

## **COUNCIL AGENDA**

September 15, 2025

*Committee and Council Meetings can be viewed by accessing YouTube*

Council Chambers

7:00 P.M.

### **ROLL CALL**

**INVOCATION** – Ms. Bline

### **PLEDGE OF ALLEGIANCE**

### **CAUCUS**

### **MINUTES of September 2, 2025**

### **APPOINTMENTS**

**Mayor Hall** - Reappointing Mark Mauter, Carson Combs, Kandee Engle, and Adrienne Eskins (alternate) to the Etna Corporate Park Joint Economic Development Zone 1 (ECP JEDZ1) Board. Their new two-year terms will begin October 1, 2025 and will expire September 30, 2027.

### **REPORTS OF STANDING COMMITTEES**

Finance

Service

### **REPORTS FROM CITY OFFICIALS**

**Ryan Bubb, City Auditor** – Operating report for the period ending August 31, 2025

**Brenda Cooper, Tax Administrator** – Income Tax Revenue Reports for the period ending August 31, 2025

### **COMMUNICATIONS**

### **COMMENTS FROM CITIZENS**

### **ORDINANCES ON SECOND READING**

There are none this meeting.

### **ORDINANCES ON FIRST READING**

**25-26** AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$5,370,000 OF NOTES TO RENEW NOTES PREVIOUSLY ISSUED BY THE CITY TO PAY PART OF THE COSTS OF ACQUIRING, CONSTRUCTING, IMPROVING, AND EQUIPPING A PARKING GARAGE, INCLUDING SITE PREPARATION AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

**25-27** AN ORDINANCE PERMITTING THE PUBLIC BUILDING LOCATED AT 33 WEST MAIN STREET, NEWARK, OHIO, ("PROPERTY") CURRENTLY OWNED BY THE CITY OF NEWARK ("CITY"), TO BE LEASED TO PRIVATE BUISNESSES PURSUANT TO OHIO REVISED CODE 721.23 UNTIL SUCH TIME AS THE CITY COMPLETES AND IMPLEMENTS PLANS FOR THE EXPANSION OF THE CITY ADMINISTRATION OFFICES AND SUCH OTHER PUBLIC PURPOSES AS DEEMED SUITABLE

**25-28** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 77 NORTH FULTON AVENUE, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-242388-00.000, FROM THAT OF SINGLE-FAMILY RESIDENCE, RH – HIGH DENSITY ZONING DISTRICT TO MFR MULTI – FAMILY RESIDENCE ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

**25-29** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 2205 CHERRY VALLEY ROAD, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #056-042864-00.001, FROM THAT OF CSI CHURCH SCHOOL INSTITUTIONAL ZONING DISTRICT TO GB GENERAL BUSINESS ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

**25-30** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 60 PROSPECT STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-201204-00.000, FROM THAT OF SINGLE-FAMILY RESIDENCE RH – HIGH DENSITY ZONING DISTRICT TO HB HIGH INTENSITY BUSINESS ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

**25-31** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 274 NORTH CEDAR STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-193848-00.000, FROM THAT OF LC LIMITED COMMERCIAL ZONING DISTRICT TO MFR MULTI-FAMILY RESIDENCE ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

**25-32** AN ORDINANCE APPROPRIATING THE REAL ESTATE BEING A PART OF OUTLOT 5 AS SHOWN ON THE PLAT OF PROPERTY OF THE SIMPSON FOUNDRY AND ENGINEERING COMPANY (1935), AND LAST CONVEYED AND RECORDED AT VOLUME 481, PAGE 57 OF DEED RECORDS, LICKING COUNTY; FOR REPLACEMENT OF A DEFICIENT BRIDGE ON RIVERSIDE DRIVE, OVER LOG POND RUN, WHICH PROVIDES ACCESS TO OWENS CORNING MANUFACTURING PLANT, WITHIN THE CITY OF NEWARK, LICKING COUNTY, OHIO; AUTHORIZING THE DIRECTOR OF LAW TO PROCEED WITH A COMPLAINT FOR APPROPRIATION IN THE LICKING COUNTY COURT OF COMMON PLEAS; AND DECLARING AN EMERGENCY.

#### **RESOLUTIONS ON SECOND READING**

There are none this meeting.

#### **RESOLUTIONS ON FIRST READING**

**25-57** A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR; AND DECLARING AN EMERGENCY

**25-58 Exp** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION.

**25-59** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO A NEW MANAGEMENT AGREEMENT WITH 33 WEST MAIN, LLC TO OPERATE THE PROPERTY LOCATED AT 33 WEST MAINS STREET, NEWARK, OHIO, ("PROPERTY") SUBJECT TO THE APPROPRIATION OF FUNDS

#### **COMMENTS FROM CITIZENS**

#### **MISCELLANEOUS**

#### **ADJOURNMENT**

### CERTIFICATE OF MEMBERSHIP

The undersigned, City Auditor of the City of Newark, County of Licking, Ohio, hereby certifies that the following were the officers and members of council during the period proceedings were taken authorizing the issuance of not to exceed \$5,370,000 Parking Garage Bond Anticipation Notes, Series 2025 (First Renewal):

(Please Type Name Here)

Mayor	_____
City Auditor	_____
Treasurer	_____
Director of Safety	_____
Director of Public Service	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Director of Law	_____

By: \_\_\_\_\_  
City Auditor

### TRANSCRIPT CERTIFICATE

The undersigned, Clerk of Council of said municipality, hereby certifies that the following is a true and complete transcript of all proceedings relating to the authorization and issuance of the above-identified obligations.

\_\_\_\_\_  
Clerk of Council

CERTIFICATE AS TO MAXIMUM MATURITY OF  
BONDS AND BOND ANTICIPATION NOTES

The undersigned City Auditor of the City of Newark, Ohio, being the fiscal officer of the City within the meaning of Section 133.01 of the Ohio Revised Code, hereby certifies to the council of the City in connection with the authorization and sale of not to exceed \$5,370,000 of bonds (the “Bonds”) for the purpose of paying the cost of acquisition, construction, improvement, and equipping of a parking garage, including site preparation and all necessary appurtenances thereto (the “Project”), that:

1. the estimated life or period of usefulness of the improvements comprising the Project is at least five (5) years;
2. the maximum maturity of the Bonds is at least thirty (30) years, the same being my estimate of the life or period of usefulness of the Project, as computed pursuant to Sections 133.19 and 133.20 of the Ohio Revised Code; and
3. the maximum maturity of notes issued in anticipation of the Bonds is twenty (20) years (assuming compliance with Section 133.22 of the Ohio Revised Code).

IN WITNESS THEREOF, I have hereunto set my hand this 15th day of September, 2025.

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City Auditor

CITY OF NEWARK, OHIO

ORDINANCE NO. 25-26

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$5,370,000 OF NOTES TO RENEW NOTES PREVIOUSLY ISSUED BY THE CITY TO PAY PART OF THE COSTS OF ACQUIRING, CONSTRUCTING, IMPROVING, AND EQUIPPING A PARKING GARAGE, INCLUDING SITE PREPARATION AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY

WHEREAS, this City Council (this “Council”) of the City of Newark, Ohio (the “City”) has heretofore declared the necessity of acquiring, constructing, improving, and equipping a parking garage, including site preparation and all necessary appurtenances thereto (the “Project”); and

WHEREAS, the City Auditor, as fiscal officer of the City, has heretofore estimated that the life of the improvements and assets comprising the Project is at least five (5) years, and certified that the maximum maturity such bonds to be issued therefor is thirty (30) years, and of notes to be issued in anticipation thereof as twenty (20) years; and

WHEREAS, this Council anticipates that debt service on such bonds will be paid from revenues other than revenues from unvoted City property taxes, derived from the revenues generated from the Project, and on such notes from such revenues and the proceeds of such bonds or renewal notes (the “Revenues”);

WHEREAS, notes heretofore issued in the principal amount of \$5,075,000 to finance part of the cost of the Project (the “Prior Notes”) are about to mature and should be renewed in an amount not to exceed \$5,370,000;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newark (hereinafter called the “City”), Licking County, Ohio (at least seven (7) of the members elected thereto concurring):

SECTION 1. That it is necessary to issue and sell bonds of the City in the principal amount of not to exceed \$5,370,000, for the purpose of paying part of the cost of the Project, including “financing costs” as defined in Section 133.01 of the Ohio Revised Code, under authority of and pursuant to the general laws of the State of Ohio, especially Chapter 133 of the Ohio Revised Code (the “Act”) and the City Charter of the City (the “Charter”). Such bonds shall be dated approximately November 1, 2026, shall bear interest at the rate of approximately six and one-half percent (6.5%) per annum and shall mature in substantially equal annual installments of principal and interest over a period not exceeding thirty (30) years after their issuance.

SECTION 2. That it is hereby determined that notes (hereinafter called the “Notes”) in the principal amount of not to exceed \$5,370,000 shall be issued in anticipation of the issuance of said bonds and in order to renew the Prior Notes pursuant to the Act and the Charter. The Notes shall (i) be issued in a principal amount not exceeding the amount set forth above, (ii) be dated the date of their initial issuance, (iii) be numbered from R-1 upwards in order of issuance, (iv) bear interest at a rate not to exceed eight percent (8%) per annum, payable at maturity, (v) mature not more than one (1) year from such date of initial issuance, (vi) be of such number and denominations of \$100,000 or more as may be requested by the Purchaser (as hereinafter defined), and (vii) be payable at the office of the City Auditor or a bank or trust company designated to serve as paying agent and, if the Notes are in registered form, the registrar, all as determined by the City Auditor without further action of this Council. The determinations and designations to be made by the City Auditor pursuant to this ordinance shall be made without further action of this Council in one or more certificates of award (the “Certificate of Award”) executed by the City Auditor and shall be conclusive.

The Notes may be subject to redemption prior to their stated maturity, or not at all, as may be determined by the City Auditor in the Certificate of Award without further action of this Council.

The Notes shall be designated “City Parking Garage Bond Anticipation Notes, Series 2025 (First Renewal)” with such series or other designations as may be necessary, or as otherwise provided in a Certificate of Award, and shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this ordinance.

It is hereby determined by this Council that the issuance of the Notes provided herein, including without limitation, the redemption provisions set forth above, are in the best interests of the City.

SECTION 3. That the Notes shall be in either bearer or fully registered form without coupons, as may be requested by the Purchaser, shall bear the signatures of the Mayor and the City Auditor (each, an “Authorized Officer”), provided that any or all of such signatures may be facsimile signatures, may bear the seal of such City or a facsimile thereof, and shall bear the manual authenticating signature of the City Auditor as the paying agent, registrar and transfer agent for the Notes, or an authorized officer of one or more banks or trust companies designated by the City Auditor in a Certificate of Award without further action of this Council to serve in such capacity (in either case, the “Paying Agent and Registrar”).

The Notes shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the designated office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The City and the Paying Agent and Registrar shall not be required to transfer any Note during the 15-day period preceding any Payment Date, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Note or Notes of authorized denominations of the same maturity and for the same aggregate principal amount shall be issued to the transferee in exchange therefor.

The City and the Paying Agent and Registrar may deem and treat the registered holders of the Notes as the absolute owners thereof for all purposes, and neither the City nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

SECTION 4. That the Notes shall be sold by negotiated sale as described herein for not less than 97% of the principal amount thereof, plus accrued interest to the date of delivery, to Northland Securities, Inc., or any other purchaser or purchasers designated by the City Auditor in the Certificate of Award without further action of this Council (the "Purchaser"), upon terms within the limitations of this ordinance as determined by the City Auditor in the Certificate of Award, such sale to be in accordance with the Purchaser's offer to purchase the Notes which the City Auditor is hereby authorized to accept. If so requested by the Purchaser, each Authorized Officer is hereby separately authorized, alone or with others, to execute and deliver a purchase agreement for the Notes in such form as may be approved by the officer executing the same, such Authorized Officer's execution thereof on behalf of the City to be conclusive evidence of such authorization and approval.

