

RECORD OF LEGISLATION

No. 06.27.2026

Passed 06-03, 20 26

**AN ORDINANCE AMENDING ORDINANCE #02-11-2006 TO CORRECT EXHIBIT A, AREA 3 OF THE CIRCLEVILLE ANNEXATION AGREEMENT TERRITORY MAP BETWEEN THE CITY OF CIRCLEVILLE AND THE BOARD OF TRUSTEES OF CIRCLEVILLE TOWNSHIP AND DECLARING AN EMERGENCY.**

**WHEREAS**, Ordinance 02-11-2006 has been passed by the Council of the City of Circleville (City) authorizing the Mayor to enter into an agreement with the Board of Township Trustees of Circleville Township (Township) to cooperate and promote economic development within the territories included in the Circleville Annexation Agreement Territory Map; and

**WHEREAS**, the City of Circleville and the Board of Trustees of Circleville Township desire to amend and otherwise correct Exhibit A, Area 3 of the Circleville Annexation Agreement Territory Map to include a certain 85.128 acres vacant tract of land located east of Kingston Pike between Hitler Road 1 and Tarlton Road and 14.3987 acres at Hitler Road No. 1 and Kingston Pike so as to encompass the areas to be included in Area 3; and

**WHEREAS**, the Council of the City of Circleville is desirous of having the proposed 85.128 acres and 14.3987 acres, more or less, of land annexed to the City of Circleville

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CIRCLEVILLE, STATE OF OHIO:**

**SECTION I.** That the approved Amended Circleville Annexation Agreement Territory Map, Area 3, be and the same hereby is revised in the following manner:  
The following described property is hereby included in Area 3 of the Circleville Annexation Agreement Territory Map and attached as Amended Exhibit A.  
Auditor's Parcel # A34-0-001-00-287-02, A34-0-001-00-287-03 approximately 85.128 acres  
Auditor's Parcel # A34-0-001-00-287-01 approximately 14.3987 acres;  
Full description is attached as "Exhibit B" and "Exhibit C".

**SECTION II.** That the Mayor of the City of Circleville be, and hereby is, authorized and directed to make said changes to the approved Circleville Annexation Agreement Territory Map as set forth in the attached "Amended Exhibit A".

**SECTION III.** That all other portions of the previous annexation agreement and map not otherwise modified by this ordinance shall remain in full force and effect.

**SECTION IV:** The Council of the City of Circleville hereby consents to this annexation and an accurate map of said territory for its annexation, and other papers relating thereto, and are on file with the Clerk of said City of Circleville.

**SECTION V.** That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the citizens of the City of Circleville, such emergency arising out of the immediate need to correct the territory map so as to be consistent with future potential commercial development and annexation by the City, so that this ordinance shall take effect and be in force immediately from and after the page and approval by the Mayor.

