

RESOLUTION NO. 04-14

DECLARING COUNCIL'S INTENTION TO REZONE A CERTAIN AREA OF THE CITY OF ASHLAND, OHIO FROM "M-4" INDUSTRIAL AND BUSINESS PARK DISTRICT TO "M-1" LIGHT INDUSTRIAL DISTRICT.

WHEREAS, the City of Ashland Planning Commission has recommended that a certain area in the City of Ashland be Zoned as a "M-1" Light Industrial District; and

WHEREAS, Council is considering whether rezoning a certain area located in the City of Ashland, Ohio, is necessary to permit a more suitable type of business and land usage within said area and the public necessity, convenience, general welfare and good zoning practice justify such action; now therefore,

BE IT RESOLVED by the Council of the City of Ashland, State of Ohio, 4 members thereto concurring:

Section 1. That Council's intention be and hereby is to rezone a certain area located in the City of Ashland, Ohio, described as follows:

Situated in the City of Ashland, County of Ashland, State of Ohio and known as being a part of the Southeast Quarter of Section 16, T-22N; R-16W, Montgomery Township, also known as being a part of lands conveyed to Baker-Ashland, Ltd. in O.R. 158; Page 777 of Ashland County Official Deed Records and further bound and described as follows:

Commencing at a 5/8" rebar found at the Southwest corner of the Southeast Quarter of Section 16; thence S 89° 32' 10" E, 1,166.19 feet along the section line to a 5/8" rebar with I.D. cap marked "BAKER" found at a southeast corner of lands conveyed to Ashland 250 Apartments, LLC in O.R. 0438; Page 0662 of Ashland County Official Deed Records; thence N 00° 07' 08" E, 154.27 feet along an easterly line of said Ashland 250 Apartments lands to a 5/8" rebar with I.D. cap marked "S.J.L., INC." found at an angle point; thence N 57° 14' 01"E, 63.33 feet along a southerly line of said Ashland 250 Apartments lands to a 5/8" rebar with I.D. cap marked "S.J.L., INC." found at a point of curvature; thence northeasterly 127.59 feet along the arc of a curve deflecting to the right, said curve having a radius of 220.00 feet, a central angle of 33° 13' 40" and a chord which bears N 73° 50' 51" E, 125.81 feet to a 5/8" rebar with I.D. cap marked "S.J.L., INC." found at a southeasterly corner thereof; thence N 00° 27' 08" E, 30.00 feet along an easterly line of said Ashland 250 Apartments lands to a northeasterly corner thereof and the principal place of beginning of the parcel herein described:

Thence southwesterly 144.98 feet along a northerly line of said Ashland 250 Apartments lands along the arc of a curve deflecting to the left, said curve having a radius of 250.00 feet, a central angle of 33° 13' 40" and a chord which bears S 73° 50' 51" W, 142.96 feet to a 5/8" rebar with I.D. cap marked "S.J.L., INC." found;

Thence S 57° 14' 01" W, 99.02 feet along a northerly line of said Ashland 250 Apartments lands to a 5/8" rebar with I.D. cap marked "S.J.L., INC." found at a point of curvature;

Thence southwesterly 142.97 feet along a northerly line of said Ashland 250 Apartments lands along the arc of a curve deflecting to the right, said curve having a radius of 250.00 feet, a central angle of 32° 45' 59" and a chord which bears S73° 37' 00" W, 141.03 feet to a 5/8" rebar with I.D. cap marked "S.J.L., INC.";

Thence S 90° 00' 00" W, 256.98 feet along a northerly line of said Ashland 250 Apartments lands to a 5/8" rebar with I.D. cap marked "S.J.L., INC." found at an angle point;

Thence N 00° 27' 50" E, 637.62 feet along an easterly line of said Ashland 250 Apartments lands to a 5/8" rebar with I.D. cap marked "S.J.L., INC." found at a northeasterly corner thereof and on the southerly line of lands conveyed to Home Depot USA, Inc. in O.R. 0443; Page 0754 of Ashland County Official Deed Records;

Thence S 73° 03' 24" E, 671.55 feet along the southerly line of said Home Depot lands to a 5/8" rebar with I.D. cap marked "BRAUN-PRENOSIL ASSOC" at the southeasterly corner thereof and on the westerly right of way line of Sugarbush Drive;

Thence S 00° 16' 49" W, 245.92 feet along the westerly right of way line of Sugarbush Drive to a 5/8" rebar with I.D. cap marked "S.J.L., INC." found at a point of curvature;

Thence southwesterly 51.94 feet along the arc of a curve deflecting to the right, said curve having a radius of 33.00 feet, a central angle of 90° 10' 52" and a chord which bears S 45° 22' 15" W, 46.74 feet to a 5/8" rebar with I.D. cap marked "S.J.L., INC." found;

Thence S 00° 27' 08" W, 30.00 feet to the place of beginning and containing within the said bounds 7.311 acres of land, more or less, and subject to all legal highways and easements of record.

This description was prepared by Mark E. Purdy, P.S. #7307 from a survey made in May of 2005 by Shaffer, Johnston, Lichtenwalter & Associates, Inc. Basis of Bearing: The south line of Section 16, bearing S 89° 32' 10" E according to a survey by Shaffer, Johnston, Lichtenwalter & Associates, Inc. in December of 2004 as recorded in Ashland County Tax Map Office records

Section 2. That the Council of the City of Ashland shall hold a hearing for the purpose of considering objections to the rezoning of said certain area on Tuesday, the 18th day of March, 2014 at 7:05 p.m., in the Council Chambers, Municipal Building, 206 Claremont Avenue, Ashland, Ohio.

Section 3: That the Clerk of Council shall cause notice of said intention to rezone and said hearing of objection to be served in accordance with Section 105 of the Charter of the City of Ashland, Ohio, upon those abutting owners who have not signed petitions waiving said notice.

Section 4: That this Resolution shall take effect and be in force from and after the earliest period allowed by Law.

PASSED: February 4, 2014

/s/ Stephen L. Stuart
Stephen L. Stuart, President of Council

Attest: /s/ Lindsey Queen
Lindsey Queen, Interim Clerk of Council

Approved: /s/Glen P. Stewart
Glen P. Stewart, Mayor

Approved as to form & correctness:

/s/ Richard P. Wolfe
Richard P. Wolfe II, Director of Law

Date: February 4, 2014