The proceeds from the sale of the Notes, except as any premium and accrued interest received, shall be deposited in an appropriate fund and used for the purpose aforesaid and for no other purpose and for which purpose such proceeds are hereby appropriated. Any premium and accrued interest received from such sale shall be transferred to an appropriate fund as permitted by law to be applied to the payment of the principal and interest of the Notes or other purposes in the manner provided by law.

Each Authorized Officer, the Director of Law, the Clerk of Council and other appropriate officials of the City, are each hereby separately authorized, without further action of this Council, to take any and all actions and to execute such other instruments that may be necessary or appropriate in the opinion of Dinsmore & Shohl LLP, bond counsel for the Notes, in order to effect the issuance of the Notes and the intent of this ordinance. The Clerk of Council, or other appropriate officer of the City, shall certify a true transcript of all proceedings had with respect to the issuance of the Notes, along with such information from the records of the City as is necessary to determine the regularity and validity of the issuance of the Notes.

SECTION 5. That the Notes shall be the full general obligations of the City, and the full faith, credit and revenue of the City are hereby pledged for the prompt payment of the same. The principal amount received from the sale of renewal notes or the bonds anticipated by the Notes, and any excess fund resulting from the issue of the Notes, shall to the extent necessary be used only for the retirement of the Notes at maturity, together with interest thereon, and are hereby pledged for such purpose.

SECTION 6. That the City covenants that it will use its best efforts to issue renewal notes or bonds in such amounts and bearing such terms as may be necessary to provide sufficient moneys to retire the Notes at maturity after allowing for any Revenues or other funds that may be lawfully available.



SECTION 7. During the period while the Notes run, there shall be levied upon all of the taxable property in the City, within applicable limitations, in addition to all other taxes, a direct tax annually, not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected; provided, however, to the extent Revenues or other moneys are available and appropriated for debt service in a sufficient amount, said tax shall be reduced by the amount of such Revenues and other moneys so available and appropriated. Said tax shall be placed before and in preference to all other items and for the full amount thereof.

The Revenues to be applied to debt service on the Notes and the funds derived from said tax levies hereby required shall be placed in an appropriate fund as provided by law, and, together with interest collected on the same, shall be irrevocably pledged for the payment of the principal and interest of the Notes, or the bonds in anticipation of which they are issued, when and as the same fall due.

SECTION 8. That the Notes may be issued as federally tax-exempt and/or federally taxable notes in any principal amount and in one or more series, as shall be determined by the City Auditor in the Certificate of Award without further action of this Council.

If any such Notes are issued as federally tax-exempt, this Council hereby covenants that it will restrict the use of the proceeds of such Notes hereby authorized in such manner and to such extent, if any, as may be necessary after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder, including any expenditure requirements, investment limitations or rebate requirements. Without limiting the generality of the foregoing, this Council represents and covenants that not more than 10% of the improvements financed with the proceeds of any federally tax-exempt Notes shall be used directly or indirectly in the trade or business of any person that is not an "exempt person" within the meaning of the Code. The City Auditor or any other officer having responsibility with respect to the issuance of the Notes is authorized and directed to give an appropriate certificate on behalf of the City on the date of delivery of any federally tax-exempt Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder.

The tax-exempt Notes may be designated as "qualified tax-exempt obligations" to the extent permitted by Section 265(b)(3) of the Code, and if designated, not already deemed so designated as determined by the City Auditor without further action of this Council in the Certificate of Award. If so designated by the City Auditor, the City Auditor shall find and determine that the reasonable anticipated amount of qualified tax-exempt obligations (other than private activity bonds) which will be issued by the City during this calendar year does not and will covenant on behalf of this Council that, during such year, the amount of tax-exempt obligations issued by the City and designated as "qualified tax-exempt obligations" for such purpose will not

exceed \$10,000,000. The City Auditor and other appropriate officers, and any of them, are authorized to take such actions and give such certifications on behalf of the City with respect to the reasonably anticipated amount of tax-exempt obligations to be issued by the City during this calendar year and with respect to such other matters as appropriate under Section 265(b)(3) of the Code.

SECTION 9. That the Authorized Officers are separately hereby authorized, alone or with others, to execute and deliver an agreement with one or more Paying Agent and Registrars for its services as paying agent, registrar and transfer agent for the Notes in such form as such officer may approve, the execution thereof by such officer to be conclusive evidence of such authorization and approval.

SECTION 10. That each Authorized Officer or any other officer, employee or agent of the City, are each hereby separately authorized, alone or with others to apply for a municipal bond insurance policy with respect to the Notes, and accept a commitment therefor, if the Purchaser should recommend the same, and any such actions heretofore taken are hereby approved, ratified and confirmed. The payment of the premium and expenses relating to any such insurance policy from the proceeds of the Notes is hereby authorized if the City Auditor determines in the Certificate of Award that the present value of the interest cost savings on the Notes resulting from the insurance policy is greater than the premium to be charged for the insurance policy, which determination shall be conclusive.

SECTION 11. That each Authorized Officer or any other officer, employee or agent of the City, are each hereby separately authorized, alone or with others to apply for a rating from one or more national rating services with respect to the Notes, and any such actions heretofore taken are hereby approved, ratified and confirmed. The payment of the fees and expenses relating to any such rating from the proceeds of the Notes is hereby authorized.

SECTION 12. That the law firm of Dinsmore & Shohl LLP be and is hereby retained as bond counsel to the City to prepare the necessary authorization and related closing documents for the issuance, sale and delivery of the Notes and, if appropriate, rendering its approving legal opinion or opinions in connection therewith in accordance with a written agreement with the City which the City Auditor is authorized to execute and deliver on behalf of the City, as may be approved by such officer executing the same. The approval of such agreement by such officer, and that the same is not substantially adverse to the City, shall be conclusively evidenced by the execution of such agreement by such officer. Such law firm shall be compensated by the City for the above services in accordance with such written agreement.

SECTION 13. That for purposes of this ordinance, the following terms shall have the following meanings:

“Book entry form” or “book entry system” means a form or system under which (i) the beneficial right to payment of principal of and interest on the Notes may be transferred only through a book entry, and (ii) physical Note certificates in fully registered form are issued only to the Depository or its nominee as registered owner, with the Notes “immobilized” to the custody

of the Depository, and the book entry maintained by others than the City is the record that identifies the owners of beneficial interests in those Notes and that principal and interest.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, together with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Notes or principal and interest, and to effect transfers of Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Participant” means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

All or any portion of the Notes may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such Notes, notwithstanding any other provision of this ordinance. If and as long as a book entry system is utilized with respect to any of such Note: (i) each Note shall be of a single maturity; (ii) those Notes shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of Notes in book entry form shall have no right to receive Notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Note in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City. Debt service charges on Notes in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in the City’s agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Notes as provided in this ordinance.

The Paying Agent and Registrar may, with the approval of the City, enter into an agreement with the beneficial owner or registered owner of any Note in the custody of a Depository providing for making all payments to that owner of principal and interest on that Note or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in this ordinance, without prior presentation or surrender of the Note, upon any conditions which shall be satisfactory to the Paying Agent and Registrar and to the City. That payment in any event shall be made to the person who is the registered owner of that Note on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Paying Agent and Registrar shall furnish a copy of each of those agreements, certified to be correct by the Paying Agent and Registrar, to any other paying agents for the Notes and to the City. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this ordinance.

The City Auditor is authorized and directed without further action of this Council to execute, acknowledge and deliver, in the name of and on behalf of the City, a blanket letter agreement between the City and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the Notes to the Depository for use in a book entry system, and to take all other actions the City Auditor deems appropriate in issuing the Notes under a book entry system.

If any Depository determines not to continue to act as Depository for the Notes for use in a book entry system, the City and the Paying Agent and Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository under this ordinance. If the City and the Paying Agent and Registrar do not or are unable to do so, the City and the Paying Agent and Registrar, after the Paying Agent and Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Notes from the Depository and authenticate and deliver Note certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Notes), if the event is not the result of action or inaction by the City or the Paying Agent and Registrar, of those persons requesting such issuance.

SECTION 14. That the Clerk of Council is hereby directed to forward a certified copy of this ordinance to the Licking County Auditor.

SECTION 15. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were taken in open meetings of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were taken in meetings open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.

SECTION 16. That it is hereby determined and recited that all acts, conditions and things necessary to be done precedent to and in the issuing of the Notes in order to make the same legal, valid and binding obligations of this Council have happened, been done and performed in regular and due form as required by law; and that no limitation of indebtedness or taxation, either statutory or constitutional, will have been exceeded in the issuance of said Notes.

SECTION 17. That this ordinance is hereby declared to be an emergency measure for the preservation of the public peace, health, safety and welfare of the inhabitants of the City to promptly proceed with renewal of the Prior Notes prior to their stated maturity; therefore, this ordinance shall take effect immediately upon its passage and approval by the Mayor.

PASSED THIS 15th day of September, 2025.

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Presiding Officer

Attest:

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Clerk of Council

Date filed with Mayor: \_\_\_\_\_, 2025

Date approved by Mayor: \_\_\_\_\_, 2025

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Mayor

Form approved: \_\_\_\_\_  
Director of Law

63846558

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of Ordinance  
No. \_\_\_\_\_.

\_\_\_\_\_  
Clerk of Council

CERTIFICATE

The undersigned hereby certifies that a copy of the foregoing Ordinance was certified this  
day to the Licking County Auditor.

\_\_\_\_\_  
City Auditor

Dated: \_\_\_\_\_, 2025

RECEIPT

The undersigned hereby acknowledges receipt of a certified copy of the foregoing  
Ordinance.

\_\_\_\_\_  
Licking County Auditor

Dated: \_\_\_\_\_, 2025

63846558

EXTRACT FROM MINUTES OF MEETING

The Council of the City of Newark, Ohio, met in regular session at \_\_\_\_\_ p.m. on the 15th day of September, 2025, at \_\_\_\_\_  
\_\_\_\_\_ Newark, Ohio with the following members present:

\*\*\*OTHER BUSINESS\*\*\*

There was presented to the Council by the City Auditor a Certificate as to Maximum Maturity of Bonds and Bond Anticipation Notes relating to the financing described in the following ordinance.

There was presented and read to Council Ordinance No. \_\_\_\_\_, entitled:

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$5,370,000 OF NOTES TO RENEW NOTES PREVIOUSLY ISSUED BY THE CITY TO PAY PART OF THE COSTS OF ACQUIRING, CONSTRUCTING, IMPROVING, AND EQUIPPING A PARKING GARAGE, INCLUDING SITE PREPARATION AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY

\_\_\_\_\_ moved to suspend the rule requiring an ordinance or resolution of a general or permanent nature to be read on two different days.

\_\_\_\_\_ seconded the motion and, the roll being called upon the question, the vote resulted as follows (at least six (6) members concurring):

AYES:

NAYS:

\_\_\_\_\_ then moved that Ordinance No. \_\_\_\_\_ be  
passed as read.

\_\_\_\_\_ seconded the motion and, the roll being called  
upon the question, the vote resulted as follows (at least seven (7) members concurring):

AYES:

NAYS:

The ordinance was declared passed \_\_\_\_\_, 2025.



CERTIFICATE

The undersigned, Clerk of Council of said City, hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of the Council of said City, held on September 15, 2025, to the extent pertinent to consideration and passage of the above-entitled legislation.

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Clerk of Council

63846558

CERTIFICATE OF PUBLICATION OF ORDINANCE

I, the undersigned Clerk of Council, of the City of Newark, Ohio (the “City”) hereby certify that Ordinance No. \_\_\_\_\_, passed by the City Council on September 15, 2025, was published in accordance with the provisions set forth in the Charter of the City under Section 4.15.

