



Delaware County Ditch Petition

ORC 6131.04; 6133.02, 03

Single County

Joint County

Jennings Land Development, LLC

11-20-2020

Petitioner(s) _____

Date _____

To the Board of County Commissioners of Delaware County, Ohio:

The undersigned hereby petition your honorable body to : (Locate, clean, remove obstructions from, construct, reconstruct, straighten, deepen, widen, alter, box, tile, fill, etc. ORC Section 6131.04)
Vacate a portion of existing McNamara Ditch and Drainage Easement and create a new relocated section of the ditch with new easement on the course hereinafter set forth.

The Construction of the improvement is necessary, will benefit the petitioner(s), and will be conducive to the public welfare.

The following is the course and termini of said proposed improvement, to wit:

Commencing

Commencing in Delaware County, Berlin and Orange Townships, within the McNamara #582 Watershed from Station 119+20 to Station 143+50 of the McNamara #582 (#0906) drainage maintenance project:

See attached description and exhibit for the area of vacation and the area of new drainage easement:

DELAWARE COUNTY COMMISSIONERS
2020 NOV 20 PM 3:03
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All cost of engineering, construction, and future maintenance will be assessed to the benefiting parcels of land, except as ordered, under Section 6131.31 of the Revised Code.

The following is the nature of the work petitioned for:

To vacate the existing improvement and easement known as McNamara #582 (ID #09006) from Station 119+20 to Station 143+50 of the original improvement upon approval of the construction of the proposed new alignment and easement for the relocation improvement. This work is to be located on the following parcels as identified by the Delaware County Auditor Parcel ID numbers:

Vacate on Parcels: 318-210-01-002-000; 418-340-01-057-000 and 318-210-01-015-005

New Drainage Easement on Parcels: 418-340-01-057-000; 318-210-01-002-000; 318-210-01-004-000; 318-210-01-008-000 and 318-210-01-015-000

A list of the names and addresses, where known, of all the owners of the land which the petitioner or the County Engineer claims will be benefited or damaged by the construction of the proposed improvement is as follows:

(See Attached Sheet)

Service of notice of the filing of the Petition shall be obtained by (Here insert "mailing notices and publication as provided in Sec. 6131.07 R. C.)

(See Attached Sheet)

Petitioners

Name

[Signature]
VP 4-20-2020

Address

Jennings Land Development LLC

162 Wetherby Lane, Westerville, Ohio 43081

Evans Farm Delaware, LLC (11 Parcels)

Shanahan Road, Lewis Center, Ohio 43035



Delaware County Bond

KNOW ALL MEN BY THESE PRESENT, That we, DAVID M. THOMAS, as principal, and _____, as surety _____, are held and firmly bound unto Delaware County, Ohio, in the sum of 500.00 Dollars, to the payment of which sum, well and truly to be made, we do hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us and dated at Delaware, Ohio, this 20 day of NOVEMBER, 2020.

THIS CONDITION OF THE ABOVE OBLIGATION IS SUCH, That, Whereas, on the 20TH Day of NOVEMBER, 2020, the above bond OF \$500.00

Filed a petition with the Clerk of the County Commissioners of Delaware County, Ohio, making application to the County commissioners to SEE DESCRIPTION BELOW

Petitioned for by _____, and others, the following being the course and termini of said proposed improvement, to wit:

Commencing

SEE PETITION DESCRIPTION

Now, if the said DAVID M. THOMAS will pay the cost of notices, plus any other incidental expenses, except the cost incurred by the Engineer in making his preliminary reports, if the prayer of the petition is not granted or if the petition is for any cause dismissed, unless the Board of County Commissioners decides to pay the Engineer's costs from this Bond in accordance with Section 6131.09 of the Revised Code, then this obligation shall be void; otherwise it shall be and remain in full force and virtue in law.

The above bond is approved this 20th day of NOV., 2020

[Signature]
Clerk to the Commissioners

¹ Five Hundred dollars, plus the sum of two dollars for each parcel of land in excess of two hundred parcels averred in the petition to be benefited.
² Locate, clean, remove, obstructions from, construct, reconstruct, straighten, deepen, wide, alter, box, file, fill, etc., for proper phraseology see Section 331.04 Ohio Revised Code

TRANSMITTAL FORM

Date: November 20, 2020 **Job #:** 19-013

To: Ms. Jennifer Walraven, Clerk to the Board **From:** Terrain Evolution, Inc.
Delaware County Commissioners' Office 720 East Broad Street, Suite 203
101 N. Sandusky Street Columbus, OH 43215

Address: 101 N. Sandusky Street **Name:** David M. Thomas, LEED AP
Delaware, Ohio 43015 **Phone:** 614.983.3423

Subject: Jennings Sports Park – McNamara Ditch **Email:** dthomas@terrainevolution.com
Drainage Maintenance Easement Relocation **Fax:** 614.385.108

We are sending you the following: Paper Copies

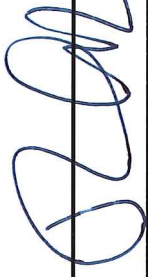
These are: Attached Under separate cover via:

Copies *	Description
1	County Ditch Petition (McNamara Ditch – relocation)
1	County Ditch Bond Form
1	Fee Check for Bond (\$500.00 check #4375)

Remarks:

Please advise if additional information is required. Thank you!

