

Sponsor: Elliott / Ondera

ORDINANCE NO. 48-18

AN ORDINANCE REZONING FROM INDUSTRIAL (I) TO BUSINESS (B-3) A COMBINED 16.113 ACRES, MORE OR LESS, LOCATED ON STATE ROUTE 93 AND BEING PART OF THE PROPERTY COMMONLY REFERRED TO AS MERIDIAN IN THE CITY OF JACKSON, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, the legislative authority of the City of Jackson has received a three recommendations from the Jackson City Planning Commission to rezone the area containing 16.113 acres, as described in Exhibits 1, 2 and 3, attached hereto, from Industrial (I) to Business (B-3); and

WHEREAS, the legislative authority has determined that recommended change in zoning meets the requirements for rezoning for the reasons that: (1) the requested change is in accordance with the City's development goals and objectives; and (2) a rezoning is supported by a substantial change in the area conditions, rendering the original zoning of industrial for that portion of the property as functionally obsolete.; and

WHEREAS, time is of the essence in and that the proposed change in zoning will provide revenue for the City and employment for its citizens and this matter constitutes an emergency as its commencement at the earliest possible date necessary to preserve the public safety, health and welfare of the city and delay could cause a loss of the development.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF JACKSON, THAT THE 16.113 AREA DESCRIBED IN EXHIBITS "1", "2" & "3", ATTACHED HERETO AND INCORPORATED HEREIN, SHALL BE REZONED FROM INDUSTRIAL (I) TO BUSINESS (B-3) ZONING AND THAT THE CHANGE IN THE ZONING SHALL BE REFLECTED ON THE PLANNING AND ZONING MAPS OF THE CITY. BE IT FURTHER ORDAINED THAT THIS MEASURE IS AN EMERGENCY NECESSARY TO PRESERVE THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE CITY.

In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause, and shall take effect at the earliest time permitted by law.

It is hereby found and determined that all formal actions of this Council concerning and relating to adoption of this ordinance were adopted in an open meeting of this Council and the deliberations of this Council and any of its committees that resulted in such formal action were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 27th day of August, 2018.



President of Council

ATTEST:

Sherry Barr
Clerk of the Legislative Authority

Approved this 27th day of August, 2018.

Randy Veeth
Mayor

JACKSON CITY PLANNING COMMISSION CITY OF JACKSON, OHIO

IN THE MATTER OF:

**REQUEST OF THE COMMUNITY
IMPROVEMENT CORPORATION
FOR REZONING OF A PART OF
THE PROPERTY FORMERLY
KNOWN AS THE MERIDIAN PLANT
OF 8.83 ACRES**

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RECOMMENDATION

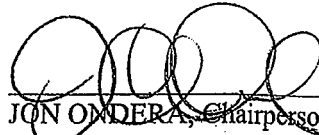
This matter came for consideration before the Jackson City Planning Commission, on the 25th day of July, 2018 upon the request of the Community Improvement Corporation. Present was Commission Chairman, Jon Ondera, Commission members Rodney Smith, Pete Bopp, and Mayor, Randy Heath. Also present was William Sheward, City Service / Safety Director.

Before the Commission was a request from the Community Improvement Corporation, the owner of the real property commonly referred to as the Meridian Plant, that a portion of the Meridian property be rezoned from industrial (I) to business (B-3). The area subject to the request for rezoning includes a 6.580 acre tract and a 2.250 acre tract (as shown in the attached tax map photo and legal description). Also presented with the request, and attached here, is a certificate from a reputable, practicing attorney in this county, that the legal description is complete and proper, and a list of property owners within 200 feet of the properties to be rezoned.

This Commission finds that the request meets the requirements for rezoning for the reasons that: (1) the requested change is in accordance with the City's development goals and objectives; and (2) a rezoning is supported by a substantial change in the area conditions, rendering the original zoning of industrial for that portion of the property as functionally obsolete.

The Commission members present, being of a number sufficient to recommend the requests be approved, unanimously recommend to Jackson City Council that this request for rezoning, be granted.

Dated: 7-27-18



JON ONDERA, Chairperson
Jackson City Planning Commission
City of Jackson, Ohio



William S. Cole • Joseph D. Kirby
Charles A. Kirby • Evan T. Cole
227 E. Main Street, Jackson, OH 45640
Phone: 740.286.3735 Fax: 740.288.2161

633 Seventh Street, Suite A, Portsmouth, OH 45662
Phone: 740.353.0177 Fax: 740.353.0191

July 10, 2018

Planning Commission
Jon L. Ondera, Chairman
City of Jackson
145 Broadway Street
Jackson, OH 45640

RE: Rezoning

Dear Mr. Ondera,

On behalf of Community Improvement Corporation, we are seeking to change the real estate described in Exhibit A from Industrial to B3. This zoning will be consistent with the area's development.

Also enclosed is an opinion letter of an attorney who practices in Jackson County stating that the property to be rezoned is a complete, proper legal description thereof.

Lastly, attached as Exhibit B is a list containing the names of all properties within 200 feet of the property.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Evan T. Cole', written over a horizontal line.

Evan T. Cole, Esq.

ETC/cnt
Enclosures

www.colekirbylaw.com



William S. Cole • Joseph D. Kirby
Charles A. Kirby • Evan T. Cole
227 E. Main Street, Jackson, OH 45640
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July 10, 2018

City of Jackson
Broadway Street
Jackson, OH 45640

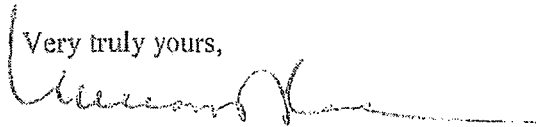
RE: Rezoning

To Whom It May Concern:

I am an attorney licensed to practice in the State of Ohio and regularly practice real estate law in Jackson County, Ohio.

I have reviewed the attached legal descriptions and they are complete, proper legal descriptions.

Should you have any questions, please contact the undersigned.

