

**RESOLUTION NO. 2021-12**

**AN EMERGENCY RESOLUTION AUTHORIZING THE  
DIRECTOR OF PUBLIC SERVICE AND SAFETY TO TRANSFER  
A SMALL PARCEL OF REAL PROPERTY ADJACENT TO  
LOT 1 OF THE FREEWALT WAY SUBDIVISION**

WHEREAS, the City of St. Marys previously in Resolution No. 2021-11 authorized the CIC to sell Lot 1 of the Freewalt Way Subdivision; and,

WHEREAS, the City had previously acquired a very small parcel (42 feet by 35 feet) which is adjacent to Lot 1 of the Freewalt Way Subdivision and which has no value other than to the owner of Lot 1 of the Freewalt Way Subdivision; and,

WHEREAS, said parcel was left over after the dedication of Freewalt Way Subdivision.

NOW, THEREFORE, BE IT RESOLVED BY COUNCIL FOR THE CITY OF ST. MARYS, OHIO:

SECTION 1. That this Council hereby authorizes the Director of Public Service and Safety to execute a deed transferring the City's interest in said parcel (the description of which is attached hereto as Exhibit "A") to the purchaser of Lot 1 of the Freewalt Way Subdivision. The consideration for this shall be included in the transfer of Lot 1 by the Community Improvement Corporation (CIC).

SECTION 2. That this is an emergency resolution, the reason for the emergency being that the pending sale of Lot 1 is imminent, and it is necessary to facilitate said transaction, all of which is necessary for the health, welfare and safety of the citizens of St. Marys; therefore, this resolution shall take effect and be in force immediately upon its passage.

Passed this \_\_\_\_\_ day of April, 2021.

\_\_\_\_\_  
James J. Harris, President of Council

ATTEST:

\_\_\_\_\_  
Debra Kable, Clerk of Council

Approved by the Law Director this \_\_\_\_\_ day of April, 2021.

\_\_\_\_\_  
Zach G. Ferrall, Law Director

Approved by the Mayor this \_\_\_\_\_ day of April, 2021.

\_\_\_\_\_  
Patrick J. McGowan, Mayor

EXHIBIT A

SITUATED IN ST. MARYS PLAZA SUBDIVISION,  
SW 1/4 SECTION 4, T 6 S, R 4 E,  
CITY OF ST. MARYS, AUGLAIZE COUNTY, OHIO

TRACT 3

BEING A PART OF PARCEL K3206205300, BEING A PART OF PARCEL K3206205300, A 3.016-ACRE TRACT BEING PART OF PARCEL ONE OF THE ST. MARYS PLAZA SUBDIVISION AS SHOWN ON PLAT CABINET A, PAGE 25, AND OWNED BY THE BOARD OF EDUCATION, CITY OF ST. MARYS AS CONVEYED IN OFFICIAL RECORD 318, PAGE 429 OF THE AUGLAIZE COUNTY DEED RECORDS, SITUATE IN THE SOUTHWEST QUARTER OF SECTION 4, TOWN 6 SOUTH, RANGE 4 EAST, CITY OF ST. MARYS, AUGLAIZE COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING FOR REFERENCE AT AN IRON PIN FOUND AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 4;

THENCE, NORTH 01°-29'-51" EAST, 1306.89 FEET, ALONG THE EAST LINE OF SAID QUARTER SECTION TO AN IRON PIPE FOUND AT THE NORTHEAST CORNER OF A TRACT OF LAND OWNED BY THOMAS A. RAMMEL, ETAL. AS CONVEYED IN OFFICIAL RECORD 636, PAGE 1339 AND BEING ON THE WEST LINE OF A 4.608-ACRE TRACT OF LAND OWNED BY THE BOARD OF EDUCATION, CITY OF ST. MARYS AS CONVEYED IN OFFICIAL RECORD 314, PAGE 161;

THENCE, NORTH 01°-30'-46" EAST, 569.81 FEET, ALONG THE WEST LINE OF SAID 4.608-ACRE BOARD OF EDUCATION TRACT TO AN IRON PIPE FOUND AT THE SOUTHEAST CORNER OF A 0.666-ACRE TRACT OF LAND OWNED BY LARRY L. SCHAAF AS CONVEYED IN OFFICIAL RECORD 538, PAGE 2245;

THENCE, NORTH 88°-27'-35" WEST, 155.27 FEET, ALONG THE SOUTHERLY LINE OF SAID SCHAAF TRACT TO AN IRON PIPE FOUND AND BEING THE PRINCIPAL PLACE OF BEGINNING OF THE TRACT HEREIN DESCRIBED;

THENCE, NORTH 88°-27'-35" WEST, 42.03 FEET, ALONG A NEW DIVISION LINE TO A MAG NAIL SET;

THENCE, NORTH 01°-13'-15" EAST, 35.05 FEET, ALONG A NEW DIVISION LINE TO A MAG NAIL SET ON THE SOUTHERLY LINE OF SAID SCHAAF TRACT;

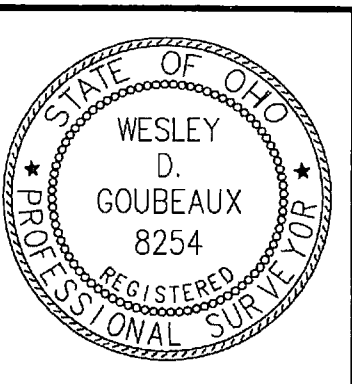
THENCE, SOUTH 88°-31'-40" EAST, 42.11 FEET, ALONG THE SOUTHERLY LINE OF SAID SCHAAF TRACT TO AN IRON PIN FOUND;

THENCE, SOUTH 01°-20'-40" WEST, 35.10 FEET, ALONG THE WESTERLY LINE OF SAID SCHAAF TRACT TO THE PRINCIPAL PLACE OF BEGINNING.


CONTAINING 0.034 ACRES MORE OR LESS AND ALL BEING SUBJECT TO ANY LEGAL HIGHWAYS AND EASEMENTS OF RECORD. THE BEARINGS ARE BASED ON NAD 83 CORS 2011 ADJUSTMENT, OHIO NORTH ZONE, ODOT VRS CORS NETWORK.

THE ABOVE DESCRIPTION WAS PREPARED BY WESLEY D. GOUBEUX, OHIO PROFESSIONAL SURVEYOR NUMBER 8254, BASED ON A FIELD SURVEY PERFORMED UNDER HIS DIRECT SUPERVISION AND DATED OCTOBER 30, 2017.

ALL IRON PINS SET ARE 5/8" X 30" REBAR WITH CAPS READING "CHOICE ONE ENGR-WDG PS 8254."



*Wesley D. Goubeaux*  
WESLEY D. GOUBEUX, P.S. #8254

**Choice**   
Engineering

SIDNEY, OHIO 937.497.0200  
LOVELAND, OHIO 513.239.8554  
PORTLAND, INDIANA 260.766.2500  
www.CHOICEONEENGINEERING.com

DATE: 10-30-2017
DRAWN BY: WDG
JOB NUMBER: AUGSMA1705
SHEET NUMBER 4 OF 5