, TOWNSHIP 2, RANGE 15 UNITED STATES MILITARY LANDS TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO



Proposed Annexation  
of 4.0 ± acres to the City of New Albany

The within map marked exhibit "A" and made a part of the petition of annexation filed with the Board of Commissioners of Licking County, Ohio, on \_\_\_\_\_, 20\_\_\_\_ under Chapter 169 of the Ohio Revised Code, is submitted as an accurate map of the territory in said petition described under the requirements of said Chapter 169 of the Ohio Revised Code.

Agent for Petitioners  
Board of Licking County Commissioners

Petition Received \_\_\_\_\_, 20\_\_\_\_  
Commissioner \_\_\_\_\_  
Commissioner \_\_\_\_\_  
Commissioner \_\_\_\_\_

Transferred this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ upon the duplicates of this office.  
Containing \_\_\_\_\_ acres.  
Transfer Fee \_\_\_\_\_  
Licking County Auditor \_\_\_\_\_

Received for Record \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ (A.M./P.M.) and recorded \_\_\_\_\_  
in plat ordinance, petition, etc. in Plat Book Volume \_\_\_\_\_ Page \_\_\_\_\_  
Plat Fee \_\_\_\_\_  
Ordinance, etc. Fee \_\_\_\_\_  
Licking County Recorder \_\_\_\_\_

Council for the City of New Albany, Ohio, by ordinance \_\_\_\_\_, 20\_\_\_\_, did accept the territory shown hereon for annexation to the City of New Albany, Ohio, a municipal corporation.

Attest  
Clerk, City of New Albany

LINE TABLE

LINE	BEARING	DISTANCE
L1	S83°00'36"E	6.10'
L2	S83°12'02"W	44.85'
L3	S87°04'03"E	59.26'
L4	S86°39'33"E	6.74'
L5	N03°12'02"E	44.36'

AREA TO BE ANNEXED

PROPOSED CORPORATION LINE

EXISTING CORPORATION LINE

Contiguity Note:  
Total perimeter of annexation area is 1486.48 feet, of which 1001.82 feet is contiguous with the Village of New Albany by Ordinance Numbers O-30-2002 and O-34-2010 giving 67% perimeter contiguity.

Note:  
This annexation does not create islands of unincorporated areas within the limits of the area to be annexed.

By: Joshua M. Meyer  
Professional Surveyor No. 8485

Date: \_\_\_\_\_



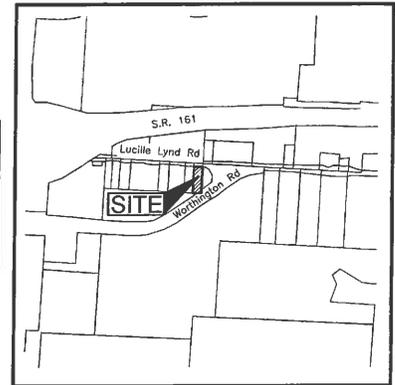
# ANNEXATION OF 1.2± ACRES

## TO THE CITY OF NEW ALBANY FROM THE TOWNSHIP OF JERSEY

### SECTION 16, QUARTER TOWNSHIP 3, TOWNSHIP 2, RANGE 15

### UNITED STATES MILITARY LANDS

### TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO



LOCATION MAP AND BACKGROUND DRAWING

Not to Scale

Proposed Annexation  
of 1.2± acres to the City of New Albany

The within map marked exhibit "A" and made a part of the petition of annexation filed with the Board of Commissioners of Licking County, Ohio, on 20\_\_\_\_, under Chapter 709 of the Ohio Revised Code, is submitted as an accurate map of the territory in said petition described under the requirements of said Chapter 709 of the Ohio Revised Code.

Agent for Petitioners

The Board of County Commissioners of Licking County, Ohio, having received a petition bearing the signed names and addresses of the parties interested in the annexation to the City of New Albany, Ohio, of the territory shown hereon and having given due consideration to the prayer of said petition, do hereby grant the same.

Board of Licking County Commissioners

Petition Received \_\_\_\_\_, 20\_\_\_\_ Commissioner \_\_\_\_\_

Petition Approved \_\_\_\_\_, 20\_\_\_\_ Commissioner \_\_\_\_\_

Commissioner \_\_\_\_\_

Transferred this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, upon the duplicates of this office.