\_\_\_\_\_  
Clerk of Council

Dated: \_\_\_\_\_, 2025

**ORDINANCE NO. 25-27**

**BY: \_\_\_\_\_**

**AN ORDINANCE PERMITTING THE PUBLIC BUILDING LOCATED AT 33 WEST MAIN STREET, NEWARK, OHIO, (“PROPERTY”) CURRENTLY OWNED BY THE CITY OF NEWARK (“CITY”), TO BE LEASED TO PRIVATE BUSINESSES PURSUANT TO OHIO REVISED CODE 721.23 UNTIL SUCH TIME AS THE CITY COMPLETES AND IMPLEMENTS PLANS FOR THE EXPANSION OF THE CITY ADMINISTRATION OFFICES AND SUCH OTHER PUBLIC PURPOSES AS DEEMED SUITABLE**

**WHEREAS**, the Ohio Revised Code allows the legislative authority of a municipal corporation to permit the use of a public building under its control upon terms as provided by ordinance; and

**WHEREAS**, the City purchased the Property from 33 West Main, LLC for the purpose of future expansion of the City administration building located at 40 West Main Street; and,

**WHEREAS**, prior to the purchase of the property, Property consisted of leased office space for private business; and

**WHEREAS**, the City wishes to allow the current lease holders to continue with their leases/rental agreements until such time as the City moves forward with expansion plans and occupation of the Property; and

**WHEREAS**, the City will be requesting by resolution to enter into a management agreement with 33 West Main, LLC for the continued leasing, maintenance, operation and repair of the Property according to terms to be negotiated; and

**WHEREAS**, this matter came before the Public Service Committee on September 2, 2025, which recommended consideration of the same by full Council.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, STATE OF OHIO, THAT:**

**SECTION ONE:** Pursuant to Ohio Revised Code section 721.23, the Property, a public building owned by the City, may be used for lease to private businesses until such time as the City implements plans for the expansion of the City Administration Building and wishes to occupy said premises.

**SECTION TWO:** This Ordinance shall be effective at the first date permitted as provided in Article 4.07 of the Charter of the City of Newark.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

Attest: \_\_\_\_\_  
Clerk of Council

Date Filed with Mayor: \_\_\_\_\_

Date Approved by Mayor: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Form Approved: \_\_\_\_\_  
Director of Law

Resolution Prepared by The Office of The Director of Law

BY: \_\_\_\_\_

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 77 NORTH FULTON AVENUE, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-242388-00.000, FROM THAT OF SINGLE-FAMILY RESIDENCE, RH-HIGH DENSITY ZONING DISTRICT TO MFR MULTI-FAMILY RESIDENCE ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

WHEREAS, an application for zoning classification has been filed with Council; and

WHEREAS, pursuant to Article 4.12 of the Charter of the City of Newark, Ohio, this ordinance shall be referred to the Planning Commission immediately after its first reading; and

WHEREAS, the Planning Commission shall hold a public hearing upon such application and the Clerk of Council shall cause notice of such hearing to be publicized one time at least seven (7) days prior to the date of such public hearing; and

WHEREAS, upon the return of the ordinance to Council by the Planning Commission, council shall cause a second reading to be made of this ordinance and shall take such action as is appropriate pursuant to Article 4.12 of the Charter of the City of Newark, Ohio.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, AND STATE OF OHIO, THAT:

**Section 1:** The zoning map as established by Ordinance 08-33 (A) is hereby revised by changing the zoning classification for the following described property from SINGLE-FAMILY RESIDENCE, RH-HIGH DENSITY ZONING DISTRICT TO MFR MULTI-FAMILY RESIDENCE ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

#### **SEE EXHIBIT "A" FOR LEGAL DESCRIPTION**

**Section 2:** Pursuant to Article 4.12(C) of the Charter of the City of Newark, Ohio, a vote of at least six (6) members shall be necessary to adopt or defeat the ordinance in the event the Planning Commission has recommended approval or has made no recommendation. An affirmative vote of at least seven (7) Council members shall be necessary to adopt a zoning ordinance that the Planning Commission has recommended against approval.

**Section 3:** The Newark Planning Commission is hereby authorized and directed to make the change described herein on the aforementioned zoning map.

**Section 4:** This ordinance shall become effective at the earliest time permitted by Section 4.07 of the Charter of the City of Newark, Ohio.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

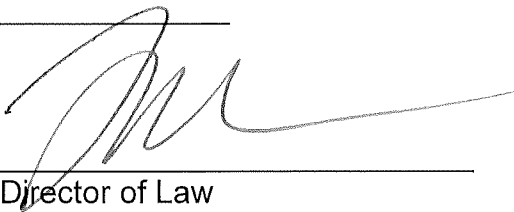
\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
Clerk of Council

DATE FILED WITH MAYOR: \_\_\_\_\_

DATE APPROVED BY MAYOR: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

FORM APPROVED: \_\_\_\_\_  
  
Director of Law

DESCRIPTION APPROVED: \_\_\_\_\_  
Brian Morehead, Engineer

Prepared by the Office of the Director of Law

DESCRIPTION APPROVED  
JARED N. KNERR  
LICKING COUNTY ENGINEER

Approved By JW Dec 01, 2022

~~02121014104047019000 02121014104047019100~~  
~~02121014104047021000 02121014104047020000~~

TRANSFERRED

Dec 01, 2022  
Michael L. Smith  
LICKING COUNTY AUDITOR  
SEC 319.902 COMPLIED WITH  
MICHAEL L. SMITH  
By: CR 225.00

InstrID:202212010028216	12/1/2022
Pages:2	F: \$34.00 9:49 AM
Bryan A. Long	T20220030765
Licking County Recorder	

## WARRANTY DEED

File # 100110

KNOW ALL MEN BY THE PRESENTS THAT; Christopher S Roberts and Tina M Roberts, Husband and Wife, Grantor(s) for Ten Dollars (\$10.00) and other good and valuable consideration paid, grant(s), with general warranty covenants, to Angus & Mac Property Solutions LLC, Grantee, whose Tax Mailing Address will be PO Box 4460 Newark OH 43058.

The following described real property:

Situated in the State of Ohio, County of Licking, and in the City of Newark;

Being Lot Number ~~6652~~, 6653 and ~~6654~~, of Martha E. Taylor's First Addition to the said City, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 47, Recorder's Office, Licking County, Ohio, ~~including vacated alley to the south of Lot No. 6652 as per Ordinance No. 2886.~~

FIRST OHIO TITLE INSURANCE BOX (.)

Parcel Number: ~~054-242376-00.000, 054-242388-00.000 & 054-242382-00.000~~  
Known as: 77 North Fulton Ave  
Newark, OH 43055

Subject to covenants, conditions, restrictions, easements and zoning ordinances, if any, contained in prior instruments of record.

Excepting therefrom taxes and assessments if any, now a lien and thereafter due and payable.

Prior Instrument Number: Instrument Number 201812060027194, of the Records of the office of the Recorder, Licking County, Ohio

DESCRIPTION

APPROVED

FOR ZONING PURPOSES,  
AS EDITED, BRU

By

*[Signature]*  
Dir. of Engineering  
City of Newark, Ohio

ORDINANCE NO. 25-29

BY: \_\_\_\_\_

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 2205 CHERRY VALLEY ROAD, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #056-042864-00.001, FROM THAT OF CSI CHURCH SCHOOL INSTITUTIONAL ZONING DISTRICT TO GB GENERAL BUSINESS ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

WHEREAS, an application for zoning classification has been filed with Council; and

WHEREAS, pursuant to Article 4.12 of the Charter of the City of Newark, Ohio, this ordinance shall be referred to the Planning Commission immediately after its first reading; and

WHEREAS, the Planning Commission shall hold a public hearing upon such application and the Clerk of Council shall cause notice of such hearing to be publicized one time at least seven (7) days prior to the date of such public hearing; and

WHEREAS, upon the return of the ordinance to Council by the Planning Commission, council shall cause a second reading to be made of this ordinance and shall take such action as is appropriate pursuant to Article 4.12 of the Charter of the City of Newark, Ohio.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, AND STATE OF OHIO, THAT:

**Section 1:** The zoning map as established by Ordinance 08-33 (A) is hereby revised by changing the zoning classification for the following described property from CSI CHURCH SCHOOL INSTITUTIONAL ZONING DISTRICT TO GB GENERAL BUSINESS ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

**SEE EXHIBIT "A" FOR LEGAL DESCRIPTION**

**Section 2:** Pursuant to Article 4.12(C) of the Charter of the City of Newark, Ohio, a vote of at least six (6) members shall be necessary to adopt or defeat the ordinance in the event the Planning Commission has recommended approval or has made no recommendation. An affirmative vote of at least seven (7) Council members shall be necessary to adopt a zoning ordinance that the Planning Commission has recommended against approval.

**Section 3:** The Newark Planning Commission is hereby authorized and directed to make the change described herein on the aforementioned zoning map.



**Section 4:** This ordinance shall become effective at the earliest time permitted by Section 4.07 of the Charter of the City of Newark, Ohio.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
Clerk of Council

DATE FILED WITH MAYOR: \_\_\_\_\_

DATE APPROVED BY MAYOR: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

FORM APPROVED: \_\_\_\_\_  
Director of Law

DESCRIPTION APPROVED: \_\_\_\_\_  
Brian Morehead, Engineer

Prepared by the Office of the Director of Law

May 16, 2025

**REZONING DESCRIPTION  
AT THE NORTHEAST CORNER OF THORNWOOD CROSSING  
AND CHERRY VALLEY ROAD  
CITY OF NEWARK, LICKING CO., OHIO**

Situated in the State of Ohio, County of Licking, City of Newark, in Quarter Township 3, Township 2 North, Range 12 West, United State Military Lands and being a 6.570 acre portion of an original 34.85 acre tract of land conveyed to Cherry Valley Family Life Center, by deed of record in Official Record 39, Page 241, all records referenced to the Recorder's Office, Licking County, Ohio, said tract to be rezoned bounded and described as follows:

Beginning at a point at the intersection of the southeasterly right-of-way line of Thornwood Crossing (variable width) with the northeasterly right-of-way line of Cherry Valley Road (variable width), at a corner of a 3.236 acre tract of land conveyed, as Parcel 4-WLV for Thornwood Crossing roadway purposes, to the Ohio Department of Transportation, by deed of record in Instrument No. 201604080006839, at the north corner a 0.725 acre tract of land conveyed, as Parcel 4-WDV for Cherry Valley Road roadway purposes, to the Ohio Department of Transportation, by deed of record in Instrument No. 201604080006839, said point being 146.99 feet right of centerline Station 63+60.59 of Thornwood Crossing, as shown upon Sheet 20 of 38 of the Ohio Department of Transportation Right-of-Way Plans for LIC-THORNWOOD CROSSING;

thence N 22° 15' 05" E crossing a portion of said original 34.85 acre tract, along an easterly line of said 3.236 acre Parcel 4-WLV, and along an easterly right-of-way line of Thornwood Crossing a distance of 129.29 feet to a point at angle point in the easterly right-of-way line of Thornwood Crossing;

thence N 42° 24' 28" E crossing a portion of said original 34.85 acre tract, along a southeasterly line of said 3.236 acre Parcel 4-WLV, and along an easterly right-of-way line of Thornwood Crossing a distance of 510.93 feet to a point at angle point in the easterly right-of-way line of Thornwood Crossing;

thence N 37° 46' 46" E crossing a portion of said original 34.85 acre tract, along an easterly line of said 3.236 acre Parcel 4-WLV, and along an easterly right-of-way line of Thornwood Crossing a distance of 171.76 feet to a point at angle point in the easterly right-of-way line of Thornwood Crossing, at a corner of said original 34.85 tract, and in the west line of a 23.9 acre tract of land conveyed to the State of Ohio, by deed of record in Official Record 685, Page 360;

thence S 03° 55' 17" W along an east line of said original 34.85 acre tract and along a portion of the west line of said 23.9 acre tract a distance of 198.09 feet to a point at a corner of said original 34.85 acre tract, at the southwest corner of said 23.9 acre tract, and at a corner of a 5.780 acre tract of land conveyed to The Thomas J. Evans Foundation, by deed of record in Official Record 923, Page 593;

thence along common easterly lines of said original 34.85 acre tract and westerly lines of said 5.780 acre tract the following five (5) courses and distances;