Very truly yours,

William S. Cole, Esq.

WSC/wc

17021
Description of a Survey for
Community Improvement Corporation
6.580 Acres

Situated in Scioto Salt Reserve Lot 96, City of Jackson, T-7-N, R-18-W, (Salt) Lick Township, Jackson County, Ohio. Being part of the tract recorded in Volume 184 at Page 419 of the Deed Records of the Jackson County Recorder's Office. Being a part of Parcel Number H140010106200 and being more fully described as follows:

Beginning for reference at a point at the southeast corner of Scioto Salt Reserve Lot 96, City of Jackson, T-7-N, R-18-W, (Salt) Lick Township, Jackson County, Ohio. Thence the following 5 courses:

N 85°- 15'- 42" W - 274.95 feet to a point,
N 04°- 44'- 18" E - 60.00 feet to a point,
N 11°- 35'- 52" W - 185.68 feet to a point,
S 78°- 24'- 08" W - 71.00 feet to a point,
N 11°- 35'- 52" W - 306.30 feet to an Iron Pin set this survey at the northeast corner of J&J Jackson Development LLC (OR 99 Pg. 799). Said Iron Pin set is the Principal Place of Beginning for this survey.

Thence with the north line of J&J Jackson Development LLC (OR 99 Pg. 799), S 78°- 24'- 08" W - 351.87 feet to an Iron Pin set this survey on the east Right-of-Way of State Route 93 (Right-of-Way per plans JAC-93-24.500, Pg. 4-7).

Thence leaving J&J Jackson Development LLC and with the east Right-of-Way line of State Route 93 the following 2 courses:

N 11°- 16'- 53" W - 719.55 feet to an Iron Pin set this survey.
N 11°- 11'- 31" W - 145.95 feet to an Iron Pin set this survey. From which a roof bolt found bears
N 84°- 33'- 12" W - 13.76 feet.

Thence leaving State Route 93 and with the south line of Foremost Management Inc (Vol. 325 Pg. 960), S 85°- 23'- 28" E - 365.70 feet to an Iron Pin set this survey.

Thence leaving Foremost Management Inc and with a new division line of Volume 184 at Page 419, S 11°- 16'- 29" E - 763.43 feet to an Iron Pin set this survey. Said Iron Pin set is the Principal Place of Beginning for this survey. Said survey contains 6.580 Acres, more or less.

Centerline Description of a 50-foot wide Easement for Ingress and Egress

Situated in Scioto Salt Reserve Lot 96, City of Jackson, T-7-N, R-18-W, (Salt) Lick Township, Jackson County, Ohio. Being part of the tract recorded in Volume 184 at Page 419 of the Deed Records of the Jackson County Recorder's Office. Being a part of Parcel Number H140010106200 and being more fully described as follows:

Beginning for reference at a point at the southeast corner of Scioto Salt Reserve Lot 96, City of Jackson, T-7-N, R-18-W, (Salt) Lick Township, Jackson County, Ohio. Thence the following 5 courses;

N 85°- 15'- 42" W - 274.95 feet to a point,
N 04°- 44'- 18" E - 60.00 feet to a point,
N 11°- 35'- 52" W - 185.68 feet to a point,
S 78°- 24'- 08" W - 71.00 feet to a point,
N 11°- 35'- 52" W - 306.30 feet to an Iron Pin set this survey at the northeast corner of J&J Jackson Development LLC (OR 99 Pg. 799).

Thence with the north line of J&J Jackson Development LLC (OR 99 Pg. 799), S 78°- 24'- 08" W - 351.87 feet to an Iron Pin set this survey on the east Right-of-Way of State Route 93 (Right-of-Way per plans JAC-93-24.500, Pg. 4-7). Thence leaving J&J Jackson Development LLC and with the east Right-of-Way line of State Route 93, N 11°- 16'- 53" W - 142.22 feet to a point. Said point is the Principal Place of Beginning for this centerline description. Said easement being 25-feet on both sides of the following centerline description.

Thence with the general centerline of an existing drive, N 78°- 28'- 04" E - 351.88 feet to a point. Said point is the Terminus Point for this centerline description.

Centerline Description of a 50-foot wide Easement for Ingress and Egress

Situated in Scioto Salt Reserve Lot 96, City of Jackson, T-7-N, R-18-W, (Salt) Lick Township, Jackson County, Ohio. Being part of the tract recorded in Volume 184 at Page 419 of the Deed Records of the Jackson County Recorder's Office. Being a part of Parcel Number H140010106200 and being more fully described as follows:

Beginning for reference at a point at the southeast corner of Scioto Salt Reserve Lot 96, City of Jackson, T-7-N, R-18-W, (Salt) Lick Township, Jackson County, Ohio. Thence the following 5 courses:

N 85°-15'-42" W - 274.95 feet to a point,

N 04°-44'-18" E - 60.00 feet to a point,

N 11°-35'-52" W - 185.68 feet to a point,

S 78°-24'-08" W - 71.00 feet to a point,

N 11°-35'-52" W - 306.30 feet to an Iron Pin set this survey at the northeast corner of J&J

Jackson Development LLC (OR 99 Pg. 799).

Thence with the north line of J&J Jackson Development LLC (OR 99 Pg. 799), S 78°-24'-08" W - 351.87 feet to an Iron Pin set this survey on the east Right-of-Way of State Route 93 (Right-of-Way per plans JAC-93-24.500, Pg. 4-7). Thence leaving J&J Jackson Development LLC and with the east Right-of-Way line of State Route 93, N 11°-16'-33" W - 142.22 feet to a point. Said point is the Principal Place of Beginning for this centerline description. Said easement being 25-feet on both sides of the following centerline description.

Thence with the general centerline of an existing drive the following 2 courses:

N 78°-28'-04" E - 153.32 feet to a point,

S 11°-31'-56" E - 142.04 feet to a point. Said point is the Terminus Point for this centerline description.