PASSED: 6-3-2026  
DATE

Barry D. Kelle  
PRESIDENT OF COUNCIL

ATTEST: Melba J. Smith  
CLERK OF COUNCIL

APPROVED: 6-3-2026  
DATE

Y. Nicholas Y. Benton  
MAYOR

APPROVED AS FORM: [Signature]  
KENDRA C. KINNEY - LAW DIRECTOR

# RECORD OF LEGISLATION

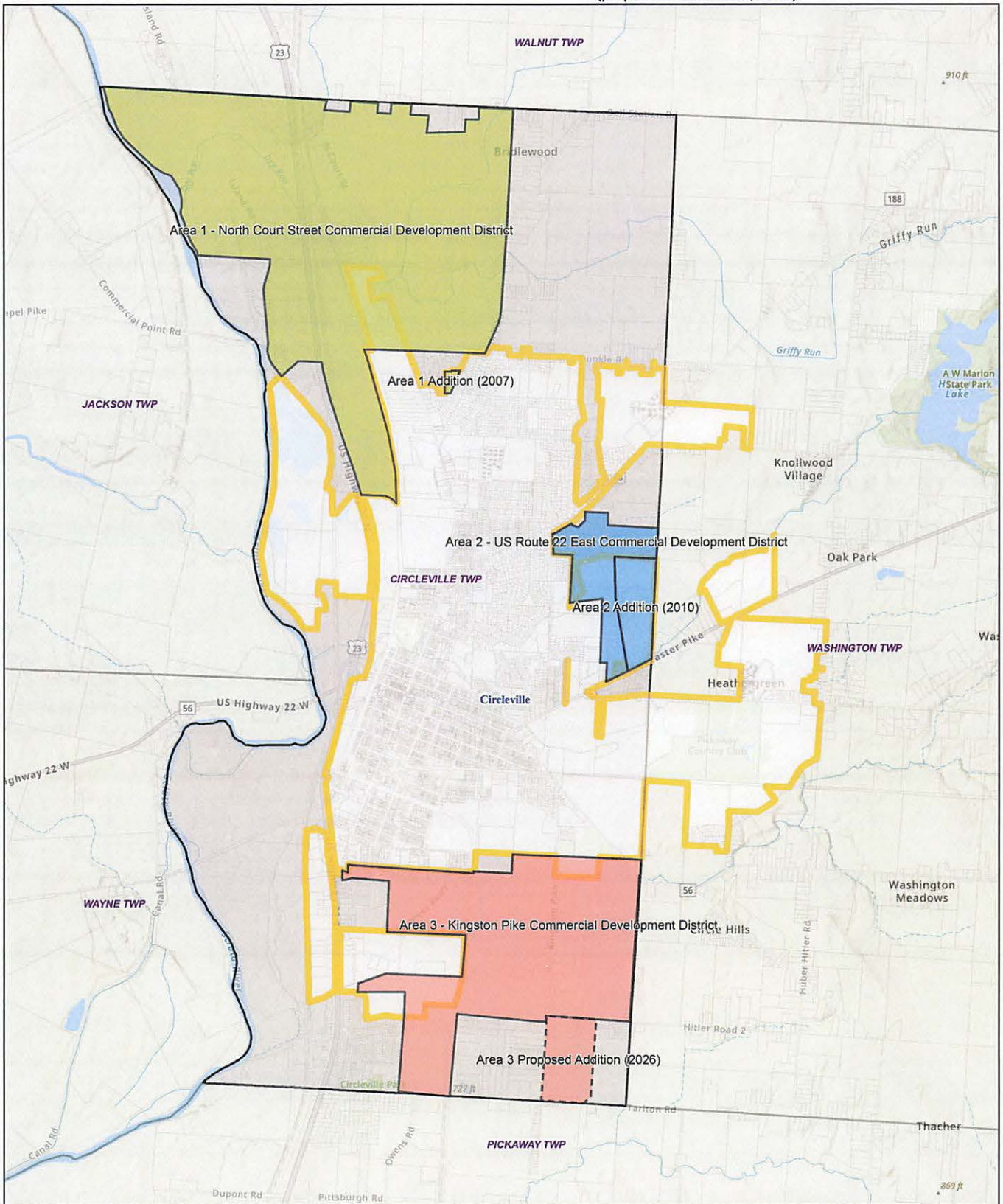
No. \_\_\_\_\_

Passed \_\_\_\_\_, 20 \_\_\_\_

# AMENDED EXHIBIT A

# Circleville Annexation Agreement Territories

(proposed amendment, 2026)