1. S 45° 33' 39" W a distance of 137.49 feet to a point;
2. S 00° 24' 40" E a distance of 139.00 feet to a point;
3. S 46° 22' 58" E a distance of 266.19 feet to a point;
4. S 16° 27' 37" W a distance of 339.96 feet to a point;
5. S 47° 27' 37" W a distance of 198.68 feet to a point in the northeasterly right-of-way line of Cherry Valley Road;

thence N 43° 31' 52" W crossing a portion of said original 34.85 acre tract and along the northeasterly right-of-way line of Cherry Valley Road a distance of 156.59 feet to a point at a corner of said 0.725 acre Parcel 4-WDV;

thence N 01° 32' 38" W crossing a portion of said original 34.85 acre tract, along the northeasterly right-of-way line of Cherry Valley Road, and along the east line of said 0.725 acre Parcel 4-WDV a distance of 67.27 feet to a point at the northeast corner of said 0.725 acre Parcel 4-WDV;

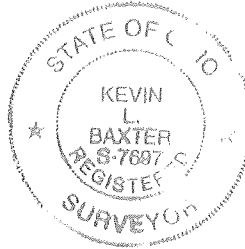
May 16, 2025

thence N 40° 55' 19" W crossing a portion of said original 34.85 acre tract, along the northeasterly right-of-way line of Cherry Valley Road, and along the northeasterly line of said 0.725 acre Parcel 4-WDV a distance of 348.64 feet to the place of beginning;

containing 6.570 acres of land, more or less, and subject to all easements and restrictions of record.

The above description was prepared by Kevin L. Baxter, Ohio Surveyor No. 7697, of V3 Companies, Ltd. (formerly Bird + Bull, Inc.), Consulting Engineers & Surveyors, Columbus, Ohio from best available Court House records, in May, 2025. Basis of bearings is the centerline Thornwood Crossing for Cherry Valley Road north, being N 41° 17' 1" E, as shown on Sheet 7 of 17 of the Ohio Department of Transportation Right-of-Way Plans for LIC-16-16.80, and all other bearings are based upon this meridian.

  
Kevin L. Baxter ~ Ohio Surveyor No. 7697



DESCRIPTION  
**APPROVED**  
By   
Dtr. of Engineering  
City of Newark, Ohio

*FCA ZCWWC*  
*PUR 0505*

BY: \_\_\_\_\_

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 60 PROSPECT STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-201204-00.000, FROM THAT OF SINGLE-FAMILY RESIDENCE RH-HIGH DENSITY ZONING DISTRICT TO HB HIGH INTENSITY BUSINESS ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

WHEREAS, an application for zoning classification has been filed with Council; and

WHEREAS, pursuant to Article 4.12 of the Charter of the City of Newark, Ohio, this ordinance shall be referred to the Planning Commission immediately after its first reading; and

WHEREAS, the Planning Commission shall hold a public hearing upon such application and the Clerk of Council shall cause notice of such hearing to be publicized one time at least seven (7) days prior to the date of such public hearing; and

WHEREAS, upon the return of the ordinance to Council by the Planning Commission, council shall cause a second reading to be made of this ordinance and shall take such action as is appropriate pursuant to Article 4.12 of the Charter of the City of Newark, Ohio.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, AND STATE OF OHIO, THAT:

**Section 1:** The zoning map as established by Ordinance 08-33 (A) is hereby revised by changing the zoning classification for the following described property from SINGLE-FAMILY RESIDENCE RH-HIGH DENSITY ZONING DISTRICT TO HB HIGH INTENSITY BUSINESS ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

**SEE EXHIBIT "A" FOR LEGAL DESCRIPTION**

**Section 2:** Pursuant to Article 4.12(C) of the Charter of the City of Newark, Ohio, a vote of at least six (6) members shall be necessary to adopt or defeat the ordinance in the event the Planning Commission has recommended approval or has made no recommendation. An affirmative vote of at least seven (7) Council members shall be necessary to adopt a zoning ordinance that the Planning Commission has recommended against approval.

**Section 3:** The Newark Planning Commission is hereby authorized and directed to make the change described herein on the aforementioned zoning map.

**Section 4:** This ordinance shall become effective at the earliest time permitted by Section 4.07 of the Charter of the City of Newark, Ohio.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
Clerk of Council

DATE FILED WITH MAYOR: \_\_\_\_\_

DATE APPROVED BY MAYOR: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

FORM APPROVED: \_\_\_\_\_  
Director of Law

DESCRIPTION APPROVED: \_\_\_\_\_  
Brian Morehead, Engineer

Prepared by the Office of the Director of Law

Approved By JM Jan 16, 2025

02121012401128015000

TRANSFERRED

Jan 16, 2025  
Michael L. Smith  
LICKING COUNTY AUDITOR  
SEC 319.902 COMPLIED WITH  
MICHAEL L. SMITH  
By: AT 585.00

InstrID:202501160000859	1/16/2025
Pages:2	F: \$39.00 3:04 PM
Bryan A. Long	T20250000865
Licking County Recorder	

**GENERAL WARRANTY DEED**

(R.C. 5302.05 and 5302.06)

KNOW ALL MEN BY THESE PRESENTS, that **Ann M. Reese, unmarried**, of Licking County, for valuable consideration paid, grant(s), with general warranty covenants, to **Lenka Fucikova**

whose tax mailing address is 60 Prospect St, Newark, OH 43055

the following real property situated in the City of Newark, County of Licking, State of Ohio:

Situated in the 4th Quarter, Township 2N, Range 12W, USML, City of Newark, County of Licking, State of Ohio, and being part of Lot 20 of the George McMullens Farm as recorded in Plat Book 1, Page 128 of the Plat Records, and being all of the Ann M. Reese parcel, as recorded in Instrument Number 201811090023959, all references are the Records of the Licking County Recorder, said parcel being further described as follows:

Commencing at a 1/2" dia. iron pin found at the Southwest corner of Lot 21 of said George McMullens Farm, said point being on the North line of Prospect Street, 49.50 feet wide,

Thence, South 84° 27' 47" East, 136.42 feet, along the North line of Prospect Street, to a 1/2" dia. Iron pin found at the Southeast corner of the Martha Reyes Palomino parcel, as recorded in Instrument Number 202210140024899, said point also being the True Point of Beginning for the parcel herein described;

Thence, North 05° 18' 50" East, 545.28 feet, along the East line of said Palomino parcel, passing an iron pin set at 446.90 feet, to a point, inaccessible, on the South line of the Newark Lodge No 499 Loyal Order of Moose parcel, as recorded in Volume 553, Page 627 of the Deed Records;

Thence, South 65° 36' 40" East, 82.56 feet, along the South line of said Newark Lodge parcel, to a point, inaccessible, at the Northwest corner of the St. John's Evangelical and Reformed Church, Inc. parcel, as recorded in Volume 560, Page 253, of the Deed Records;

Thence, South 05° 18' 50" West, 518.60 feet, along the West line of said St. John's Evangelical parcel, and West line of the Matthew D. & Ashley C. Canfield parcel, as recorded in Instrument Number 201403050003955, passing an iron pin set at 112.73 feet, to an iron pin set on the North line of Prospect Street;

Thence, North 84° 27' 47" West, 78.03 feet, along the North line of Prospect Street, to the True Point of Beginning.

Containing 0.953 Acres, more or less, subject to all legal highways, all limitations of public access to highways, leases, zoning regulations, easements of record and restrictive covenants.

All Iron Pins Set are 5/8" dia. rebar x 30" long with Orange ID cap stamped "Willis 57996".

Bearings are based on State Plane Grid, South Zone NAD83(2011).

PN 054-201204-00.000

This Description is based on a survey made under the supervision of Todd D. Willis in October 2023, Reg. Surveyor No. 7996. Phone No. 740-739-4030, Willis Engineering & Surveying.

Parcel No.: 054-201204-00.000

DESCRIPTION

**APPROVED**

FOR ZONING  
DURASOS

By

*[Signature]*

Div. of Engineering  
City of Newark, Ohio

ORDINANCE NO. 25-31

BY: \_\_\_\_\_

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 274 NORTH CEDAR STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-193848-00.000, FROM THAT OF LC LIMITED COMMERCIAL ZONING DISTRICT TO MFR MULTI-FAMILY RESIDENCE ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

WHEREAS, an application for zoning classification has been filed with Council; and

WHEREAS, pursuant to Article 4.12 of the Charter of the City of Newark, Ohio, this ordinance shall be referred to the Planning Commission immediately after its first reading; and

WHEREAS, the Planning Commission shall hold a public hearing upon such application and the Clerk of Council shall cause notice of such hearing to be publicized one time at least seven (7) days prior to the date of such public hearing; and

WHEREAS, upon the return of the ordinance to Council by the Planning Commission, council shall cause a second reading to be made of this ordinance and shall take such action as is appropriate pursuant to Article 4.12 of the Charter of the City of Newark, Ohio.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, AND STATE OF OHIO, THAT:

**Section 1:** The zoning map as established by Ordinance 08-33 (A) is hereby revised by changing the zoning classification for the following described property from LC LIMITED COMMERCIAL ZONING DISTRICT TO MFR MULTI-FAMILY RESIDENCE ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

**SEE EXHIBIT "A" FOR LEGAL DESCRIPTION**

**Section 2:** Pursuant to Article 4.12(C) of the Charter of the City of Newark, Ohio, a vote of at least six (6) members shall be necessary to adopt or defeat the ordinance in the event the Planning Commission has recommended approval or has made no recommendation. An affirmative vote of at least seven (7) Council members shall be necessary to adopt a zoning ordinance that the Planning Commission has recommended against approval.

**Section 3:** The Newark Planning Commission is hereby authorized and directed to make the change described herein on the aforementioned zoning map.

**Section 4:** This ordinance shall become effective at the earliest time permitted by Section 4.07 of the Charter of the City of Newark, Ohio.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
Clerk of Council

DATE FILED WITH MAYOR: \_\_\_\_\_

DATE APPROVED BY MAYOR: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

FORM APPROVED: \_\_\_\_\_  
Director of Law

DESCRIPTION APPROVED: \_\_\_\_\_  
Brian Morehead, Engineer

Prepared by the Office of the Director of Law



**LEGAL DESCRIPTION FOR ZONING DISTRICT CHANGE  
IN THE CITY OF NEWARK**

Situated in the State of Ohio, County of Licking, City of Newark and being generally described as follows:

Being all of Lots 3741 and 3742 and part of Lot 3743 in the Augustus H. Heisey's Addition as shown in Plat Book 3A, Page 254 in the U.S. Military Lands of Licking County, Ohio, and being all of the same lands conveyed to Brother's Masonry, LLC as recorded in Instrument Number 201912260028759 in the Recorder's Office, Licking County, Ohio;

The above parcels were replatted into Lot 3741-A (0.317 acres) by plat recorded in Instrument Number 202009180024438 in the Recorder's Office, Licking County, Ohio.

Auditor's Parcel Number: 054-193848-00.000

Street Address: 274 North Cedar Street, Newark, Ohio 43055.