Centerline Description of a 50-foot wide Easement for Ingress and Egress

Situated in Scioto Salt Reserve Lot 96, City of Jackson, T-7-N, R-18-W, (Salt) Lick Township, Jackson County, Ohio. Being part of the tract recorded in Volume 184 at Page 419 of the Deed Records of the Jackson County Recorder's Office. Being a part of Parcel Number H140010106200 and being more fully described as follows:

Beginning for reference at a point at the southeast corner of Scioto Salt Reserve Lot 96, City of Jackson, T-7-N, R-18-W, (Salt) Lick Township, Jackson County, Ohio. Thence the following 5 courses;

N 85°-15'-42" W - 274.95 feet to a point,

N 04°-44'-18" E - 60.00 feet to a point,

N 11°-35'-52" W - 185.68 feet to a point,

S 78°-24'-08" W - 71.00 feet to a point,

N 11°-35'-52" W - 306.30 feet to an Iron Pin set this survey at the northeast corner of J&J

Jackson Development LLC (OR 99 Pg. 799).

Thence with the north line of J&J Jackson Development LLC (OR 99 Pg. 799), S 78°-24'-08" W - 351.87 feet to an Iron Pin set this survey on the east Right-of-Way of State Route 93 (Right-of-Way per plans JAC-93-24.500, Pg. 4-7). Thence leaving J&J Jackson Development LLC and with the east Right-of-Way line of State Route 93, N 11°-16'-33" W - 142.22 feet to a point. Said point is the Principal Place of Beginning for this centerline description. Said easement being 25-feet on both sides of the following centerline description.

Thence with the general centerline of an existing drive the following 2 courses;

N 78°-28'-04" E - 295.01 feet to a point,

S 11°-31'-56" E - 141.88 feet to a point. Said point is the Terminus Point for this centerline description.

The attached plat, Job Number 17021 final is made a part of this description.

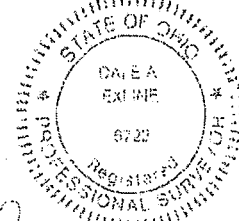
All Iron Pins set this survey are 1/2-inch x 30-inch rebar and have a plastic cap on them stamped Dale Exline P.S. 6722.

Basis of bearings is State Plane Grid North, NAD83(2011) Ohio South Zone and is tied by GPS to ODOT CORS stations. To denote angles only.

Subject to all legal easements and Right-of-Ways not listed above.

This description was prepared from an actual survey performed by me, Dale A. Exline, or under my direct supervision from February 9-14, 2017.

Appalachian Professional Associates
Complete Surveying Services
Dale A. Exline, Professional Surveyor
234 Exline Road Jackson, OH 45640
Phone: (740) 286-9966 Fax: (740) 286-9911



Dale A. Exline P.S. 6722

Date

DESCRIPTION NOT BE APPROVED BY RECORDS
COMPTROLLER, LANE AND/OR RECORDS DEPARTMENT

3-1-17
FOURTH ENGINEER

Location: Situated in Scioto Salt Reserve Lot 96, City of Jackson, T-7-N, R-18-W, (Salt) Lick Township, Jackson County, Ohio.

17148
Description of a Survey for
Vinton County Bank
2.250 Acres

Situated in Scioto Salt Reserve Lot 95, T-7-N, R-18-W, (Salt) Lick Township, City of Jackson, Jackson County, Ohio. Being part of the tract recorded in Volume 184 at Page 419 of the Deed Records of the Jackson County Recorder's Office. Being a part of Parcel Number H140010106100 and being more fully described as follows:

Beginning for reference at the Southwest Corner of Scioto Salt Reserve Lot 95, (Salt) Lick Township, City of Jackson, Jackson County, Ohio, thence with the west line of Scioto Salt Reserve Lot 95, N 05°- 07'- 02" E - 60.00 feet to a point on the north Right of Way of McCarty Lane (60.0' Right of Way). Thence with the north Right of Way of McCarty Lane (60.0' Right of Way), S 85°- 21'- 53" E - 902.91 feet to a Railroad Spike set this survey on the North Right of Way of McCarty Lane (60.0' Right of Way) Said set Railroad Spike is the **Principal Place of Beginning** for this survey.

Thence leaving the Right of Way of McCarty Lane and with a new division line of Community Improvement Corporation of Jackson (Vol. 184 Pg. 419) the following 2 courses:
N 12°- 31'- 18" W - 269.67 feet to an Iron Pin set this survey;
N 77°- 28'- 42" E - 282.91 feet to an Iron Pin set this survey on the west line of the City of Jackson Railroad (Vol. 263 Pg. 615);

Thence with the west line of the said City of Jackson Railroad, S 20°- 31'- 23" E - 376.87 feet to an Iron Pin set this survey on the north Right of Way line of said McCarty Lane.

Thence leaving the west line of the City of Jackson Railroad and with the north line of said McCarty Lane, N 85°- 21'- 53" W - 350.99 feet to a Railroad Spike set this survey. Said Railroad Spike set is the **Principal Place of Beginning** for this survey. Said survey contains 2.250 Acres, more or less.

The attached plat, File Name 17148 is made a part of this description.

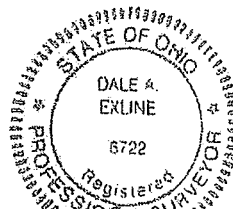
All Iron Pins set this survey are 3/4-inch x 30-inch rebar and have a plastic cap on them stamped Dale Exline P.S. 6722.

Bearings are based on State Plane Grid South, NAD83 (2011) Ohio South Zone tied by GPS to ODOT CORS Stations and are to denote angles only.

Subject to all legal easements and Right-of-Ways not listed above.

This description was prepared from an actual survey performed by me, Dale A. Exline, or under my direct supervision from November 6 to November 7, 2017.