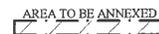
Containing \_\_\_\_\_ acres.  
Transfer Fee \_\_\_\_\_ Licking County Auditor \_\_\_\_\_

Received for Record \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ (AM-PM) and recorded \_\_\_\_\_  
20\_\_\_\_, in plat ordinance, petition, etc. in Plat Book Volume \_\_\_\_\_, Page \_\_\_\_\_

Plat Fee \_\_\_\_\_  
Ordinance, etc. Fee \_\_\_\_\_ Licking County Recorder \_\_\_\_\_

Council for the City of New Albany, Ohio, by ordinance \_\_\_\_\_, 20\_\_\_\_, and approved by the mayor on \_\_\_\_\_, 20\_\_\_\_, did accept the territory shown hereon for annexation to the City of New Albany, Ohio, a municipal corporation.

Attest \_\_\_\_\_  
Clerk, City of New Albany



PROPOSED CITY OF NEW ALBANY CORPORATION LINE

EXISTING CITY OF NEW ALBANY CORPORATION LINE

**Contiguity Note:**

Total perimeter of annexation area is 1054.00 feet, of which 922.00 feet is contiguous with the City of New Albany by Ordinance Numbers O-43-2009 and O-30-2002 giving 87% perimeter contiguity.

**Note:**

This annexation does not create islands of unincorporated areas within the limits of the area to be annexed.