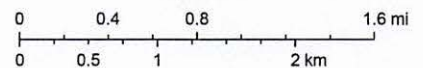


4/20/2026

### Circleville Township Annexation Agreement Territories

- |  |  |
|--|--|
| <span style="display:inline-block; width:15px; height:15px; background-color:#90EE90; border:1px solid black;"></span> Area 1 - North Court Street Commercial Development District | <span style="display:inline-block; width:15px; height:15px; border:2px solid yellow;"></span> Parcels          |
| <span style="display:inline-block; width:15px; height:15px; background-color:#90EE90; border:1px dashed black;"></span> Area 1 Addition (2007)                                     | <span style="display:inline-block; width:15px; height:15px; border:1px solid black;"></span> Corp Boundaries   |
| <span style="display:inline-block; width:15px; height:15px; background-color:#6495ED; border:1px solid black;"></span> Area 2 - US Route 22 East Commercial Development District   | <span style="display:inline-block; width:15px; height:15px; border:1px solid black;"></span> Townships         |
| <span style="display:inline-block; width:15px; height:15px; background-color:#6495ED; border:1px dashed black;"></span> Area 2 Addition (2010)                                     | <span style="display:inline-block; width:15px; height:15px; border:1px solid black;"></span> CIRCLEVILLE       |
| <span style="display:inline-block; width:15px; height:15px; background-color:#F08080; border:1px solid black;"></span> Area 3 - Kingston Pike Commercial Development District      | <span style="display:inline-block; width:15px; height:15px; border:1px solid black;"></span> Other             |
| <span style="display:inline-block; width:15px; height:15px; background-color:#F08080; border:1px dashed black;"></span> Area 3 Proposed Addition (2026)                            | <span style="display:inline-block; width:15px; height:15px; background-color:#D3D3D3;"></span> World_Hillshade |

1:45,870



Pickaway Co GIS Dept, Pickaway County GIS Dept,  
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c)  
OpenStreetMap contributors, and the GIS User Community,  
Esri, NASA, NGA, USGS, FEMA

**EXHIBIT B**



20220000686 Pages: 5 Receipt #: 198775  
Filed for Record in PICKAWAY County, Ohio  
Joyce R. Gifford, Recorder  
01/25/2022 11:15 AM Recording Fees: \$58.00  
DEED, OR 791 p3264 - p3268

TRANSFERRED NO. 47  
SEC. 319.202 R.C. COMPLIED  
WITHIN AMT. \$ 2250.00

JAN 25 2022

MELISSA A. BETZ  
AUDITOR PICKAWAY COUNTY, OHIO  
MM TRANS FEE \$ 00

APPROVED FOR TRANSFER  
PICKAWAY COUNTY ENGINEER

BY KH DATE 1/25/2022

**DEED OF EXECUTOR**

KEVIN G. BENNINGTON, EXECUTOR OF THE ESTATE OF LARRY D. CLARKE, DECEASED (Pickaway County Probate Court Case No. 2020PB0611), by the power conferred under the Last Will and Testament of Larry D. Clarke, deceased, and by the Probate Court of Pickaway County, Ohio, for good consideration, grants, with fiduciary covenants, to 4 PALMERS PROPERTIES, LLC, an Ohio limited liability company, an entire interest in certain real property situated in Circleville Township, Pickaway County, Ohio, and being more particularly described as follows:

FOR ENTIRE LEGAL DESCRIPTION, SEE "EXHIBIT A" ATTACHED HERETO AND INCORPORATED HEREIN AS A PART OF THIS DEED OF EXECUTOR.

Pickaway County Auditor Parcel Nos.: A34-0-001-00-287-02  
A34-0-001-00-287-03

Property Address: Tract 1, Vacant Land, Kingston Pike and Tarlton Road  
Tract 2, Vacant Land, Hitler No. 1 and Tarlton Road

Tax Mailing Address: 23305 Walston Road, Williamsport, Ohio 43164

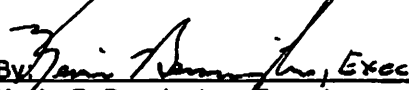
Prior Document Reference: O.R. Volume 769, Pages 3015-3019

ADJOINING PARCEL RESTRICTION: " Tract 1, a 14.536 acre tract has been approved as an Adjoining Parcel Transfer and in the future shall be transferred only with Tract 2, a 70.592 acre tract. Both tracts being a part of parcel number A34-0-001-00-287-00 and described in Exhibit A of this deed and shall not be used as a separate building site. This Restriction shall run with the land and may be modified only upon the written approval of the Pickaway County Planning Commission.

