

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

CITY OF BELPRE
ORDINANCE NO. 17 (2022-23)

**AN ORDINANCE TO REZONE A 4.05 ACRE TRACT ON LEE STREET
OWNED BY DAVID D. JOHNSON FROM R-2 TO C-2**

WHEREAS, David D. Johnson filed a Petition with the Belpre Planning Commission to change the zoning of two tax parcels in the City of Belpre on Lee Street (Parcel Numbers 08-0026492.000 and 08-0026492.003; and

WHEREAS, David D. Johnson is the owner of the two parcels of real estate by virtue of Deed from the New Life Christian Center Church, dated June 1, 2023 and presented for recording on June 6, 2023; and

WHEREAS, said deed was recorded in Official Records Volume 669, at pp. 4735-4737 in the Office of the Washington County Recorder. A copy of said deed and a plat of the real estate are attached hereto as Exhibits A and B; and

WHEREAS, on August 21, 2023, the Belpre City Planning Commission held a public hearing to consider David D. Johnson's Petition. After the hearing, the Planning Commission voted and found that the change from R-2 to C-2 for commercial purposes was justified as prepared. (A copy of the minutes of the meeting is attached hereto as Exhibit C.); and

WHEREAS, the Belpre City Council held a public hearing on October 9, 2023 to allow comments from the petitioner and other public comments in regard to said zoning change.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL
OF THE CITY OF BELPRE, OHIO, THAT:**

SECTION I

Petitioner, David D. Johnson, has complied with Belpre City Code Sections 1133.01 and 1133.02(b).

SECTION II

The Belpre City Planning Commission has recommended the proposed zoning change from R-2 to C-2 and no written protest has been received by the Belpre City Council.

SECTION III

The Belpre City Council hereby adopts the recommendation of the Belpre City Planning Commission and approves the zoning change for the Parcel Numbers 08-0026492.000 and 08-0026492.003 as described in the deed attached hereto as Exhibit A.

SECTION IV

The Ordinance shall take effect and be in full force immediately upon its passage and approval by the Mayor.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

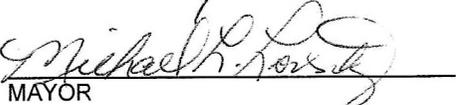
PASSED: December 11, 2023

ATTEST: Kimberly A. Meredith

PRESENTED TO MAYOR: 12/12/23

APPROVED BY MAYOR: 12/12/23


PRESIDENT OF COUNCIL


MAYOR

CLERK'S CERTIFICATION OF PUBLICATION

The undersigned Clerk of the Council of the City of Belpre, Ohio, does hereby certify that on December 12, 2023, this Ordinance was published by posting a copy of the same at the five public places designated by the City Council in Ordinance No. 18 (2006-07).

December 12, 2023
Date


CLERK

DATE 6/5/2023

APPROVED

BY [Signature]

ROGER WRIGHT, P.E., P.S.
WASHINGTON CO. ENGINEER

TRANSFERRED NO.	<u>01</u>
TRANSFER FEE	<u>1.00</u>
SEC 319 202 R.C. COMPLIED WITH 322.02	
JUN 06 2023	
IN AMOUNT	<u>—</u>
MATTHEW LIVENGOOD, AUDITOR WASHINGTON COUNTY, OHIO	
BY	<u>[Signature]</u>


 202300002977 06/06/2023 03:49 PM
 Filed for Record in WASHINGTON County, OH
 Tracey Wright, Recorder Rec Fees: \$42.00
 DEED OR Vol 669 Pgs 4736 - 4737

GENERAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that **New Life Christian**

Center Church, an unincorporated association, for valuable consideration paid,

GRANTS, with General Warranty Covenants, to the **David D. Johnson**, whose tax mailing address is 111 Cranberry Street, Washington, West Virginia 26181, all of its right, title, and interest in and to the following described property:

Situated in the State of Ohio, Washington County, City of Belpre, Township 1 North, Range 9 West, Section 25, being a part of a 9.38 Acre Lot No. 13 of Dodge's Addition to Belpre, being a part of New Life Christian Center Church as recorded in Official Record 471 on Page 2380, bounded and described as follows:

FIRST TRACT:

Beginning at 5/8" capped rebar set at the southwest corner of Lot No. 7 of Gearhart Addition to Belpre recorded in Plat Book 9 on Page 48, said rebar also being the southeast corner of New Life Christian Center, Official Record 471, Page 2380. THENCE along the north line of Kroger Limited Partnership, Official Record 128, Page 541, N 88° 25' 32" W a distance of 360.21 feet to a pipe found on the east side of Lee Street; THENCE along the east side of Lee Street, N 02° 38' 11" E a distance of 344.71 feet to a point; THENCE S 66° 44' 48" W a distance of 5.56 feet to a point; THENCE N 02° 34' 30" E a distance of 47.29 feet to a 5/8" Capped rebar set; THENCE leaving the east side of Lee Street and along a new division line, N 70° 35' 51" E a distance of 244.18 feet to a 5/8" capped rebar set at the northwest corner of a 0.6609 acre parcel to be conveyed to Donald Jenkins; THENCE S 00° 35' 10" E a distance of 332.23 feet to a 5/8" capped rebar set in 2009, passing a 5/8" capped rebar set at 194.29 feet; THENCE S 87° 31' 58" E a distance of 120.00 feet to a pipe found at the northwest corner of Lot No. 7 of