DELAWARE COUNTY COMMISSIONERS
 2020 NOV 20 PM 3:03
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Signed:
David M. Thomas, LEED AP

**SURVEY EXHIBIT OF PROPOSED 3.369
& 0.147 ACRE EASEMENT**

**PART OF LAND OF EVANS FARM DELAWARE, LLC &
JENNINGS LAND DEVELOPMENT, LLC**

**STATE OF OHIO, COUNTY OF DELAWARE, ORANGE TOWNSHIP
RANGE 18, TOWNSHIPS 3, QUARTER-TOWNSHIP SECTION 2,
FARM LOTS 12, 13, 14, & 15, UNITED STATES MILITARY DISTRICT**



Curve Table

Curve #	Arc Length	Radius	Chord Bearing	Chord Length	Delta
C1	135.32	1010.00	S53° 19' 06"E	135.22	7° 40' 36"
C2	120.64	135.00	S23° 52' 48"E	116.66	51° 12' 00"
C3	90.99	135.00	S21° 01' 45"W	89.28	38° 37' 05"
C4	71.99	850.00	N40° 25' 51"W	71.97	4° 51' 09"
C5	32.20	65.00	N15° 54' 50"E	31.88	28° 23' 16"
C6	58.08	65.00	N23° 52' 48"W	56.17	51° 12' 00"
C7	62.43	135.00	S53° 35' 11"W	61.88	26° 29' 48"
C8	41.67	65.00	N48° 28' 17"E	40.96	36° 43' 37"

**LEGAL DESCRIPTION
PROPOSED EASEMENT
EVANS FARM DELAWARE, LLC
3.369 ACRES**

Situate in the State of Ohio, County of Delaware, Township of Orange, located in a portion of Range 18, Township 3, Quarter-Township Section 2, Farm Lots 12, 13, 14, and 15, United States Military District, and being a part of tracts of land conveyed to Evans Farm Delaware, LLC by deed as recorded in Official Record 1334 at page 2672 (all references to deeds, microfiche, plats, surveys, etc. refer to the Delaware County Recorder's Office or Engineer's Office) and being more particularly described as follows:

COMMENCING FOR REFERENCE at the centerline intersection of Piatt Road (80' R/W) and Shanahan Road (40' R/W), also being the southeast corner of said Farm Lot 17, southwest corner of said Farm Lot 16, and on the north line of said Farm Lot 12;

Thence along said north line, South 86°26'55" East, for a distance of 80.26 feet to the **TRUE POINT OF BEGINNING**;

Thence continuing along said north line, **South 86°26'55" East**, for a distance of **78.17 feet** to a point;

Thence across said Evans Farm Delaware, LLC tracts and said Farm Lots 12, 13, 14, and 15 for the following eight (8) courses;

1. **South 02°32'22" West**, for a distance of **38.99 feet** to a point;
2. **South 00°00'00" East**, for a distance of **13.49 feet** to a point;
3. With a curve to the right having a **radius of 854.23 feet**, a **delta angle of 41°26'23"**, an arc length of **617.83 feet**, a chord length of **604.45 feet** bearing **South 17°02'41" West** to a point;
4. With a curve to the left having a **radius of 634.00 feet**, a **delta angle of 94°55'17"**, an arc length of **1050.34 feet**, a chord length of **934.28 feet** bearing **South 09°41'46" East** to a point;
5. With a curve to the right having a **radius of 1010.00 feet**, a **delta angle of 07°40'36"**, an arc length of **135.32 feet**, a chord length of **135.22 feet** bearing **South 53°19'06" East** to a point;
6. With a curve to the right having a **radius of 135.00 feet**, a **delta angle of 51°12'00"**, an arc length of **120.64 feet**, a chord length of **116.66 feet** bearing **South 23°52'48" East** to a point;
7. **South 01°43'12" West**, for a distance of **54.43 feet** to a point;
8. With a curve to the right having a **radius of 135.00 feet**, a **delta angle of 38°37'05"**, an arc length of **90.99 feet**, a chord length of **89.28 feet** bearing **South 21°01'45" West** to a point on the east line of a 55.514 acre tract of land conveyed to Jennings Land Development, LLC as record in Official Record 1699, Page 2034;

Thence along said east line, with a curve to the left having a **radius of 850.00 feet**, a **delta angle of 04°51'09"**, an arc length of **71.99 feet**, a chord length of **71.97 feet** bearing **North 40°25'51" West** to a point;

Thence across said Evans Farm Delaware, LLC tracts and said Farm Lots 12, 13, and 14 for the following six (6) courses;