 **Appalachian Professional Associates**
Complete Surveying Services
Dale A. Exline, Professional Surveyor
254 Exline Road Jackson, OH 45640
Phone: (740) 286-9966 Fax: (740) 286-9911




Dale A. Exline P.S. 6722


Date

12-6-17

EXHIBIT B

H14-001-06-004-00	RANDY EVANS CONSTRUCTION, LLC 66 NANCY LANE JACKSON, OH 45640
H14-001-06-004-01 H14-001-06-001-02 H14-001-06-003-00	ATOMIC EMPLOYEES CREDIT UNION 711 BEAVERCREEK RD. PIKETON, OH 45661
H14-001-01-183-00	JACKSON COUNTY COMMISSIONERS PORTSMOUTH STREET JACKSON, OH 45640
H14-001-01-039-06 H14-001-01-034-09	ARHC AHJACOH 01 LLC 1735 MARKET STREET, SUITE A400 PHILLIDELPHIA, PA 19103-7501
H14-001-01-034-08	JACKSON COUNTY BROADCASTING INC. 920 VETRANS DRIVE, SUITE D JACKSON, OH 45640
H14-001-01-062-02	1014 MCJACKSON DEVELOPMENT LLC 2439 KUSER ROAD HAMILTON, NJ 08690
H14-001-01-145-00 H14-001-01-144-00	ROBERT D JOHNSON MARINA PERRY JOHNSON PO BOX 430 TALBOTT, TN 37877
H12-032-04-006-00	BRETT REED 113 CANTERBURY DRIVE JACKSON, OH 45640
H12-032-04-007-00 H12-032-04-008-00	SCOTTIE L. FORD, TRUSTEE PO BOX 24 WELLSTON, OH 45692

H12-032-04-026-00

STORE MASTER FUNDING VII LLC
8377 E. HARTFORD, SUITE 200
SCOTTSDALE, AZ 85255

H14-001-07-002-00
H14-001-07-003-00

CARTEE LAND DEVELOPMENT INC
201 STEWART AVE
WORTHINGTON, KY 41183

H12-032-04-011-00
H14-001-07-004-00

OAK HILL SAVINGS BANK
c/o WESBANCO
1 BANK PLAZA
WHEELING WV 26003

H12-032-04-013-00

MARK A. PARKER
969 E. MAIN STREET
JACKSON, OH 45640

H14-001-01-001-00

RIO GRANDE COMMUNITY COLLEGE
218 N. COLLEGE AVENUE
RIO GRANDE, OH 45674

H14-001-01-001-01

MASON COUNTY E CORP
PO BOX 27
POINT PLEasant, WV 25550

H14-001-01-001-06
H14-001-01-001-02
H14-001-01-001-03

JSS RESTURANT HOLDINGS III LLC
1735 WALLER STREET
PORTSMOUTH, OH 45662

H14-001-01-001-04

JAY UMAPATI INC.
972 E. MAIN STREET
JACKSON, OH 45640

JACKSON CITY PLANNING COMMISSION CITY OF JACKSON, OHIO

IN THE MATTER OF:

REQUEST OF THE COMMUNITY
IMPROVEMENT CORPORATION
FOR REZONING OF A PART OF
THE PROPERTY FORMERLY
KNOWN AS THE MERIDIAN PLANT
OF 5.193 ACRES

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RECOMMENDATION

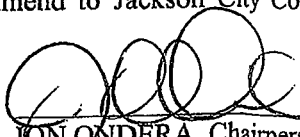
This matter came for consideration before the Jackson City Planning Commission, on the 25th day of July, 2018 upon the request of the Community Improvement Corporation. Present was Commission Chairman, Jon Ondera, Commission members Rodney Smith, Pete Bopp, and Mayor, Randy Heath. Also present was William Sheward, City Service / Safety Director.

Before the Commission was a request from the Community Improvement Corporation, the owner of the real property commonly referred to as the Meridian Plant, that a portion of the Meridian property be rezoned from industrial (I) to business (B-3). The area subject to the request for rezoning includes a 3.415 acre tract and a 1.778 acre tract (as shown in the attached tax map photo and legal description). Also presented with the request, and attached here, is a certificate from a reputable, practicing attorney in this county, that the legal description is complete and proper, and a list of property owners within 200 feet of the properties to be rezoned.

This Commission finds that the request meets the requirements for rezoning for the reasons that: (1) the requested change is in accordance with the City's development goals and objectives; and (2) a rezoning is supported by a substantial change in the area conditions, rendering the original zoning of industrial for that portion of the property as functionally obsolete.

The Commission members present, being of a number sufficient to recommend the requests be approved, unanimously recommend to Jackson City Council that this request for rezoning, be granted.

Dated: 7-27-18



JON ONDERA, Chairperson
Jackson City Planning Commission
City of Jackson, Ohio



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July 18, 2018

Planning Commission
Jon L. Ondera, Chairman
City of Jackson
145 Broadway Street
Jackson, OH 45640

RE: Rezoning

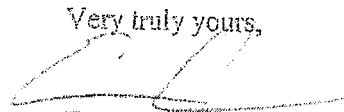
Dear Mr. Ondera,

On behalf of Community Improvement Corporation, we are seeking to change the real estate described in Exhibit A from Industrial to B3. This zoning will be consistent with the area's development.

Also enclosed is an opinion letter of an attorney who practices in Jackson County stating that the property to be rezoned is a complete, proper legal description thereof.

Lastly, attached as Exhibit B is a list containing the names of all properties within 200 feet of the property.

Very truly yours,



Evan T. Cole, Esq.

ETC/EC
Enclosures

www.colekirbylaw.com



William S. Cole • Joseph D. Kirby

Charles A. Kirby • Evan T. Cole

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July 18, 2018

City of Jackson
Broadway Street
Jackson, OH 45640

RE: Rezoning

To Whom It May Concern,

I am an attorney licensed to practice in the State of Ohio and regularly practice real estate law in Jackson County, Ohio.

I have reviewed the attached legal descriptions and they are complete, proper legal descriptions.

Should you have any questions, please contact the undersigned.