Gearhart Addition to Belpre; THENCE S 02° 33' 37" W a distance of 143.17 feet, to the Point of Beginning, containing 2.7426 Acres.

Bearings are based on an assumed meridian and are used to denote horizontal angles only.

All rebar set are 5/8" x 30" with a plastic cap stamped HUGHES PS OH 7182 WV 872. This legal description was prepared by Charles F. Hughes, Jr., Professional Surveyor No. 7182, based on field surveys in June, 2009 and July, 2019.

Part of Tax Parcel Nos.: 08-0026492.000 and 08-0026492.003

Taxed as 3.3069 + .0158

SECOND TRACT:

Beginning at 5/8" capped rebar set on the south line of Dana Road and the east side of Lee Street. THENCE along the south line of Dana Road N 71° 07' 58" E a distance of 400.45 feet to an iron pin found at the northwest corner of Donald Gearhart, Official Record 601 on Page 1983; THENCE leaving Dana Road, S 03° 06' 26" E a distance of 172.01 feet to a 5/8" capped rebar set; THENCE along a new division line S 78° 59' 08" W a distance of 146.93 feet to a 5/8" capped rebar set; THENCE N 70° 35' 51" W a distance of 244.18 feet to a 5/8" capped rebar set on the east line of Lee Street; THENCE along the east side of Lee Street, N 02° 34' 30" E a distance of 136.05 feet to a 5/8" capped rebar set; THENCE N 04° 21' 56" W a distance of 15.59 feet, to the Point of Beginning, containing 1.3151 Acres.

More particularly shown on the attached Plat of Survey, made by Charles F. Hughes, Jr., Professional Surveyor No. 7182, dated December 9, 2019, attached hereto, to be made a part hereof and to be filed herewith.

Bearings are based on an assumed meridian and are used to denote horizontal angles only.

All rebar set are 5/8" x 30" with a plastic cap stamped HUGHES PS OH 7182 WV 872. This legal description was prepared by Charles F. Hughes, Jr., Professional Surveyor No. 7182, based on field surveys in June, 2009 and July, 2019.

Both Tracts subject to and having the benefit of all rights-of-way, easements, leases, zoning, restrictions, and covenants of record.

Part of Tax Parcel Nos.: 08-0026492.000.

PRIOR INSTRUMENT REFERENCE: Volume 471, Page 2380, Official Records of Washington County, Ohio.

NOTE: This deed is executed by David D. Johnson as Pastor of the New Life Christian Center Church. Mr. Johnson's authority to sign on behalf of the New Life Christian Center Church is pursuant to a Resolution adopted by the Organization's congregation on April 9, 2018 which is contained in the Minutes, a copy of which is attached hereto.

Executed this 1st day of June, 2023.

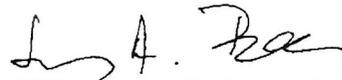
New Life Christian Center Church



By: David D. Johnson, Its Pastor

**STATE OF OHIO
COUNTY OF WASHINGTON**

The foregoing instrument was acknowledged before me this 1st day of June, 2023, by **New Life Christian Center Church, by David D. Johnson, Its Pastor.**



Notary Public



JERRY A. BROCK, ATTORNEY AT LAW
Notary Public, State of Ohio
My commission has no expiration date
Section 147.03 R.C.

THIS INSTRUMENT PREPARED BY:

Jerry A. Brock, of the law firm of
OSBA Certified Specialist: Estate Planning, Probate and Trust Law

THEISEN BROCK, a legal professional association

424 Second Street
Marietta, Ohio 45750

(556190)

THIS DEED PREPARED WITHOUT EXAMINATION OF TITLE OR ABSTRACT. THE DRAFTER MAKES NO ASSERTIONS WITH RESPECT TO LIENS WHICH MAY BE AGAINST THE PROPERTY.