BRM  
8/19/2025

*DESCRIPTION*  
**APPROVED** *FOR ZONING PURPOSES*  
By *Ben Mihal*  
Div. of Engineering  
City of Newark, Ohio

BY: \_\_\_\_\_

AN ORDINANCE APPROPRIATING THE REAL ESTATE BEING A PART OF OUTLOT 5 AS SHOWN ON THE PLAT OF PROPERTY OF THE SIMPSON FOUNDRY AND ENGINEERING COMPANY (1935), AND LAST CONVEYED AND RECORDED AT VOLUME 481, PAGE 57 OF DEED RECORDS, LICKING COUNTY; FOR REPLACEMENT OF A DEFICIENT BRIDGE ON RIVERSIDE DRIVE, OVER LOG POND RUN, WHICH PROVIDES ACCESS TO OWENS CORNING MANUFACTURING PLANT, WITHIN THE CITY OF NEWARK, LICKING COUNTY, OHIO; AUTHORIZING THE DIRECTOR OF LAW TO PROCEED WITH A COMPLAINT FOR APPROPRIATION IN THE LICKING COUNTY COURT OF COMMON PLEAS; AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Chapter 163 authorizes a public agency to appropriate property or a portion thereof for public use; and,

WHEREAS, Ohio Revised Code Chapter 719 authorizes a municipal corporation to appropriate property for bridges, aqueducts, viaducts, and approaches thereto; and,

WHEREAS, the Newark City Council recognizes the necessity of the Appropriation more specifically described in this Ordinance and in Exhibit "A" attached hereto to conduct the maintenance and improvements necessary to complete the replacement of a bridge on Riverside Drive over Log Pond Run; and,

WHEREAS, it is necessary to appropriate the Property described in Exhibit "A" attached hereto for the purpose of replacement of a bridge on Riverside Drive over Log Pond Run, the last known owner of said property being The Capitol Corporation, successor to North Fork Realty, Inc.: and,

WHEREAS, it is immediately necessary to proceed with this improvement project due to the fact that the replacement of the bridge on Riverside Drive over Log Pond Run enhances the health, safety, and welfare of the citizens of the City of Newark, Ohio and there is a significant and essential interest to complete the project within the present construction time table.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF NEWARK, COUNTY OF LICKING AND STATE OF OHIO, THAT:

SECTION ONE: Fee simple title in and to the respective portions of the Property described in attached Exhibit "A" is hereby appropriated for the public purpose of the bridge replacement on Riverside Drive over Log Pond Run project pursuant to Federal, State, and Local Laws and Regulations.

SECTION TWO: The City of Newark Council finds the appropriation to be necessary to carry out the public purpose of the maintenance and improvements to the bridge on Riverside Drive

over Log Pond Run, that the Property Owner has been unable to agree with the City as to the fair market value of the land to be appropriated and that it is necessary to take immediate possession of the Property to be appropriated to achieve the public purpose set forth herein.

SECTION THREE: The Director of Law or her designee is hereby authorized to file a Complaint for Appropriation in the Licking County Court of Common Pleas and to have a jury impaneled to assess the compensation to be paid for the real estate described in the attached Exhibit "A."

SECTION FOUR: The City of Newark Council hereby fixes the value of the fee simple interest in the portions of the Property specified herein and specifically delineated in Exhibit "A" as \$300.00 and authorizes the depositing of the same with the Clerk of the Licking County Court of Common Pleas for the use and benefit of the Owners of the portions of the Property appropriated. Upon such deposit, the City of Newark shall be authorized to enter upon the Property and take possession of the same in accordance with the law.

SECTION FIVE: An emergency is declared to exist to preserve the health, safety and welfare of the City of Newark inhabitants. Therefore, this Resolution shall be immediately effective upon passage as provided in City of Newark Charter, Article 4.07.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

DATE FILED WITH THE MAYOR: \_\_\_\_\_

DATE APPROVED BY THE MAYOR: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

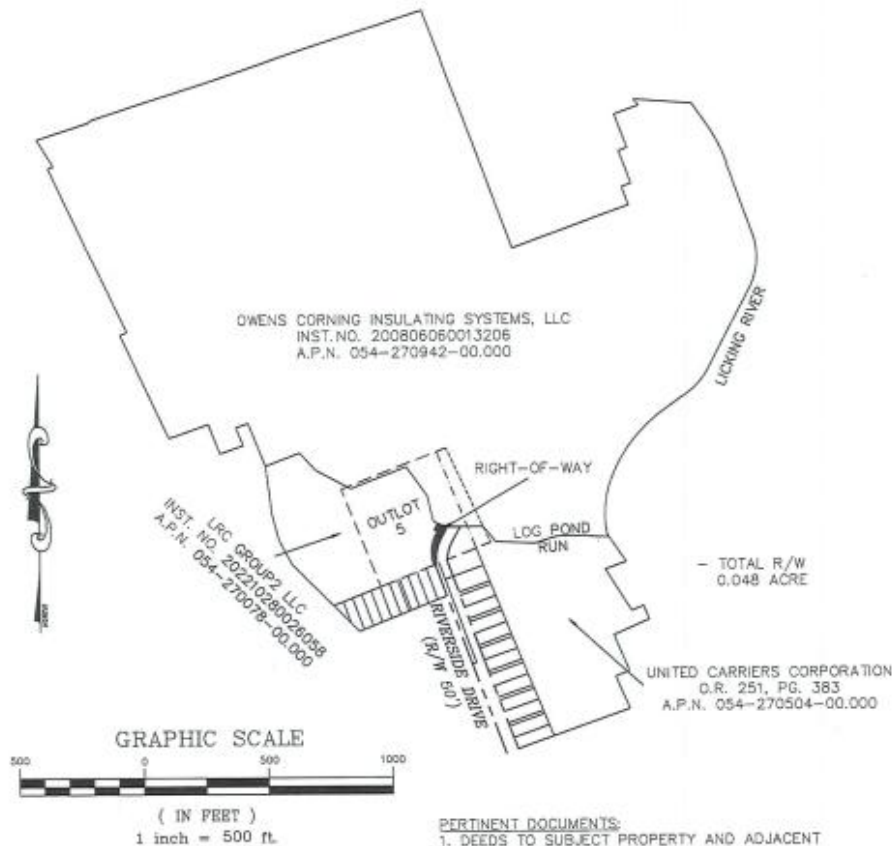
FORM APPROVED: \_\_\_\_\_  
DIRECTOR OF LAW

Prepared by the Office of the Director of Law at the request of the Division of Engineering.

Exhibit "A"

# ACQUISITION OF RIGHT-OF-WAY

PART OF OUTLOT 5, CITY OF NEWARK, LICKING COUNTY, OHIO



## LEGEND

- OUTLOT 5
- CALCULATED EAST LINE OF OUTLOT 5 PER RECORD DEEDS
- EAST LINE OF OUTLOT 5 PER PLAT OF SIMPSON'S FOUNDRY

## PERTINENT DOCUMENTS:

1. DEEDS TO SUBJECT PROPERTY AND ADJACENT PROPERTIES AS SHOWN.
2. SUBDIVISION PLATS AS SHOWN.
3. SURVEYS, BY OTHERS, FOUND AT COUNTY ENGINEER'S OFFICE.
4. ORIGINAL RIGHT-OF-WAY OF RIVERSIDE DRIVE PER D.B. 313, PG. 11, DATED MAY, 1935.
5. 50' RIGHT-OF-WAY OF RIVERSIDE DRIVE PER D.B. 384, PG. 493, DATED JULY, 1946.
6. SIMPSON FOUNDRY & ENGINEERING CO. DATED APRIL, 1935 OF THE COUNTY ENGINEERS.
7. OLD TAX MAP LINEN CITY DRAWING 00000251 OF THE COUNTY ENGINEERS.
8. CITY OF NEWARK ORDINANCE NO. 76-13.

BASIS OF BEARING: BEARINGS SHOWN HEREON ARE BASE UPON STATE PLANE COORDINATE SYSTEM OHIO SOUTH ZONE NAD83(2011) AS OBSERVED IN AUGUST, 2024, AND ARE INTENDED TO BE USED ONLY TO DETERMINE ANGLES.

THIS PLAT WAS PREPARED BY SMART SERVICES, INC. AND IS A TRUE AND ACCURATE REPRESENTATION, TO THE BEST OF OUR KNOWLEDGE AND BELIEF, OF A SURVEY MADE BY SAME IN AUGUST 2024.

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE POLICY; ALL OWNERSHIP SHOWN IS BASED UPON RECORD DATA ACQUIRED AT THE TIME OF SURVEY.

EASEMENTS MAY EXIST ON SUBJECT PROPERTY THAT WOULD BE REVEALED IN A TITLE EXAMINATION.



*Taylor R. Schoeff* 6/25/25  
TAYLOR R. SCHOEFF OHIO REG. SURVEYOR NO. 8856

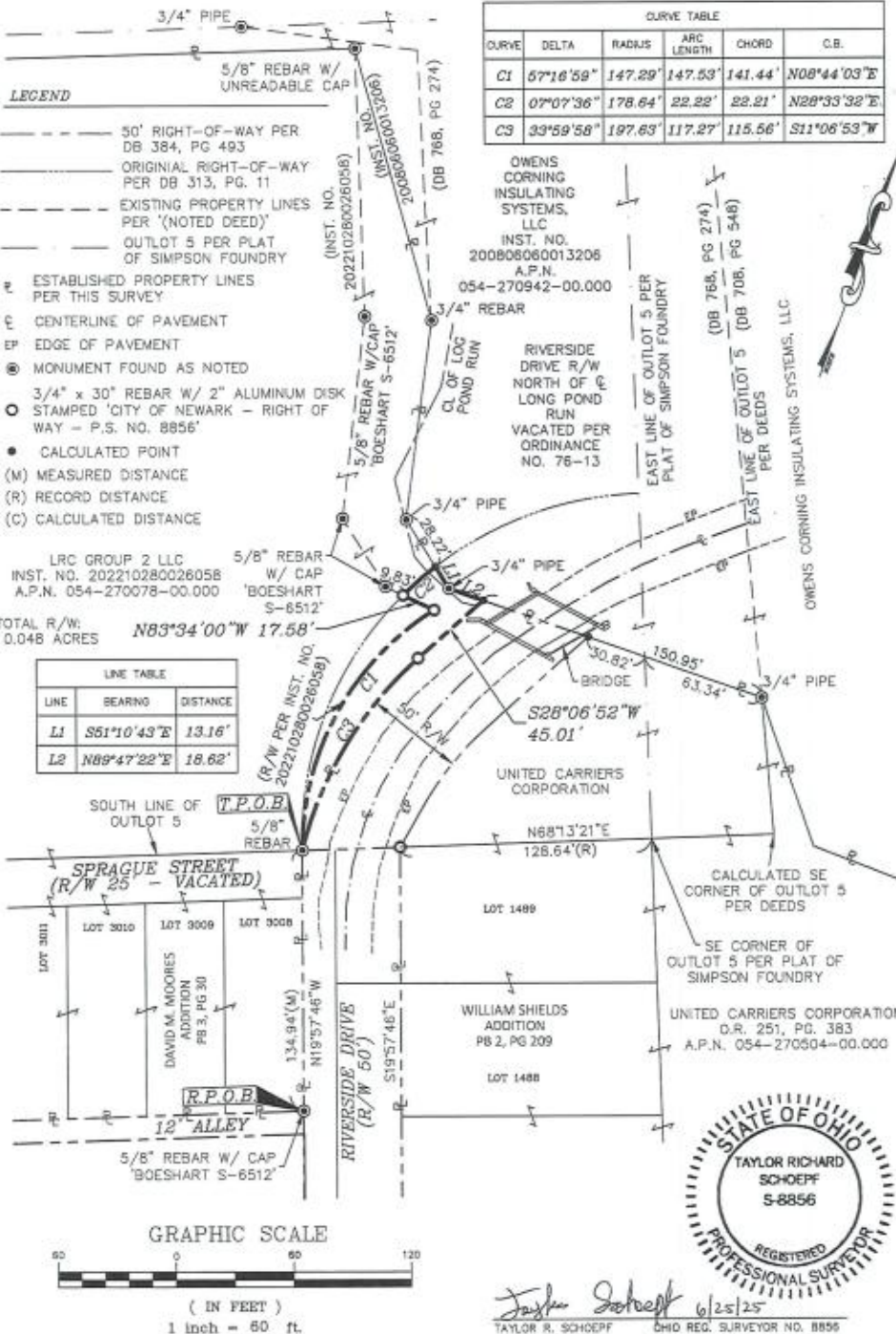
DRAWN BY: TRS	DATE: 6/25/2025
CHECKED BY: TRS	DRAWING NO.: 863402 Title Sheet
JOB NO.: 863402	SHEET 1 OF 4