Very truly yours,

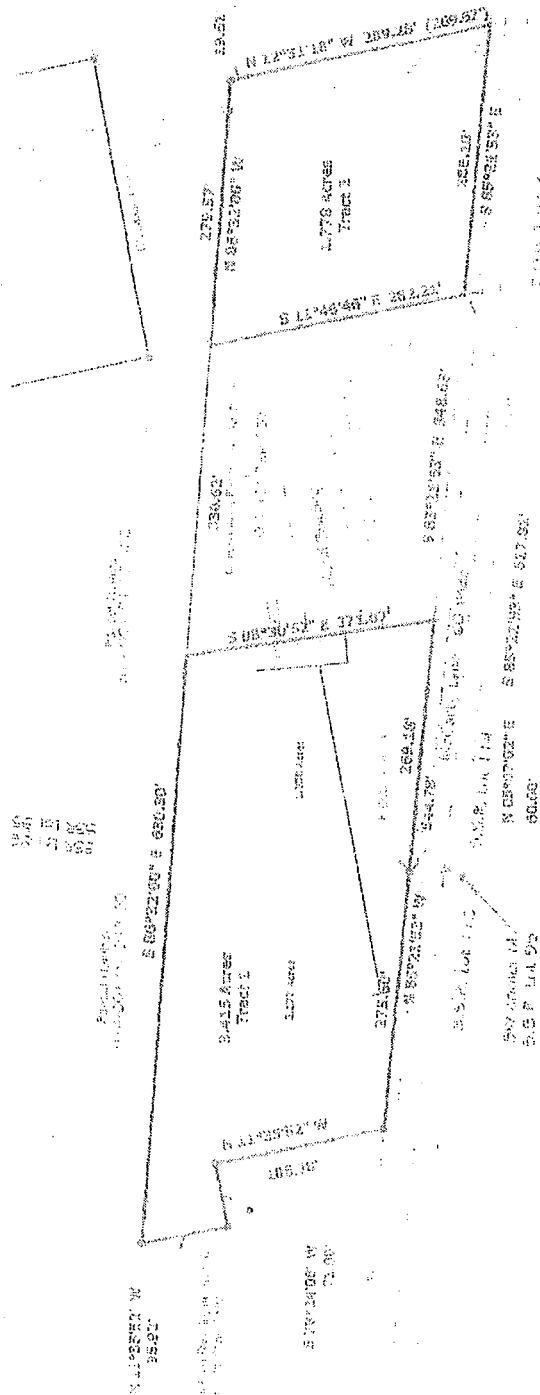
A handwritten signature in cursive script, appearing to read 'William S. Cole'.

William S. Cole, Esq.

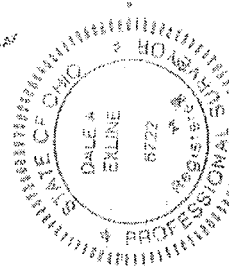
WSC/wc
Enclosures

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- [illegible]

[illegible]

44-38861-100



DATE 4. 21. 1952

Psychotechnische Forschungsanstalt

Pat For Zoning For: Community Improvement Corporation of Jackson Co. Inc.

Location: Situated in Subito Self Reserve, Lots 55 and 95, T-2M, R-12-W, (S&K) Ltd. Township, City of Jackson, Jackson County, Ohio

File Name: 18091-Zone 3001-File: 17021-005
 Size: 1 = 100
 Size: 1 = 100

SECRET

THE
NEW
YORK
PUBLIC
LIBRARY

Researcher's Role in Improving the Quality of Life of the Elderly

Stages

18091
Description for
Community Improvement Corporation of Jackson Co. Inc.
3.415 Acres

Situated in Scioto Salt Reserve Lot 95 and 96, T-7-N, R-18-W, (Salt) Lick Township, City of Jackson, Jackson County, Ohio, Being part of the tract recorded in Volume 184 at Page 419 of the Deed Records of the Jackson County Recorder's Office, Being a part of Parcel Number H140010106100 and H140010106200 and being more fully described as follows:

Beginning for reference at the Southwest Corner of Scioto Salt Reserve Lot 95, (Salt) Lick Township, City of Jackson, Jackson County, Ohio, thence with the west line of Scioto Salt Reserve Lot 95, N 05°-07'-02" E - 60.00 feet to a point on the north Right of Way of McCarty Lane (60.0' Right of Way). Said point is the Principal Place of Beginning for this Description.

Thence with the north Right of Way of McCarty Lane (60.0' Right of Way),
N 85°-21'-53" W - 275.60 feet to a point on the North Right of Way of McCarty Lane (60.0' Right of Way) at the southeast corner of O.R. 99 at Page 799.

Thence the following 3 courses with O.R. 99 at Page 799:

N 11°-35'-52" W - 186.28 feet to a point.

S 78°-24'-08" W - 71.00 feet to a point.

N 11°-35'-52" W - 95.92 feet to a point.

Thence with a new division line of Volume 184 at Page 419, S 86°-32'-00" E - 630.30 feet to an Iron Pin.

Thence with a new division line of Volume 184 at Page 419, S 08°-30'-52" E - 271.07 feet to an Iron Pin.

Thence with the North Right of Way of McCarty Lane (60.0' Right of Way),
N 85°-21'-53" W - 269.18 feet to a point. Said point is the Principal Place of Beginning for this Description. Said Description contains 2.177 Acres in Parcel Number H140010106200 and 1.238 Acres in Parcel Number H140010106100 for a Total of 3.415 Acres, more or less.

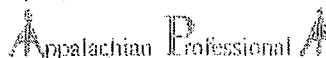
The attached plat, File Name 18091-Zone is made a part of this description.

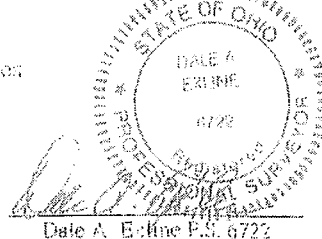
All Iron Pins are 3/4-inch x 30-inch rebar and have a plastic cap on them stamped Dale Exline P.S. 6722.