RECORDER'S NOTE: When presented for recording, this document did not have any attachment(s). Tracey Wright, Recorder

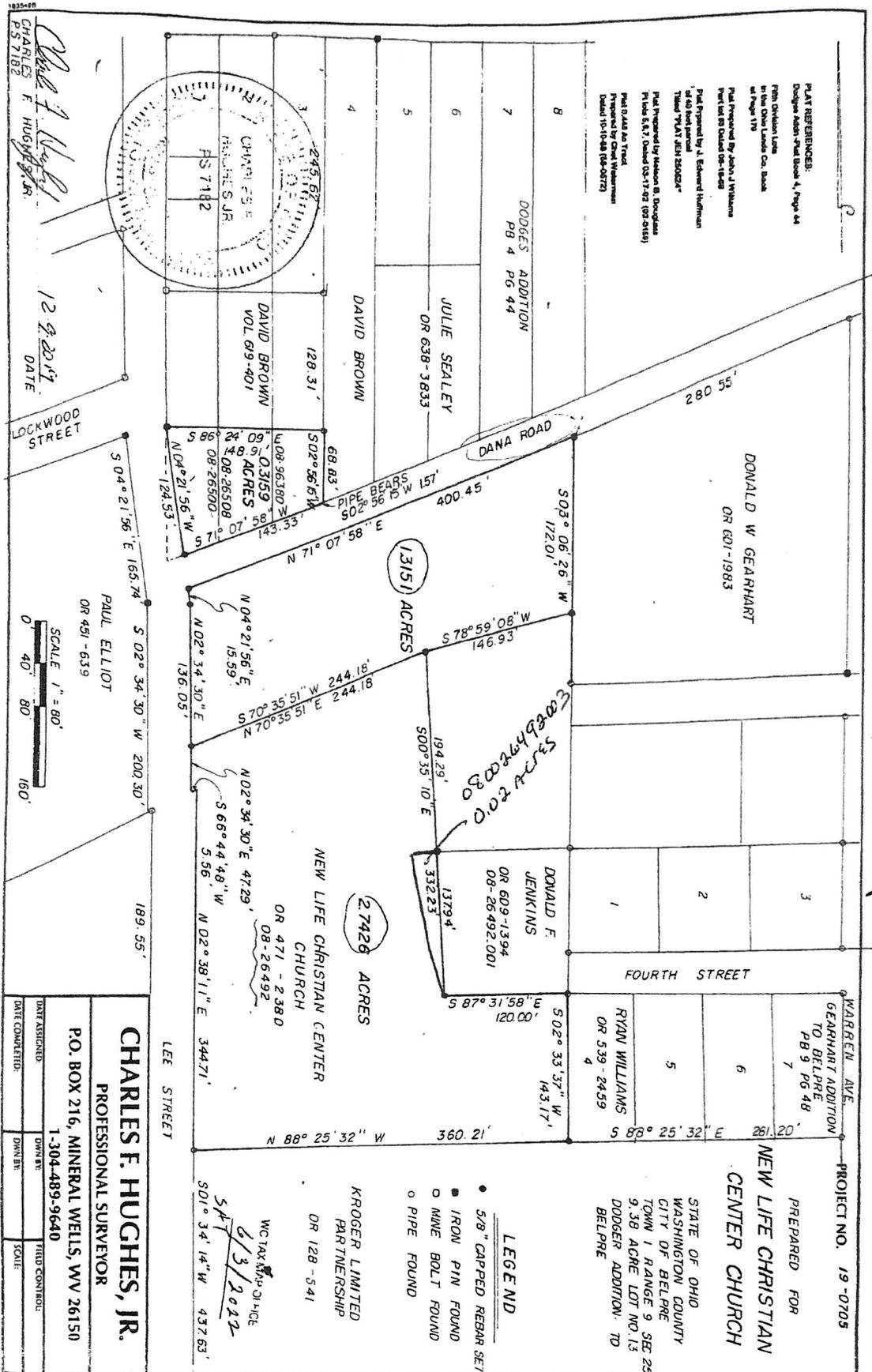
**THEISEN BROCK
PICK UP**

Side Notes

Span Metal Roof

7/19
Gavin
AS-106

4500/5000
50' front



From R2-TO-C2

MS Astorg

08/21/2023

To: Petitioners, David L. Johnson, City Council, Susan Abdella, Dave Ferguson, Paul Wallace, Alan Milhone, John McClead, Lyndsay Dennis, Steve Null, and Larry Martin, Mayor, Mike Lorentz, Safety-Service Director, Connie Hoblitzell and Law Director, Tom Webster of the City of Belpre.

David D. Johnson purchased 2 parcels IDs, 0800-26492-000 and 0800-26492.003, 4.05 total acres +/- located on Lee Street (behind Krogers) with a 40 x 90 building, utilities in place with taxes TBD - currently exempt.

David D. Johnson is requesting a zoning change from R-2 to C-2 to facilitate development of a 4,500-5,000-metal building for storage and office space.

In submitting the zoning request documents to the Planning Commission for Belpre as required, the Planning Commission has found that the change from a R-2 to a C-2 for commercial purposes is justified as prepared/modified. The Planning Commission would like to make recommendations to the Belpre City Council for a change of Zoning Classification.

Best regards,



Chair person for the Belpre Planning Commission

EXHIBIT C