PREPARED BY:  
**SMART**  
SURVEYING-ENGINEERING-ENVIRONMENTAL  
SERVICES  
88 N. CHURCH STREET, NEWARK, OHIO 43055  
PHONE: (740) 345-4300 FAX: (740) 321-4705

# ACQUISITION OF RIGHT-OF-WAY

PART OF OUTLOT 5, CITY OF NEWARK, LICKING COUNTY, OHIO



DRAWN BY: TRS DATE: 6/25/2025  
CHECKED BY: TRS DRAWING NO.: 863402  
JOB NO.: 863402 SHEET 2 OF 4

PREPARED BY:  
**SMART**  
SURVEYING-ENGINEERING-ENVIRONMENTAL  
SERVICES  
88 N. CHURCH STREET, NEWARK, OHIO 43025  
PHONE: (716) 345-1700 FAX: (716) 345-1708



Acquisition of Right-of-Way  
0.048 Acre  
June 25, 2025  
Page 3 of 4

Situate in the State of Ohio, County of Licking, City of Newark, being part of Outlot 5 of said City of Newark, Outlot 5 being as shown on the Plat of Simpson Foundry & Engineering Co., drawing 2307-1 of the Licking County Engineers, to be conveyed to the City of Newark to be used as a public right-of-way being an extension of the right-of-way of Riverside Drive (50 foot right-of-way width) by Deed Book 384, Page 493 of the Licking County Recorder's Office, said parcel being bound by the following four (4) properties: property conveyed to LRC Group 2 LLC by Inst. No. 202210280026058, the original right-of-way of Riverside Drive established by Deed Book 313, Page 11, property conveyed to Owens Corning Insulating Systems, LLC by Inst. No. 200806060013206, and said 50' right-of-way of Riverside Drive, and being particularly described as follows:

Beginning for reference at a 5/8" Rebar w/Cap 'BOESHART S-6512' Found at the southeast corner of Lot 3008 of David M. Moore's Addition as recorded in Plat Book 3, Page 30, said point being in the westerly right-of-way line of Riverside Drive, said corner being a southeasterly corner of said LRC Group property;

Thence along said westerly right-of-way of Riverside Drive, said right-of-way being an easterly line of said LRC property, *North 19 degrees 57 minutes 46 seconds West, 134.94 feet* to a 5/8" Rebar Found at the intersection of said westerly right-of-way of Riverside Drive and the southerly line of said Outlot 5, said point being the **True Place of Beginning** of the right-of-way parcel herein described:

Thence continuing along said easterly line of LRC property being a curve to the right, having a delta angle of 57 degrees 16 minutes 59 seconds, a radius of 147.29 feet, an arc length of 147.53 feet, and a chord which bears **North 08 degrees 44 seconds 03 minutes East, 141.44 feet** to an Iron Pin Set;

Thence along an easterly line of said LRC property, **North 83 degrees 34 minutes 00 seconds West, 17.58 feet** to an Iron Pin Set, said point being the intersection of said easterly line of LRC property with said original right-of-way of Riverside Drive, said point being referenced by a 5/8" Rebar Found with cap stamped 'BOESHART S-6512' found continuing along said line *North 83 degrees 34 minutes 00 seconds West, 9.83 feet* from said Iron Pin Set;

Thence along said original right-of-way of Riverside Drive being a curve to the right, having a delta angle of 07 degrees 07 seconds 36 minutes, a radius of 178.64 feet, an arc length of 22.22 feet, and a chord which bears **North 28 degrees 33 minutes 32 seconds East, 22.21 feet** to a point in the centerline of Log Pond Run, said centerline being the westerly line of said Owens Corning LLC property;

Thence along said centerline of Log Pond Run, **South 51 degrees 10 minutes 43 seconds East, 13.16 feet** to a 3/4" Iron Pipe Found;

Thence continuing along said centerline of Log Pond Run, **North 89 degrees 47 minutes 22 seconds East, 18.62 feet** to a point, said point being the intersection of said centerline of Log Pond Run with the northerly line of said 50' right-of-way of Riverside Drive, said point being referenced by a 3/4" Pipe Found continuing along said centerline of Log Pond Run *North 89 degrees 47 minutes 22 seconds East, 150.95 feet* from said Iron Pin Set;

Thence leaving said centerline of Log Pond Run, along said northerly 50' right-of-way line of Riverside Drive, **South 28 degrees 06 minutes 52 seconds West, 45.01 feet** to an Iron Pin Set;





Acquisition of Right-of-Way  
0.048 Acre  
June 25, 2025  
Page 4 of 4

Thence continuing along said 50' right-of-way of Riverside Drive following a curve to the left tangent to the previous course, having a delta angle of 33 degrees 59 minutes 58 seconds, a radius of 197.63 feet, an arc length of 117.27 feet, and a chord which bears **South 11 degrees 06 minutes 53 seconds West, 115.56 feet to the True Place of Beginning**, containing 0.048 acres, more or less. Subject to all legal, easements, rights-of-way, conditions, and restrictions.

All Iron Pin Set are 3/4" x 30" Iron Rebar with a 2" Aluminum Cap stamped "City of Newark - Right-of-Way - P.S. NO. 8856"

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (2011) and are intended to be used only to determine angles.

  
Taylor R. Schoepf, S-8856



This description was prepared by Taylor R. Schoepf, Registered Surveyor No. 8856, of Smart Services, Inc., in May of 2025, and is based on existing records and an actual field survey under the direct supervision of the same.

PRE-APPROVAL	
LICKING COUNTY ENGINEER	
APPROVED <input checked="" type="checkbox"/>	CONDITIONAL <input type="checkbox"/>
APPROVED BY:	
DATE:	06/25/2025

VA  
REV. 04-2020

**VALUE ANALYSIS  
(\$10,000 OR LESS)**

OWNER'S NAME

Unknown Ownership

COUNTY Licking  
ROUTE Riverside Dr  
SECTION N/A  
PARCEL NO. 1-WD  
PROJECT I.D. NO. N/A

Subject	APN(S)				
Address/Location	Zoning	Utilities	No Parcel Number Referenced		
West side of Riverside Drive north of Valley Street, adjacent to 171 Riverside Dr., Newark, OH 43055	GI - General Industrial	All Public	Larger Parcel Size	Larger Parcel Unit	Highest and Best Use
	Min. Site Size - 5 Ac		0.048 Net Acres	Acre(s)	See Comments
Comments					
The subject property consists of one tract of land, which does not have an identifiable auditor's parcel number as a remnant parcel. The subject is located on the west side of Riverside Drive north of Valley Street adjacent to the parcel at 171 Riverside Drive, Newark, OH 43055. Current ownership of the remnant parcel is unknown. With consideration given to the definition of the "larger parcel", the subject property does not have any unity of use or unity of title with any other adjacent or nearby properties. The larger parcel consists of 0.048 gross/net acres per the attached legal description and exhibit. The subject property is currently a vacant sliver piece of land that was left over from a previous transaction. The remnant is located within the Fema Floodway Zone AE per panel number 39089C0334J effective 3/16/2015. The subject property is below the minimum size and is non-conforming. The highest and best use, as vacant, is for assemblage.					

Comparable Sales				
Sale #	Address/Location	Highest and best use	Verification source	Sale Date
458	South side of Township Road 232 (Kaufman Road) just east of State Route 61 (Lincoln Twp.)	See Comments	MLS	3/9/2020
APN(s)		Zoning	Utilities	Sale Price
J24-001-RR-332-03 (Morrow County)		Not Zoned	None	\$1,950.00
				Parcel Size
				1.935 Net Ac
				Unit Value Indication
				\$1,008 / Ac
Comments				
The property was an abandoned rail corridor that was sold off in segments. The highest and best use is for assemblage.				
Sale #	Address/Location	Highest and best use	Verification source	Sale Date
459	South side of the Irwin Road (Not constructed) east of State Route 23 (Troy Twp.)	See Comments	Broker/Agent	9/23/2021
APN(s)		Zoning	Utilities	Sale Price
619-400-05-021-000 (Delaware County)		FR1 - Farm Residential	All Public Close Proximity	\$1,800.00
				Parcel Size
				0.17 Net Ac
				Unit Value Indication
				\$10,588 / Ac
Comments				
The sale was of a small piece of land on the south side of a platted Irwin Road that had not been constructed and did not have access. The property has since been assembled to three other tracts of land that have been sold together. The highest and best use is for assemblage.				
Sale #	Address/Location	Highest and best use	Verification source	Sale Date
460	South side of Mariemont Drive N. across from Russel St. behind 95 Mariemont Dr. N. (Westerville)	See Comments	Broker/Agent	6/1/2021
APN(s)		Zoning	Utilities	Sale Price
080-001310-00 (Franklin County)		R2 - One Family Residential	All Public	\$6,000.00
				Parcel Size
				0.15 Net Acres
				Unit Value Indication
				\$40,000 / Ac
Comments				
The rear land sale did not have access and was assembled to 95 Mariemont Dr. The highest and best use is for assemblage.				



**Overall Comments / Reconciliation****Comments**

Land valuation is based on sales numbered VL-458, VL-459, and VL-460, which are referenced in this analysis. Because of the limited number of competitive property sales in the subject's market area, the search parameter for time and location were expanded. Though these sales were not the only ones inspected, they are the most relevant cross section of available data for valuation of the subject site. The subject has a site size of 0.048 net acres which is outside the range of the comparables of 0.15 acres to 1.935 acres and range in unit value from \$1,008/Ac to \$40,000/Ac. When correlating a unit value, location, availability to public utilities, size, shape, utility, topography, encumbrances, sale date and zoning are taken into consideration. All the above sales are given consideration with most weight given to sale 458 and a unit value of \$5,000 / Ac seems reasonable and supported within the subject's market area.

Reconciled Value: \$5,000.00 / Ac

**Part Taken - Land**

Parcel # Suffix	Net Take Area	% Acquired	Temporary Take Period	Unit Value	Comments	Total Value
1-WD	0.048 (2,091 SF)	Full Fee		\$5,000.00 / Ac	= \$240	\$240.00
Total:						\$240.00

**Part Taken - Improvements**

Parcel # Suffix	Description	Quantit y	Units	Unit Value	Depreciat ion	Improvement Value
			Choose			
			Choose			
			Choose			
			Choose			
			Choose			
Total:						\$0.00

**Cost to Cure**

Parcel # Suffix	Description	Cost to Cure
Total:		\$0.00

**Preparers Conclusion****Comments**

The concrete bollards connected with chains, metal posts, and fence do not appear to be in the acquisition area. If the site improvements are disturbed and not restored as part of the project, this report may need to be revised.

The project will acquire a remnant piece of land to complete the road improvements of Riverside Drive. Parcel 1-WD will acquire 0.048 acres across the west side of Riverside Drive just east of the property owned by LRC Group 2, LLC. This acquisition will be paid at full fee. See the attached sketches for information on location, shape, and dimensions of the area to be acquired.