Bearings are based on State Plane Grid South, NAD83 (2011) Ohio South Zone tied by GPS to ODOT CORS Stations and are to denote angles only.

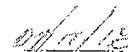
Subject to all legal easements and Right-of-Ways not listed above.

This description was prepared by me, Dale A. Exline, or under my direct supervision on July 17, 2018.


Appalachian Professional Association
Complete Surveying Services
Dale A. Exline, Professional Surveyor
134 Exline Road Jackson, OH 45640
Phone: (716) 286-9966 Fax: (716) 286-9911



Dale A. Exline P.S. 6722


Date

18091
Description for
Community Improvement Corporation of Jackson Co., Inc.
1.778 Acres

Situated in Scioto Salt Reserve Lot 95, T-7-N, R-18-W, (Salt) Lick Township, City of Jackson, Jackson County, Ohio, Being part of the tract recorded in Volume 184 at Page 419 of the Deed Records of the Jackson County Recorder's Office, Being a part of Parcel Number H140010106100 and being more fully described as follows:

Beginning for reference at the Southwest Corner of Scioto Salt Reserve Lot 95 (Salt) Lick Township, City of Jackson, Jackson County, Ohio, thence with the west line of Scioto Salt Reserve Lot 95, N 05°- 07'- (12" E) = 60.00 feet to a point on the north Right of Way of McCarty Lane (60.0' Right of Way). Thence with the north Right of Way of McCarty Lane (60.0' Right of Way), S 85°- 21'- 53" E = 617.81 feet to an Iron Pin on the North Right of Way of McCarty Lane (60.0' Right of Way) Said Iron Pin is the Principal Place of Beginning for this Description.

Thence Continuing with the North Right of Way of McCarty Lane (60.0' Right of Way), S 85°- 21'- 53" E = 285.10 feet to an Iron Pin.

Thence with a new division line of Volume 184 at Page 419, N 12°- 31'- 12" W = 389.28 feet to a point and passing an Iron Pin at 269.67 feet.

Thence with a new division line of Volume 184 at Page 419, N 86°- 32'- 00" W = 279.23 feet to an Iron Pin.

Thence with a new division line of Volume 184 at Page 419, S 11°- 46'- 46" E = 282.21 feet to an Iron Pin on the North Right of Way of McCarty Lane (60.0' Right of Way). Said Iron Pin is the Principal Place of Beginning for this Description. Said Description contains 1.778 Acres, more or less.


The attached plat, File Name 18091-Zone is made a part of this description.

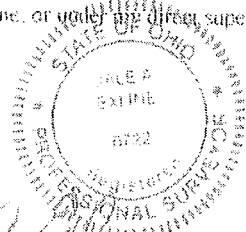
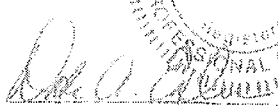
All Iron Pins are 3/4-inch x 30-inch rebar and have a plastic cap on them stamped Date Exline P.S. 6722.

Bearings are based on State Plane Grid South, NAD83 (2011) Ohio South Zone tied by GPS to ODOT CORS Stations and are to denote angles only.

Subject to all legal easements and Right-of-Ways not listed above.

This description was prepared by me, Dale A. Exline, or under my direct supervision on July 17, 2018.

 **Appalachian Professional Associates**
Complete Surveying Services
Dale A. Exline, Professional Surveyor
251 E. Jane Road Jackson, OH 45410
Phone: (740) 266-9960 Fax: (740) 266-9911



Dale A. Exline P.S. 6722


Date

EXHIBIT B

H14-001-06-004-00	RANDY EVANS CONSTRUCTION, LLC 66 NANCY LANE JACKSON, OH 45640
H14-001-06-004-01 H14-001-06-001-02 H14-001-06-003-00	ATOMIC EMPLOYEES CREDIT UNION 711 BEAVER CREEK ROAD PIKETON, OH 45661
H14-001-01-183-00	JACKSON COUNTY COMMISSIONERS PORTSMOUTH STREET JACKSON, OH 45640
H14-001-01-039-06 H14-001-01-034-09	ARHC AHJACOH 01 LLC 1735 MARKET STREET, SUITE A400 PHILLIDELPHIA, PA 19103-7501
H14-001-01-034-08	JACKSON COUNTY BROADCASTING INC. 920 VETERANS DRIVE, SUITE D JACKSON, OH 45640
H14-001-01-062-02	1014 MCJACKSON DEVELOPMENT LLC 2439 KUSER ROAD HAMILTON, NJ 08690
H14-001-01-145-00 H14-001-01-144-00	ROBERT D JOHNSON MARINA PERRY JOHNSON PO BOX 430 TALBOTT, TN 37877
H12-005-00-126-00 H12-005-00-127-00	ALFRED T. RUSTON TRUSTEE OF ALFRED T. RUSTON REVOCABLE TRUST 121 N. DAVID AVE. JACKSON, OH 45640
H14-001-05-008-00	WALMART REAL ESTATE BUSINESS TRUST PO BOX 8050 BENTONVILLE, AR 72712
H14-001-01-061-00	JACKSON AREA FESTIVAL & EVENTS PO BOX 488 JACKSON, OH 45640

JACKSON CITY PLANNING COMMISSION CITY OF JACKSON, OHIO

IN THE MATTER OF:

**REQUEST OF THE COMMUNITY
IMPROVEMENT CORPORATION
FOR REZONING OF A PART OF
THE PROPERTY FORMERLY
KNOWN AS THE MERIDIAN PLANT
OF 2.090 ACRES**

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RECOMMENDATION


This matter came for consideration before the Jackson City Planning Commission, on the 25th day of July, 2018 upon the request of the Jackson Area Festivals and Events. Present was Commission Chairman, Jon Ondera, Commission members Rodney Smith, Pete Bopp, and Mayor, Randy Heath. Also present was William Sheward, City Service / Safety Director.