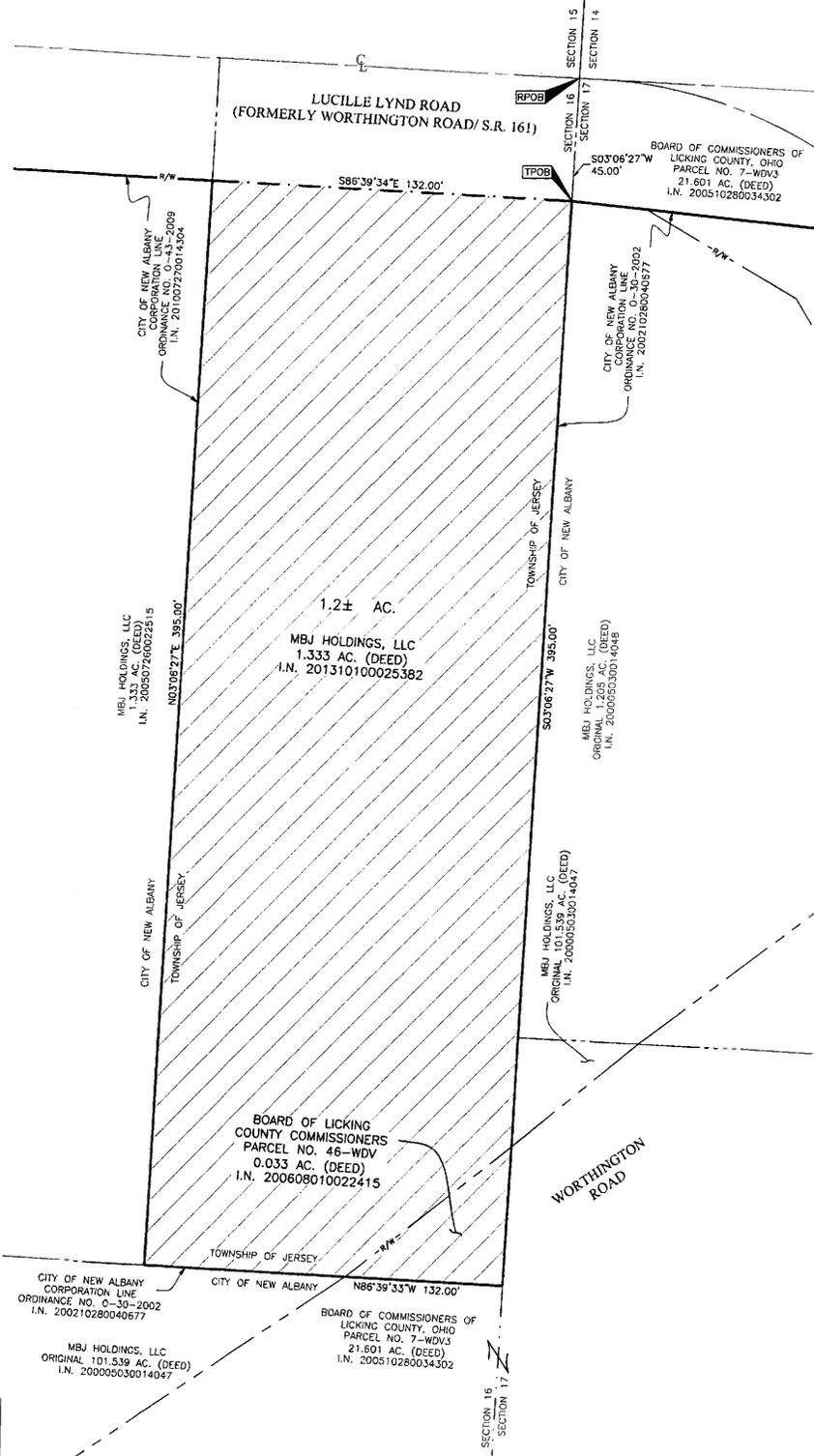


Exhibit B-4



By \_\_\_\_\_ Date \_\_\_\_\_  
Joshua M. Meyer  
Professional Surveyor No. 8485

<b>EMHT</b> Evans, Mechwart, Hambleton & Tilton, Inc. Engineers • Surveyors • Planners • Scientists 8500 New Albany Road, Columbus, OH 43254 Phone: 614.775.4500 Toll Free: 888.775.3448 emht.com		Date: February 10, 2016
		Scale: 1" = 30'
		Job No: 2016-0013
		Sheet: 1 of 1
REVISIONS		
MARK	DATE	DESCRIPTION

**EXHIBIT C**

**Description of the "Annexation Area"**

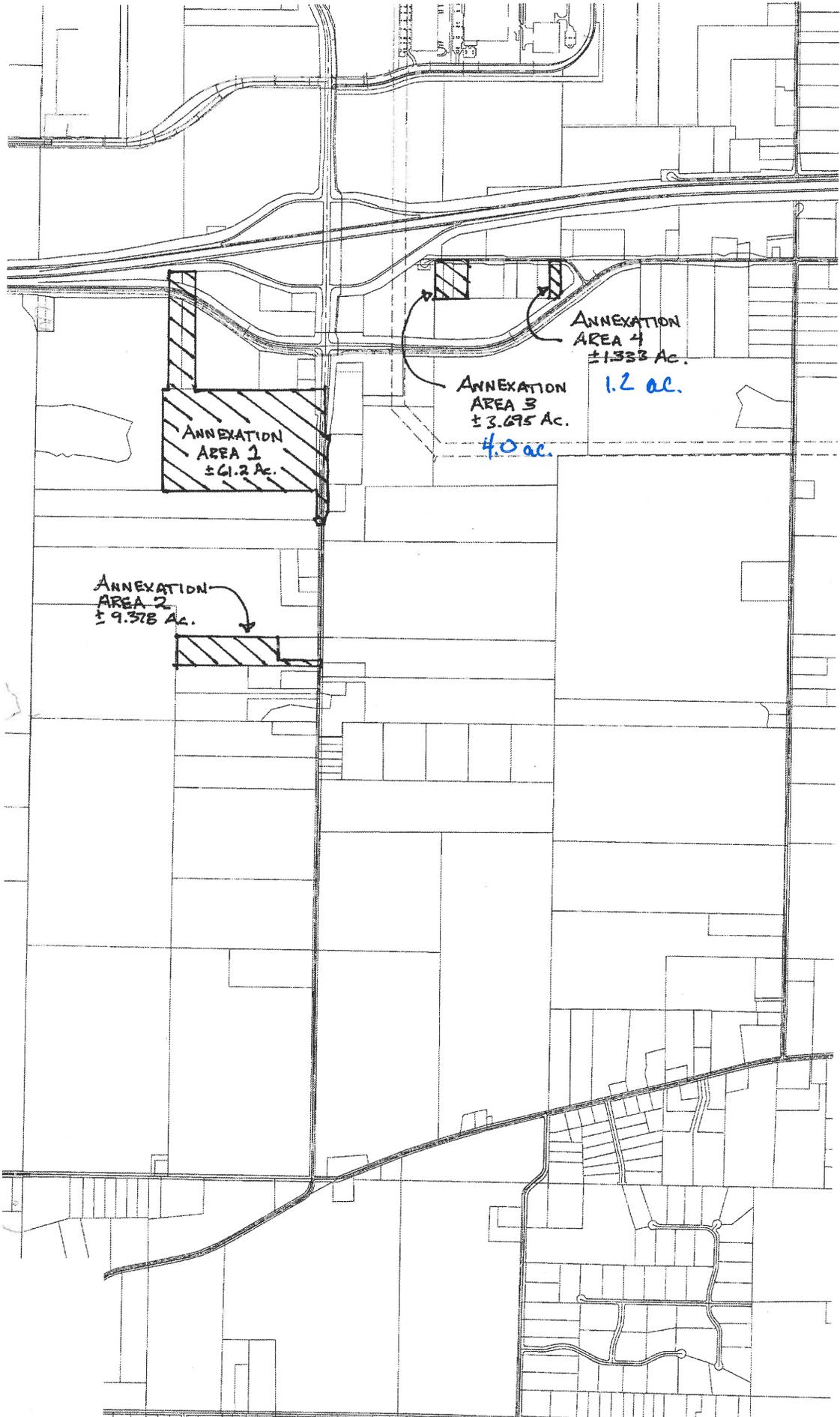


Exhibit C