This transfer is subject to additional restrictions, easements, highways and conditions of record, if any, and real estate taxes due but not yet paid.

Date: 1/24/2022

ESTATE OF LARRY D. CLARKE:

  
By Kevin G. Bennington, Exec.  
Kevin G. Bennington, Executor

STATE OF OHIO  
COUNTY OF PICKAWAY, SS:

The foregoing Deed of Executor was signed and acknowledged before me by Kevin G. Bennington, Executor of the Estate of Larry D. Clarke, deceased, on behalf of such Estate this 24<sup>th</sup> day of January, 2022.



John H. Farthing  
Attorney at Law  
Notary Public, State of Ohio  
No Commission Expiration  
Section 147.03 R.C.

  
NOTARY PUBLIC

THIS INSTRUMENT PREPARED BY: Eric B. Fenstermaker, Attorney at Law,  
5466 Fox Lake Road, Athens, Ohio 45701; Telephone 740-594-3401  
Clarke Estate - Deed to Marc & Amie - Kingston Pike - 2022

**EXHIBIT A**  
**Legal Description**  
**Circleville Township, Pickaway County, Ohio**  
**Section 32, Township 11N, Range 21W**  
**Tract 1 – 14.836 Acres**

Situated in the Township of Circleville, County of Pickaway, and State of Ohio and in the Congress Lands East of the Scioto River Section 32, Township 11N, Range 21W, being more particularly bounded and described as follows:

Being a part of a 159.869 acre tract described in Official Record 675, Page 1538, in the Pickaway County Recorder's Office;

Beginning for reference at the south east corner of Section 32, also being the south east corner of said 159.869 acre tract;

Thence with the south line of Section 32 and said 159.869 acre tract, and partly with the centerline of Tariton Road N86°30'16"W 2441.13 feet to a point, being the **TRUE POINT OF BEGINNING**;

Thence continuing with the south line of Section 32, the south line of said 159.869 acre tract and the centerline of Tariton Road N86°30'16"W 300.00 feet to a Railroad Spike Found at the south west corner of said 159.869 acre tract;

Thence with the west line of said 159.869 acre tract and partly with the centerline of Kingston Pike N03°52'15"E (passing an Iron Pin Set at 30.00 feet) 2112.92 feet to a point at the south west corner of a 14.3987 acre tract described in Official Record 000, Page 000;

Thence with the south line of said 14.3987 acre tract S85°38'28"E 300.00 feet to an Iron Pin Set;

Thence on a new line through said 159.869 acre tract S03°52'15"W (passing an Iron Pin Set at 2078.41 feet) 2108.41 feet to the **TRUE POINT OF BEGINNING**;

Containing 14.538 Acres, more or less.

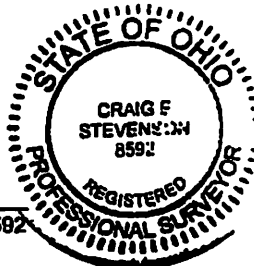
Subject to all existing rights-of-way and easements of record.

Bearings are based on the south line of Section 32 as determined by GPS observation based on ODOT CORS using VRS on the NAD83(2011) datum, being N86°30'16"W.

Iron Pins Set are 5/8" diameter x 30" long rebar with red plastic cap stamped "H&S 8592"

I hereby certify that the foregoing legal description and the attached plat are a true representation of the conditions as they existed on the date of the survey and that the accuracy of same is consistent with accepted surveying standards.