Total Estimated Compensation: \$240.00

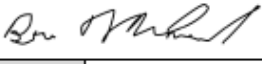
**FMVE Conclusion****Comments**

The total compensation has been adjusted to reflect the ODOT Minimum Award Policy; P&P, Sec. 4000.07 (D).

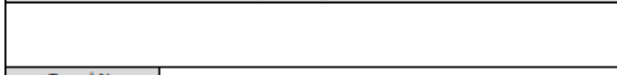
Total FMVE: \$300.00

**Signatures**

Preparer Signature	
	
Typed Name:	Bill Helfrich
Title:	Realty Specialist
Date:	7/18/2025

Agency Signature	
	
Typed Name:	Brian Morehead
Title:	City Engineer - City of Newark
Date:	<a href="#">Click to enter date. 7/22/2025</a>

**Administration Settlement**

Agency Signature			
			
Typed Name:		FMVE Amount:	
Title:		Additional Amount:	
Date:	<a href="#">Click to enter date.</a>	Total Settlement:	

THE PERSON PERFORMING THIS ANALYSIS MUST HAVE SUFFICIENT UNDERSTANDING OF THE LOCAL REAL ESTATE MARKET TO BE QUALIFIED TO MAKE THE VALUATION | THE PREPARER PERFORMING THIS VALUATION SHALL NOT HAVE ANY INTEREST, DIRECT OR INDIRECT, IN THE REAL PROPERTY BEING VALUED FOR THE AGENCY | COMPENSATION FOR MAKING THIS VALUATION SHALL NOT BE BASED ON THE AMOUNT OF THE VALUATION ESTIMATE | THIS VALUATION COMPLIES WITH THE REQUIREMENTS OF 49 CFR 24.102 (C) (2) (ii)

**REQUIRED ATTACHMENTS**

Photographs & Sketch of the Subject Property Map of Comparable Sales Scoping Checklist	
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**SUBJECT PHOTOGRAPHS**



View of the acquisition area looking north (Taken by Bill Helfrich 7/14/25)



View of the acquisition area looking south (Taken by Bill Helfrich 7/14/25)

**SUBJECT PHOTOGRAPHS**



View of the acquisition area looking north (Taken by Bill Helfrich 7/14/25)



View of the acquisition area looking south (Taken by Bill Helfrich 7/14/25)

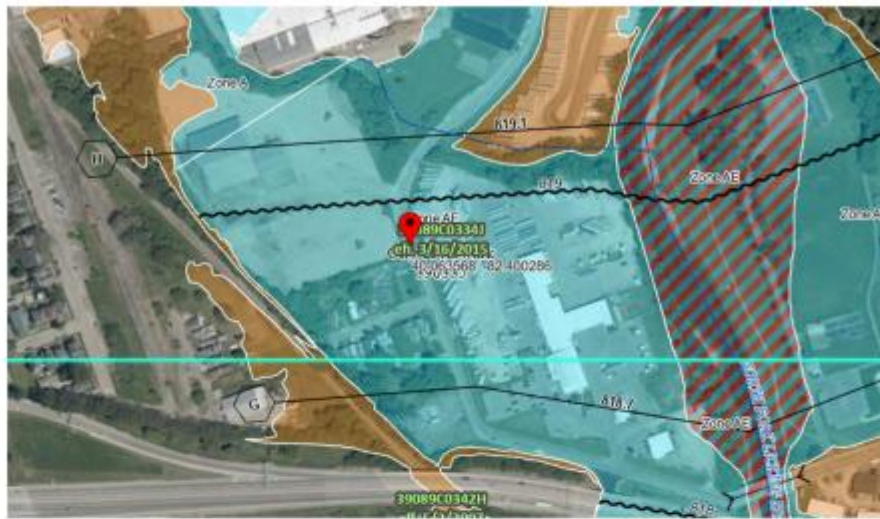
### LARGER PARCEL SKETCH



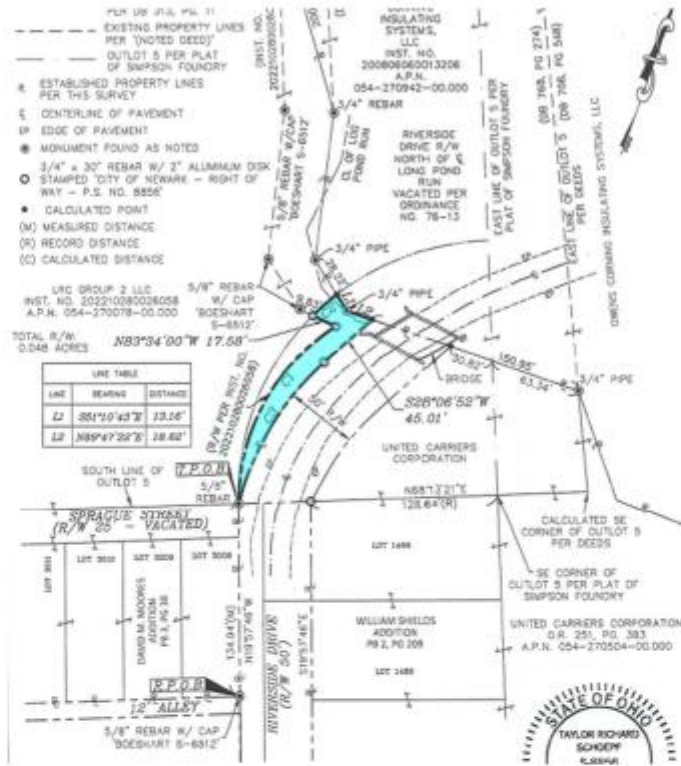
North is up

The property location is approximate and for reference purposes only

# FLOOD MAP



### TAKE AREA SKETCH

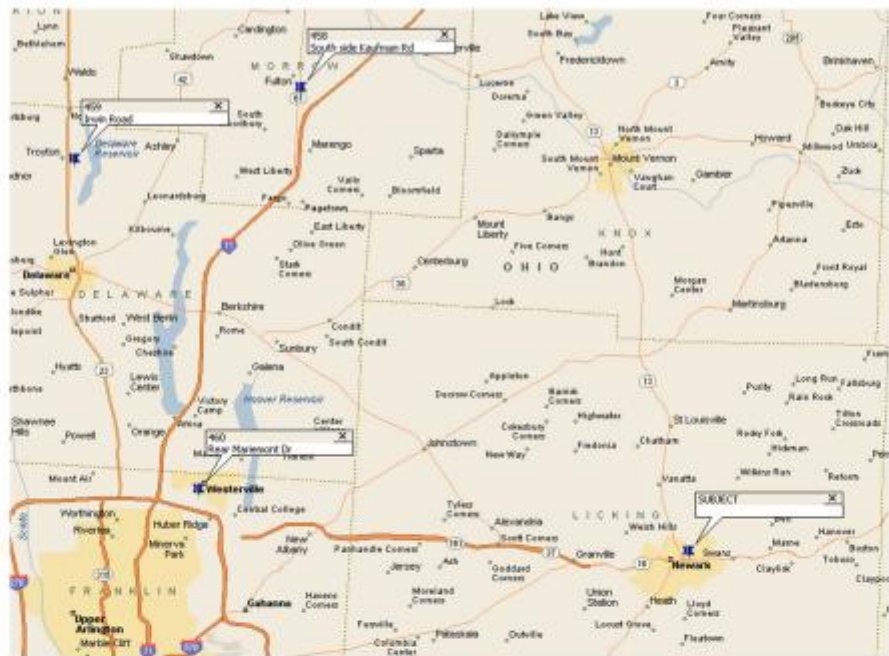


	Gross Take	P.R.O.	Net Take
1-WD	0.048 Ac	0.000 Ac	0.048 Ac

North is up



### Sales Map





**NOTICE OF INTENT TO ACQUIRE  
AND  
GOOD FAITH OFFER**

The Capitol Corporation,  
Successor to North Fork Realty, Inc.  
Last Known Owner

Re: Real estate being a part of Outlot 5 as shown on the plat of property of the Simpson Foundry and Engineering Company (1935), and last conveyed and recorded at Volume 481, page 57 of Deed Records, Licking County

Interest to be Acquired: A fee simple interest in and to the Right of Way

---

**THE NOTICE OF INTENT TO ACQUIRE**

TO: The Capitol Corporation, Successor to North Fork Realty, Inc.

The Newark City Council passed a Resolution on August 4, 2025 in accordance with Ohio Revised Code Section 719.04 declaring the necessity and intent to appropriate the Real Estate being a part of Outlot 5 as shown on the Plat of Property of the Simpson Foundry and Engineering Company (1935) and last conveyed and recorded at Volume 481, Page 57 of Deed Records of Licking County, Ohio, located at Riverside Drive, Newark, Ohio 43055 for the purpose of replacement of the deficient bridge on Riverside Drive, over Log Pond Run. The City will need to acquire the following from you:

A fee simple interest in and to the Right of Way in real estate being a part of Outlot 5 as shown on the plat of property of the Simpson Foundry and Engineering Company (1935), and last conveyed and recorded at Volume 481, page 57 of Deed Records, Licking County.

Ohio law authorizes the City of Newark to obtain a fee simple interest in and to the Right of Way in real estate being a part of Outlot 5 as shown on the plat of property of the Simpson Foundry and Engineering Company for the public purpose of the bridge replacement project. The legal description of your property that the City of Newark needs for the bridge replacement project is set out in the Good Faith Offer that is included with this Notice of Intent to Acquire, that legal description is referred to as **Exhibit "A"** in the Good Faith Offer.

The Good Faith Offer included with this Notice of Intent to Acquire is the City of Newark's determination of the fair market value (FMV) of your property. This FMV is what a willing buyer who is under no compulsion to buy and a willing seller who is under no compulsion to sell would value your property on the open market.

You will have 14 days from the time you receive the Good Faith Offer included with this Notice of Intent to Acquire to accept or reject the offer. We are available to discuss the offer with you at any time. You are not required to accept that offer. If you reject the offer or we are unable to come to an agreement, we may have to exercise our eminent domain authority to appropriate your property, which requires a court procedure. In a court proceeding, you may disagree with whether our offer reflects the FMV of the property.

**HERE IS A BRIEF SUMMARY OF YOUR OPTIONS AND LEGALLY PROTECTED RIGHTS:**

1. By law, the City of Newark, is required to make a good faith effort to purchase the Right of Way in real estate being a part of Outlot 5 as shown on the plat of property of the Simpson Foundry and Engineering Company.
2. The City of Newark is to provide you with a written offer and the appraisal or valuation upon which we base that offer. The amount offered to you will not be less than the approved FMV estimate of the property needed for the project. This compensation is based on the valuation of your property by qualified real estate personnel who have analyzed current market data. Their valuation work has been reviewed by a preapproved review appraiser prior to the City of Newark establishing its FMV estimate for your property needed for the project.
3. You do not have to accept this offer and the City of Newark is not required to agree to your demands.
4. You have the right to seek the advice of an attorney, real estate appraiser, or any other person of your choice in this matter.
5. You have a right to object to the City of Newark's decision to acquire your property by writing within ten business days of receiving this notice to:

Jeff Hall  
Mayor of the City of Newark  
40 West Main Street  
Newark, Ohio 43055

The Mayor has the discretion to veto this project, and if he does, it will not proceed.