Before the Commission was a request from the Jackson Area Festivals and Events, the owner of the real property commonly referred to as the Meridian Plant, that a portion of the Meridian property be rezoned from industrial (I) to business (B-3). The area subject to the request for rezoning includes a 2.090 acre tract (as shown in the attached tax map photo and legal description). Also presented with the request, and attached here, is a certificate from a reputable, practicing attorney in this county, that the legal description is complete and proper, and a list of property owners within 200 feet of the properties to be rezoned.

This Commission finds that the request meets the requirements for rezoning for the reasons that: (1) the requested change is in accordance with the City's development goals and objectives; and (2) a rezoning is supported by a substantial change in the area conditions, rendering the original zoning of industrial for that portion of the property as functionally obsolete.

The Commission members present, being of a number sufficient to recommend the requests be approved, unanimously recommend to Jackson City Council that this request for rezoning, be granted.

Dated: 7-21-18



JON ONDERA, Chairperson
Jackson City Planning Commission
City of Jackson, Ohio



William S. Cole • Joseph D. Kirby
Charles A. Kirby • Evan T. Cole
227 E. Main Street, Jackson, OH 45640
Phone: 740.286.3735 Fax: 740.288.2161

633 Seventh Street, Suite A, Portsmouth, OH 45662
Phone: 740.353.0177 Fax: 740.353.0191

July 10, 2018

Planning Commission
Jon L. Ondera, Chairman
City of Jackson
145 Broadway Street
Jackson, OH 45640

RE: Rezoning

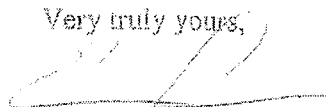
Dear Mr. Ondera,

On behalf of Jackson Area Festivals and Events, we are seeking to change the real estate described in Exhibit A from Industrial to B3. This zoning will be consistent with the area's development.

Also enclosed is an opinion letter of an attorney who practices in Jackson County stating that the property to be rezoned is a complete, proper legal description thereof.

Lastly, attached as Exhibit B is a list containing the names of all properties within 200 feet of the property.

Very truly yours,



Evan T. Cole, Esq.

ETC/ent
Enclosures



William S. Cole • Joseph D. Kirby
Charles A. Kirby • Evan T. Cole
227 E. Main Street, Jackson, OH 45640
Phone: 740.286.3735 Fax: 740.288.2161

633 Seventh Street, Suite A, Portsmouth, OH 45662
Phone: 740.353.0177 Fax: 740.353.0191

July 10, 2013

City of Jackson
Broadway Street
Jackson, OH 45640

RE: Rezoning

To Whom It May Concern:

I am an attorney licensed to practice in the State of Ohio and regularly practice real estate law in Jackson County, Ohio.

I have reviewed the attached legal descriptions and they are complete, proper legal descriptions.

Should you have any questions, please contact the undersigned.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'William S. Cole'.

William S. Cole, Esq.

WSC/wc

17147
Description of a Survey for
Jackson Area Festivals and Events
2.090 Acres

Situated in Scioto Salt Reserve Lot 95, T-7-N, R-18-W, (Salt) Lick Township, City of Jackson, Jackson County, Ohio. Being part of the tract recorded in Volume 184 at Page 419 of the Deed Records of the Jackson County Recorder's Office. Being a part of Parcel Number H140010106100 and being more fully described as follows:

Beginning for reference at the Southwest Corner of Scioto Salt Reserve Lot 95, (Salt) Lick Township, City of Jackson, Jackson County, Ohio, thence with the west line of Scioto Salt Reserve Lot 95, N 05°-07'-03" E - 60.00 feet to a point on the north Right of Way of McCarty Lane (60.0' Right of Way). Thence with the north Right of Way of McCarty Lane (60.0' Right of Way), S 85°-21'-53" E - 269.18 feet to an Iron Pin set this survey on the North Right of Way of McCarty Lane (60.0' Right of Way) Said set Iron Pin is the Principal Place of Beginning for this survey.

Thence with a new division line of Volume 184 at Page 419, N 08°-30'-52" W - 271.07 feet to an Iron Pin set this survey.

Thence with a new division line of Volume 184 at Page 419, S 86°-32'-00" E - 330.62 feet to an Iron Pin set this survey.

Thence with a new division line of Volume 184 at Page 419, S 11°-46'-46" E - 282.21 feet to an Iron Pin set this survey on the North Right of Way of McCarty Lane (60.0' Right of Way).

Thence with the North Right of Way of McCarty Lane (60.0' Right of Way), N 85°-21'-53" W - 348.63 feet to an Iron Pin set this survey. Said set Iron Pin set is the Principal Place of Beginning for this survey. Said survey contains 2.090 Acres, more or less.

Centerline Description of a 25-Foot Wide Easement for Ingress and Egress

Beginning for reference at the Southwest Corner of Scioto Salt Reserve Lot 95, (Salt) Lick Township, City of Jackson, Jackson County, Ohio, thence with the west line of Scioto Salt Reserve Lot 95, N 05°-07'-03" E - 60.00 feet to a point on the north Right of Way of McCarty Lane (60.0' Right of Way). Thence with the north Right of Way of McCarty Lane (60.0' Right of Way), S 85°-21'-53" E - 256.34 feet to a point on the North Right of Way of McCarty Lane (60.0' Right of Way) Said set Point is the Principal Place of Beginning for this centerline description. Said easement being 12.5 feet on each side of the following described line:

N 08°-30'-52" W - 175.83 feet to a point. Said point is the Terminus Point of this centerline description.

The attached plat, File Name 17147 is made a part of this description.

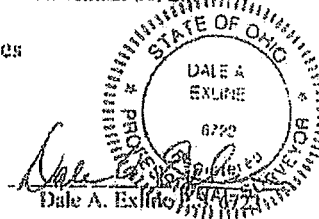
All Iron Pins set this survey are 3/4-inch x 30-inch rebar and have a plastic cap on them stamped Dale Exline P.S. 6722.