  
\_\_\_\_\_  
Craig E. Stevenson P.S. 8592  
Harral and Stevenson



  
\_\_\_\_\_  
Date

**EXHIBIT A**  
**Legal Description**  
**Circleville Township, Pickaway County, Ohio**  
**Section 32, Township 11N, Range 21W**  
**Tract 2 – 70.592 Acres**

Situated in the Township of Circleville, County of Pickaway, and State of Ohio and in the Congress Lands East of the Scioto River Section 32, Township 11N, Range 21W, being more particularly bounded and described as follows:

Being a part of a 159.869 acre tract described in Official Record 675, Page 1538, in the Pickaway County Recorder's Office;

Beginning for reference at the south east corner of Section 32, also being the south east corner of said 159.869 acre tract;

Thence with the south line of Section 32 and said 159.869 acre tract, and partly with the centerline of Tartton Road N88°30'16"W 1353.24 feet to a point, being the TRUE POINT OF BEGINNING;

Thence continuing with the south line of Section 32, the south line of said 159.869 acre tract and the centerline of Tartton Road N86°30'16"W 1087.89 feet to a point;

Thence on a new line through said 159.869 acre tract N03°52'15"E (passing an Iron Pin Set at 30.00 feet) 2108.41 feet to an Iron Pin Set in the south line of a 14.3987 acre tract described in Official Record 000, Page 000;

Thence with the south line of said 14.3987 acre tract S85°38'28"E 698.25 feet to a 5/8" Rebar Found Capped LR Purdom at the south east corner of said 14.3987 acre tract;

Thence with the east line of said 14.3987 acre tract N04°32'3"E (passing a 5/8" Rebar Found Capped LR Purdom at 589.92 feet) 625.08 feet to a point at the north east corner of said 14.3987 acre tract, also being in the north line of said 159.869 acre tract and in the centerline of Hitler No. 1 Road;

Thence with the north line of said 159.869 acre tract and the centerline of Hitler No. 1 Road S85°30'36"E 594.49 feet to a point;

Thence on a new line through said 159.869 acre tract S03°52'15"W (passing an Iron Pin Set at 25.00 feet) 2462.56 feet to an Iron Pin Set;

Thence continuing on a new line through said 159.869 acre tract S44°01'10"W (passing an Iron Pin Set at 288.88 feet) 328.88 feet to the TRUE POINT OF BEGINNING;

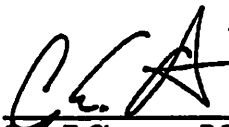
Containing 70.592 Acres, more or less.

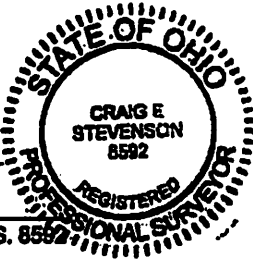
Subject to all existing rights-of-way and easements of record.

Bearings are based on the south line of Section 32 as determined by GPS observation based on ODOT CORS using VRS on the NAD83(2011) datum, being N86°30'16"W.

Iron Pins Set are 5/8" diameter x 30" long rebar with red plastic cap stamped "H&S 8592"

I hereby certify that the foregoing legal description and the attached plat are a true representation of the conditions as they existed on the date of the survey and that the accuracy of same is consistent with accepted surveying standards.

  
CRAIG E. STEVENSON P.S. 8592  
Harra and Stevenson



8/26/19  
Date

202200000686  
FARTHING  
229 NORTH COURT STREET  
P O BOX 541  
CIRCLEVILLE, OH 43113

TRANSFERRED NO. E333  
SEC. 319.202 R.C. COMPLIED  
WITHIN AMT. M

MAY 31 2018

MELISSA A. BETZ  
AUDITOR PICKAWAY COUNTY, OHIO  
MH TRANS FEE 50¢

201800003280  
Filed for Record in  
PICKAWAY COUNTY, OHIO  
JOYCE R. GIFFORD, COUNTY RECORDER  
05-31-2018 At 10:50 am.  
DEED 44.00  
OR Volume 752 Page 2111 - 2114

APPROVED FOR TRANSFER  
PICKAWAY COUNTY ENGINEER  
BY YH DATE 5-31-18

QUIT-CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS; That Shawnee Grove Housing Partners, LLC, an Ohio limited liability company ("Grantor"), of Ross County, Ohio, for valuable consideration paid, grants to General Equity, Inc. ("Grantee"), whose tax mailing address is 366 East Broad Street, Columbus, OH 43215 all of Grantor's right, title and interest in the following real property (the "Property"):

Situated in the Township of Circleville, in the County of Pickaway, and in the State of Ohio:

See Exhibit A, attached hereto and made a part hereof.