6. If you do not accept this offer, and we cannot come to an agreement on the acquisition of the Right of Way in real estate being a part of Outlot 5 as shown on the plat of property of the Simpson Foundry and Engineering Company, the City of Newark has the right to file suit to acquire the Right of Way in real estate being a part of Outlot 5 as shown on the plat of property of the Simpson Foundry and Engineering Company by eminent domain in the county in which the property is located.
7. When filing the appropriation, the City of Newark will deposit the value of the property sought to be acquired with the court. At that time, the City of Newark gains the right to enter upon and use the property acquired subject to Section 163.06(B) of the Ohio Revised Code. If you agree to accept the deposited money as full payment, the appropriation case will be closed.
8. If you are not satisfied with the amount of the deposit, you must file an answer with the court in the manner and within the time specified in the summons which is served upon you by the court. Once the answer is filed, you may apply to the court to withdraw the deposited money, subject to the rights of any other parties having an interest in the property. Withdrawing your share of the deposit does not interfere with your right to have a jury determine the FMV of your property. Interest will not accrue on any money deposited under this procedure. If the money withdrawn under this procedure should exceed the final award, the owner will be required to return the excess payment.
9. As part of your answer you may request a trial by jury. After a trial, a jury will decide the amount you are to be awarded for your property that is acquired, for damage that is caused by the acquisition, if applicable, and for other damages permitted by law, which could either exceed or be less than our offer. At the trial you may testify and present evidence as to the value of your property.
10. You may employ, at your own expense, appraisers and attorneys to represent you at this time or at any time during the proceedings described in this notice.
11. If we go to court to determine the amount we pay for your property and the jury awards you an amount that is significantly in excess of the good faith offer, revised offer, or offer made after an

exchange of appraisals, as provided by law, you may be entitled to recover attorney fees, costs, and expenses, subject to certain statutory limits.

12. You also have the right to request that the issue of the value of your property be submitted to nonbinding mediation. You must submit your written request for mediation within ten business days after you file your answer. If a settlement is not reached at mediation, the matter will proceed to a jury valuation trial.

---

### **THE GOOD FAITH OFFER**

The amount offered to you in good faith as just compensation for the acquisition of a fee simple interest in and to the Right of Way in real estate being a part of Outlot 5 as shown on the plat of property of the Simpson Foundry and Engineering Company (1935), and last conveyed and recorded at Volume 481, page 57 of Deed Records, Licking County (more specifically described in **Exhibit "A"**):

Real Property To Be Acquired	\$240.00
Adjustment to Reflect ODOT Minimum Award Policy	\$60.00
<hr/>	
Total Good Faith Offer	\$300.00

Tenant-owned improvements, if any, are to be identified in this Good Faith Offer, and if there are any such improvements, the amount offered to you does not include compensation for these improvements. There are no tenant-owned improvements.

Your property may be encumbered with a mortgage lien as security for a loan. It is possible that the City of Newark may conclude this acquisition of property without obtaining a partial release of such mortgage lien from your lender. In that event, you as the borrower and grantor of the mortgage lien should consult your loan and mortgage documents concerning possible requirements to apply proceeds from a public acquisition to your outstanding loan balance, or contact your lender about responsibilities and obligations when your part of the property is acquired for public use.

While the City of Newark may not provide legal advice, we will make all efforts to answer questions you have concerning this process and provide any copies of the law or our records that you may need to fully understand your rights, the project, and the process. If you have any questions concerning this matter, you may contact us at:

Jeff Hall  
Mayor of the City of Newark  
40 West Main Street  
Newark, Ohio 43055  
740-670-7510

## Exhibit "A"



**Acquisition of Right-of-Way**  
**0.048 Acre**  
**June 25, 2025**  
**Page 3 of 4**

Situate in the State of Ohio, County of Licking, City of Newark, being part of Outlot 5 of said City of Newark, Outlot 5 being as shown on the Plat of Simpson Foundry & Engineering Co., drawing 2307-1 of the Licking County Engineers, to be conveyed to the City of Newark to be used as a public right-of-way being an extension of the right-of-way of Riverside Drive (50 foot right-of-way width) by Deed Book 384, Page 493 of the Licking County Recorder's Office, said parcel being bound by the following four (4) properties: property conveyed to LRC Group 2 LLC by Inst. No. 202210280026058, the original right-of-way of Riverside Drive established by Deed Book 313, Page 11, property conveyed to Owens Corning Insulating Systems, LLC by Inst. No. 200806060013206, and said 50' right-of-way of Riverside Drive, and being particularly described as follows:

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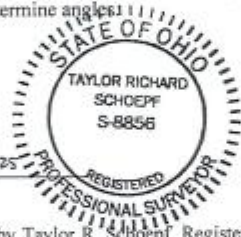
Acquisition of Right-of-Way  
0.048 Acre  
June 25, 2025  
Page 4 of 4

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*Taylor R. Schoepf* 6/25/25  
Taylor R. Schoepf, S 8856



This description was prepared by Taylor R. Schoepf, Registered Surveyor No. 8856, of Smart Services, Inc., in May of 2025, and is based on existing records and an actual field survey under the direct supervision of the same.

PRE-APPROVAL	
LICKING COUNTY ENGINEER	
APPROVED <input checked="" type="checkbox"/>	CONDITIONAL <input type="checkbox"/>
APPROVED BY:	<i>GR</i>
DATE:	<i>06/24/2025</i>

**Abbreviated Notice of Intent to Acquire and Good Faith Offer pursuant to ORC 7.16**

The following party, namely: Last Known Owner: The Capitol Corporation, successor to North Fork Realty, Inc. is hereby notified that on August 4, 2025, the Newark City Council passed a Resolution in accordance with Ohio Revised Code Section 719.04 declaring the necessity and intent to appropriate the Real Estate being a part of Outlot 5 as shown on the Plat of Property of the Simpson Foundry and Engineering Company (1935) and last conveyed and recorded at Volume 481, Page 57 of Deed Records of Licking County, Ohio, located at Riverside Drive, Newark, Ohio 43055 for the purpose of replacement of the deficient bridge on Riverside Drive, over Log Pond Run, said property more fully described in Exhibit "A" attached to the Notice of Intent to Acquire and Good Faith Offer published in its entirety. The Licking County Public Records indicate that The Capitol Corporation, successor to North Fork Realty, Inc. is the last known owner, and has an interest in the property in question. The Notice of Intent to Acquire and Good Faith Offer was posted in its entirety on the official public notice website at: [Public Notices Ohio | Ohio News Media Association](#)

If you have any questions concerning this matter, you may contact:

Jeff Hall  
Mayor of the City of Newark  
40 West Main Street  
Newark, Ohio 43055  
740-670-7510  
[jbubb@newarkohio.net](mailto:jbubb@newarkohio.net)

RESOLUTION NO. 25-57

BY: \_\_\_\_\_

**A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE  
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND  
CERTIFYING THEM TO THE COUNTY AUDITOR; AND DECLARING AN EMERGENCY**

**(CITY COUNCIL)  
Revised Code, Secs. 5705.34-5705.35**

The Council of the City of Newark, Licking County, Ohio, met in \_\_\_\_\_ (regular or  
special) session on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at the office of  
\_\_\_\_\_ with the following members present:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Mr. \_\_\_\_\_ moved the adoption of the following Resolution: for the next  
succeeding fiscal year commencing January 1, 2026; and

WHEREAS, The Budget Commission of Licking County, Ohio, has certified its action thereon to this  
Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by  
this Council, and what part thereof is without, and what part within the ten-mill limitation; and

WHEREAS, this Resolution is hereby deemed an emergency pursuant to Charter Article 4.06 in that it is  
necessary for the immediate preservation of the public peace, health, safety, or welfare of the citizens of  
the City of Newark, Ohio, to meet the October 1, 2025 deadline.

NOW, THEREFORE, be it RESOLVED by the Council of the City of Newark, Licking County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and

Be it further RESOLVED, that there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten-mill limitation as follows:

**SEE ATTACHED SCHEDULE A AND B**

Be it further RESOLVED, that the Clerk of this Council be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County; and

Be it further RESOLVED, that this Resolution shall take effect immediately as an emergency for the reasons as stated herein pursuant to Newark City Charter Article 4.07 and remain in full force and effect thereafter.

Mr. \_\_\_\_\_ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr. \_\_\_\_\_

Mr. \_\_\_\_\_

Mr. \_\_\_\_\_

Mr. \_\_\_\_\_

Mr. \_\_\_\_\_

Mr. \_\_\_\_\_

Mr. \_\_\_\_\_

Mr. \_\_\_\_\_

Mr. \_\_\_\_\_

Mr. \_\_\_\_\_

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
PRESIDENT OF COUNCIL



ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

DATE FILED WITH MAYOR: \_\_\_\_\_

DATE APPROVED BY MAYOR: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

FORM APPROVED: \_\_\_\_\_  
DIRECTOR OF LAW

Resolution No.25-58 Exp

BY: \_\_\_\_\_

A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

WHEREAS, to properly, efficiently, and expeditiously conduct business of the City of Newark in the best interest of its citizens, there is an immediate requirement for a certain financial transaction as indicated.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, STATE OF OHIO.

Section 1. There is hereby an appropriation of the unappropriated balance of the 231 Adult Probation Fund, in the amount of \$573.40 (Unspent funds from CCA 2.0 Grant)

231.113.5289	Other gov't billings	573.40
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Section 2. There is hereby an appropriation of the unappropriated balance of the 621 Fund, in the amount of \$300,000.00 (Waterline extension to PCA site)

621.706.5521	Water Lines	300,000.00
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This resolution is a measure providing for an appropriation for current expenses of the municipal corporation; it shall go into effect pursuant to Section 4.07 of the Charter of the City of Newark, Ohio.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

President of Council \_\_\_\_\_

Attest Clerk of Council \_\_\_\_\_

Date filed with Mayor \_\_\_\_\_

Date approved by Mayor \_\_\_\_\_

Mayor \_\_\_\_\_

Approved as to form Director of Law \_\_\_\_\_

RESOLUTION NO. 25-59

BY: \_\_\_\_\_

**A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF  
PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO A NEW  
MANAGEMENT AGREEMENT WITH 33 WEST MAIN, LLC TO OPERATE  
THE PROPERTY LOCATED AT 33 WEST MAINS STREET, NEWARK, OHIO,  
("PROPERTY") SUBJECT TO THE APPROPRIATION OF FUNDS**

**WHEREAS**, the City of Newark, Ohio ("City") purchased the Property from 33 West Main, LLC for the purpose of future expansion of the City administration building in the anticipation of the addition of a third courtroom for the Municipal Court which is housed in the current City Hall at 40 West Main Street, Newark, Ohio and the need for additional space for the City due to anticipated growth; and,

**WHEREAS**, prior to the purchase of the Property by the City, 33 West Main LLC, owned, operated, and maintained the building and its grounds as well as collected rents from current lease holders; and

**WHEREAS**, the City wishes to allow the current residents to continue with their leases/rental agreements until such time as the City moves forward with expansion plans and occupation of the Property; and

**WHEREAS**, the Council for the City, pursuant to R.C. 721.23 has permitted the use of the public building by way of Ordinance \_\_\_\_\_, for continued use by the residents under current lease agreements until such time as the City is ready to expand and occupy the Property; and,

**WHEREAS**, the City desires to negotiate and enter into a management agreement with 33 West Main, LLC for the continued leasing, maintenance, operation and repair of the Property; and

**WHEREAS**, this matter came before the Public Service Committee on September 2, 2025, which recommended consideration of the same by full Council.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY  
OF NEWARK, COUNTY OF LICKING, STATE OF OHIO, THAT:**

**SECTION ONE:** The Director of Public Service is hereby authorized and directed to negotiate and enter into a management agreement with 33 West Main, LLC for the maintenance and operation of the Property, subject to the appropriation of funds.

**SECTION TWO:** This Resolution shall be effective at the first date permitted as provided in Article 4.07 of the Charter of the City of Newark.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

Attest: \_\_\_\_\_  
Clerk of Council

Date Filed with Mayor: \_\_\_\_\_

Date Approved by Mayor: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Form Approved: \_\_\_\_\_  
Director of Law

Resolution Prepared by The Office of The Director of Law