Bearings are based on State Plane Grid South, NAD83 (2011) Ohio South Zone tied by GPS to ODOT CORS Stations and are to denote angles only.

Subject to all legal easements and Right-of-Ways not listed above.

This description was prepared from an actual survey performed by me, Dale A. Exline, or under my direct supervision from November 6 to November 30, 2017.

Appalachian Professional Associates
Complete Surveying Services
Dale A. Exline, Professional Surveyor
254 Exline Road Jackson, OH 45640
Phone: (740) 286-9966 Fax: (740) 286-9911



12-4-17
DALE A. EXLINE
PROFESSIONAL SURVEYOR

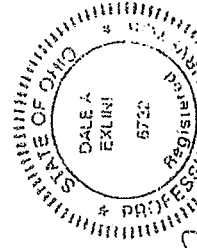
1. The bearings and distances of the corners of the lot are as follows:
 S 89° 32' 00" E 330.62'
 S 11° 46' 46" E 282.11'
 S 85° 22' 58" W 348.53'
 N 05° 07' 02" E 60.80'
 S 85° 24' 53" E 269.18'
 N 08° 30' 52" W 271.07'
 N 08° 30' 52" W 175.03'
 N 08° 30' 52" W 175.03'



LEGEND

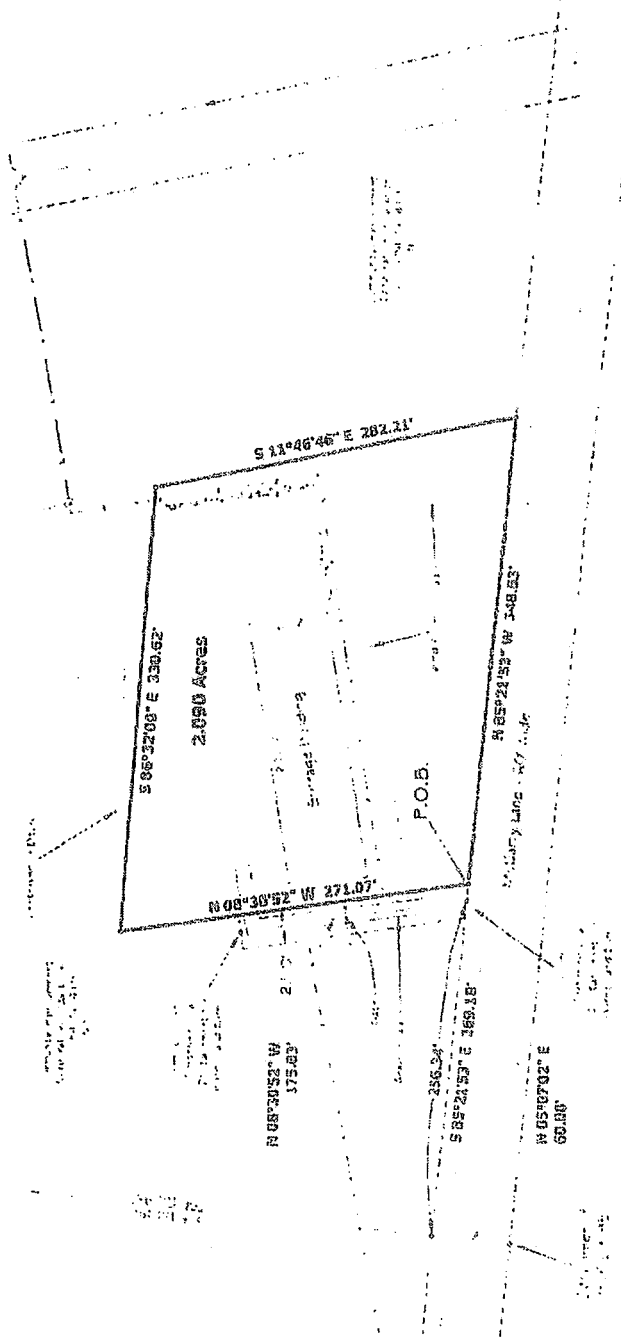
- 1. The bearings and distances of the corners of the lot are as follows:
- 2. The bearings and distances of the corners of the lot are as follows:
- 3. The bearings and distances of the corners of the lot are as follows:
- 4. The bearings and distances of the corners of the lot are as follows:
- 5. The bearings and distances of the corners of the lot are as follows:
- 6. The bearings and distances of the corners of the lot are as follows:
- 7. The bearings and distances of the corners of the lot are as follows:
- 8. The bearings and distances of the corners of the lot are as follows:
- 9. The bearings and distances of the corners of the lot are as follows:
- 10. The bearings and distances of the corners of the lot are as follows:

Instrument: Book Page
 201899001168 OK 131 149



Dale A. Exline
 Dale A. Exline P.S. 6722 Date 12/4/17

Appalachian Professional Associates, LLC
 Complete Surveying Services
 1000 A. Exline Professional Services
 1000 A. Exline Professional Services
 1000 A. Exline Professional Services
 1000 A. Exline Professional Services



12-4-17

1000 A. Exline Professional Services



Plot Of Survey For:

Jackson Area Festivals and Events

Location: Situated in Scoto Salt Reserve Lot Number 95, T-7-N, R-18-W, (Salt) Lick Township, City of Jackson, Jackson County, Ohio.

File Name: 17147 | Ord File: 1714701

Scale: 1" = 100'

Survey Date(s): 11/06/17 - 11/07/17

Parcel(s): H140010106100

Recorded In: Vol. 184 Pg. 419

Notes:

EXHIBIT B

H14-001-05-009-00
H14-001-05-013-00

WALMART STORES
PO BOX 8050
BENTONVILLE, AR 72712

H14-001-06-002-00

RAWHIDE LAND CO, LTD
PO BOX 645
JACKSON, OH 45640