Parcel Number: A34-0-001-00-287-01.


Street Address: 14.3987 Acres, ~~14.3987~~ Hitler Road No. 1 and Kingston Pike, Circleville Township, Ohio.

Prior Instrument of Reference: Official Record 675, page 1538; Official Record 750, page 2217; Official Record 750, page 2220 and Official Record 751 page 3391, Recorder's Office, Pickaway County, Ohio.

This Deed is executed and delivered by Grantor and accepted by the Grantee herein subject to and upon the reservations, restrictions, rights, uses and provisions as set forth on Exhibit B attached hereto and incorporated herein, which shall be binding on all of Grantee's successors, transferees and assigns.

SHAWNEE GROVE  
HOUSING PARTNERS, LLC

By: Shawnee Grove Housing Partners,  
Inc., Managing Member

By:   
Gregory J. Artaro, President

STATE OF OHIO  
COUNTY OF Pickaway, SS:

BE IT REMEMBERED, that before me, the subscriber, a Notary Public in and for said County and State, personally came the above named **Shawnee Grove Housing Partners, LLC** by Gregory J. Arcaro, President of Shawnee Grove Housing Partners, Inc., Managing Member of the Grantor in the foregoing Deed, and acknowledged the signing of the same to be his voluntary act and deed and the voluntary act and deed of the limited liability company.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 17<sup>th</sup> day of May, 2018.

  
Notary Public



HEATHER L. CRABTREE  
Notary Public, State of Ohio  
My Commission Expires  
09-06-2022

This Instrument Prepared By:  
CARLILE PATCHEN & MURPHY LLP  
366 East Broad Street  
Columbus, Ohio 43215

EXHIBIT A

SURVEY PLAT and LEGAL DESCRIPTION

MATHEMATICALLY APPROVED

PICKAWAY COUNTY ENGINEER

BY LRP DATE 3-15-18

DESCRIPTION

A Division on the Property of

Stephen L. Bower & Cynthia P. Bower  
14.3987 Acres

The following described real estate situated in the Township of Circleville, County of Pickaway, State of Ohio and being more particularly described as follows:

Being a part of the southeast quarter of Section 32, Township 11 North, Range 21 West and being a part of Stephen L. & Cynthia P. Bower's parcel as described by deed recorded in Official Record 675, Page 1538, in Pickaway County Recorder's Office and beginning at a PK Nail found in the centerline of the Kingston Pike at the point of Intersection with the centerline of the Hitler No. 1 Road, thence with the centerline said Hitler Road and the south line of Appalachia Ohio Alliance parcel as recorded in official record 718 at page 682, SOUTH 85°29'59" EAST, 1005.40 feet to a railroad spike set in the center of said Hitler Road marking the northeast corner of the parcel herein described;

thence with a new line through the said Bower's parcel, SOUTH 04°32'00" WEST, passing a 5/8" rebar 30" long with identification cap (PS 6067) set at 35.00 feet marking a point in the south right of way line of Hitler No. 1 Road, for a total distance of 624.84 feet to a 5/8" rebar 30" long with identification cap (PS 6067) set marking the southeast corner of the parcel herein described;

thence continuing through said Bower's parcel, NORTH 85°38'29" WEST passing a 5/8" rebar 30" long with identification cap (PS 6067) set marking a point at 978.19 feet in the east right of way line of Kingston Pike for a total distance of 998.19 feet to a railroad spike set in the centerline of said Kingston Pike;

thence with the centerline of said Kingston Pike, NORTH 03°52'28" EAST, 627.35 feet to the point of beginning.