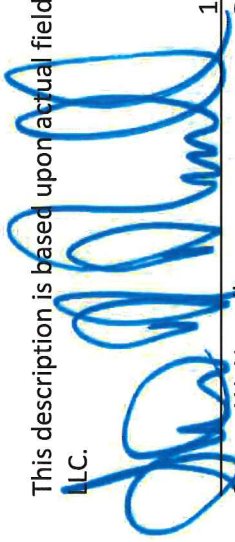
1. With a curve to the left having a **radius of 65.00 feet**, a **delta angle of 28°23'16"**, an arc length of **32.20 feet**, a chord length of **31.88 feet** bearing **North 15°54'50" East** to a point;
2. **North 01°43'12" East**, for a distance of **54.43 feet** to a point;
3. With a curve to the left having a **radius of 65.00 feet**, a **delta angle of 51°12'00"**, an arc length of **58.08 feet**, a chord length of **56.17 feet** bearing **North 23°52'48" West** to a point;
4. With a curve to the left having a **radius of 940.00 feet**, a **delta angle of 07°40'36"**, an arc length of **125.94 feet**, a chord length of **125.85 feet** bearing **North 53°19'06" West** to a point;
5. With a curve to the right having a **radius of 704.00 feet**, a **delta angle of 94°55'17"**, an arc length of **1166.31 feet**, a chord length of **1037.43 feet** bearing **North 09°41'46" West** to a point;
6. With a curve to the left having a **radius of 784.23 feet**, a **delta angle of 45°58'42"**, an arc length of **629.32 feet**, a chord length of **612.57 feet** bearing **North 14°46'32" East** to **TRUE POINT OF BEGINNING**;

Containing a total of 3.369 acres, more or less, subject however to all covenants, conditions, restrictions, reservations and easements contained in any instrument of record pertaining to the above described tract of land.

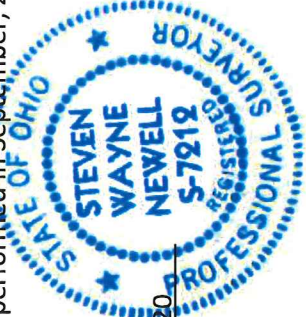
Being a 0.850 acre part of Tax Parcel 318-210-01-002-000.
Being a 0.800 acre part of Tax Parcel 318-210-01-004-000.
Being a 1.718 part of Tax Parcel 318-210-01-008-000.
Being a 0.001 part of Tax Parcel 318-210-01-015-000.

Bearings are based on the Ohio State Plane Coordinate System, North Zone, NAD83 by GPS observation.

This description is based upon actual field surveys performed in September, 2019 by Sands Decker, CPS, LLC.



11/09/2020
Date



Steven W. Newell
Ohio Registered
Professional Surveyor 7212

**LEGAL DESCRIPTION
PROPOSED EASEMENT
JENNINGS LAND DEVELOPMENT, LLC
0.147 ACRES**

Situate in the State of Ohio, County of Delaware, Township of Orange, located in a portion of Range 18, Township 3, Quarter-Township Section 2, Farm Lots 14 and 15, United States Military District, and being a part of a 55.514 acre tract of land conveyed Jennings Land Development, LLC by deed as recorded in Official Record 1699 at page 2034 (all references to deeds, microfiche, plats, surveys, etc. refer to the Delaware County Recorder's Office or Engineer's Office) and being more particularly described as follows:

BEGINNING AT POINT "A", said point being at southeast corner of a 3.369 acre easement, and also being on the east line of said 55.514 acre tract;

Thence across said 55.514 acre tract and said Farm Lots 14 and 15 for the following five (5) courses:

1. With a curve to the right having a **radius of 135.00 feet**, a **delta angle of 26°29'48"**, an arc length of **62.43 feet**, a chord length of **61.88 feet** bearing **South 53°35'11" West** to a point;
2. **South 66°50'05" West**, for a distance of **42.85 feet** to a point;
3. **North 17°38'32" West**, for a distance of **70.33 feet** to a point;
4. **North 66°50'05" East**, for a distance of **36.09 feet** to a point;
5. With a curve to the left having a **radius of 65.00 feet**, a **delta angle of 36°43'37"**, an arc length of **41.67 feet**, a chord length of **40.96 feet** bearing **North 48°28'17" East** to a point on the east line of said 55.514 acre tract;


Thence along said east line, with a curve to the left having a **radius of 850.00 feet**, a **delta angle of 04°51'09"**, an arc length of **71.99 feet**, a chord length of **71.97 feet** bearing **South 40°25'51" East** to the **POINT OF BEGINNING**;

Containing a total of 0.147 acres, more or less, subject however to all covenants, conditions, restrictions, reservations and easements contained in any instrument of record pertaining to the above described tract of land.

Being a 0.147 acre part of Tax Parcel 318-210-01-015-005.

Bearings are based on the Ohio State Plane Coordinate System, North Zone, NAD83 by GPS observation.

This description is based upon actual field surveys performed in September, 2019 by Sands Decker, CPS, LLC.


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Date