Containing 13.3176 acres usable, 1.0811 acres in right of way for a total of 14.3987 Acres and being a part of the 159,869 acre tract as recorded in Official Record 675, Page 1538 .

Also a grant of a 20' wide easement for the construction and maintenance of a sanitary sewer force main adjacent to and east of the Earnhart Hill Sewer and Water District 30' wide easement as recorded in Deed Book 554, Page 1 and beginning at a point marking the intersection of the east line of said Earnhart Hill Sewer and Water District easement with the south line of the 14.3987 acre parcel herein described; thence with the south line of said parcel SOUTH 85°38'29" EAST, 20.80 feet;

thence with a line through the said Stephen L. & Cynthia P. Bower's parcel and parallel to the said Earnhart Hill Sewer and Water District easement, SOUTH 03°52'28" WEST, 424.99 feet to a point marking the intersection of the south right of way line of Granite Drive extended;

thence along the south line of said Granite Drive extended, NORTH 86°06'45" WEST, 20.00 feet to a point in the east line of said Earnhart Hill Sewer and Water District easement;

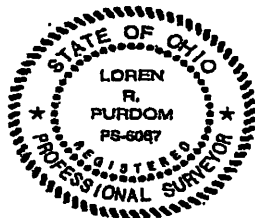
thence with the east line of said Earnhart Hill Sewer and Water District easement, NORTH 03°52'28" EAST, 425.15 feet to the point of beginning.

Subject to all legal easements.

Bearings oriented to the Ohio State Plane-South Zone (NAD83)

Being part of Tax Parcel Number A34-0-001-00-287-00

Aforesaid references recorded among the land records of Pickaway County, Ohio



*Loren R. Furdom*  
Loren R. Furdom  
Professional Surveyor #6067  
State of Ohio  
Date of Survey: November 19<sup>th</sup>, 2017

**EXHIBIT B**

The Property is conveyed to Grantee subject to the following restrictive covenants (the "Covenants") which are imposed on the Property to assure the proper long-term operation and maintenance of a disposal system to collect sewage as described in the pending private permit to install filed by the Grantor with the Ohio Environmental Protection Agency (the "Disposal System") which consists of a gravity sewer, lift station and force main (the "Collection System"), and Grantee by its acceptance of this Deed agrees that:

1. Prior to the fee simple transfer of any part of the Property to any other party, Grantee shall include in the instrument of transfer ("Instrument of Transfer") the Covenants, including a granting of legal authority to and the imposition of the responsibility upon such transferee to take all measures necessary for the construction, operation, maintenance and legal compliance of the Disposal System over the anticipated life of the Disposal System and for the replacement of the Disposal System when necessary. If required as to any partial transfer of the Property, such Instrument of Transfer shall contain valid easements in favor of the transferee for the construction, operation, maintenance and legal compliance of the Disposal System. The Instrument of Transfer containing the Covenants shall be recorded with the Pickaway County Recorder and such Covenants shall run with the land, binding on all future fee simple owners of any part of the Property, but excluding in all cases any person or entity holding an interest merely as security for the performance of an obligation.

2. Any fee simple owner of any part of the Property shall have the legal authority and responsibility to take the measures necessary for the construction, operation, maintenance, legal compliance and replacement of the Disposal System, including but not limited to the establishment of a dedicated Disposal System reserve in the minimum amount of \$12,000. Such reserve shall be used exclusively for the construction, operation, maintenance, legal compliance and replacement of the Disposal System, after the Disposal System has been installed, over the anticipated life of the Disposal System. Grantor shall be responsible for the initial installation of the Disposal System at Grantor's expense.

3. The foregoing notwithstanding, the Covenants shall be deemed terminated in the event of the determination by the Ohio Environmental Protection Agency that the Covenants are not a condition of the issuance of the pending private permit to install or should the Earnhart Hill Regional Water & Sewer District agree to accept dedication of the Disposal System as a public disposal system or should the Property be permitted to tap into a public disposal system.

