

CANAL LANDS CONVEYANCE REVIEW FORM

FILE **COUNTY:** Miami **STATION #s** 8143 - 8151 **Plat #** 179

LOCATION OF PARCEL: Section 9, Concord Twp., Miami County

SQ FT/ACRES: ½ ACRE

APPLICANT'S NAME: Benjamin Grilliot

ADDRESS: 2153 North County Rd. 25A

CITY: Troy, Ohio **ZIP:** 45373

APPLICANT'S INTENDED USE OF PROPERTY: Driveway access

Is applicant an adjoining property owner? Yes No

Does applicant agree to accept a trail easement? Yes No N/A

PERTINENT BACKGROUND INFORMATION:

Mr. Grilliot desires to sell his adjacent property on County Road 25A. He states he was not aware of the existence of the 25 ft wide strip of State owned Canal Land between his property and North County Rd. 25A. Upon learning of this situation through survey work, Mr. Grilliot first requested a lease. During the time that paperwork was in progress to execute this lease, Mr. Grilliot reported that, due to the current mortgage landing climate, he is unable to find a lender that will accept the Canal Lands lease instrument for property access purposes. A 31 year lease was then offered, to no avail. Therefore Mr. Grilliot desires to purchase the Canal Lands property so that he may proceed with the sale of his property.

HISTORIC ISSUES:

- 1) Are there any existing intact historical canal features on or near the subject parcel? (Locks, aqueducts, canal buildings, etc.) Yes No
If yes, explain _____

- 2) Is the subject canal parcel currently used as a waterway or is it used for water supply or water control reflective of its historical purpose? Yes No

- 3) Will the proposed conveyance diminish significant historical canal features near or within the parcel? Yes No N/A

- 4) Is there a local entity interested in preservation of these historic features? Yes No N/A

Name of local entity(s) _____

ENVIRONMENTAL ISSUES:

- 5) Does the subject parcel have significant wetland qualities? Yes No
If yes, explain: _____
- 6) Does the subject parcel have significant habitat qualities? Yes No
If yes, explain: _____
- 7) Is the subject parcel in a floodplain? Yes No
If yes, how would this affect the applicant's intended use of the parcel?
_____ The intended use of the parcel will be unaffected by flooding.
- 8) Are there any environmental concerns/issues with the land? Yes No
If yes, explain: _____

LAND PLANNING ISSUES:

- 9) Has the appropriate local recreation agency been contacted concerning the proposed conveyance? Yes No
Name of agency or official(s): Miami County Park District and Troy City Parks
- 10) Has the State Trail Coordinator been contacted concerning the proposed conveyance? Yes No
- 11) Will the proposed conveyance conflict with proposed recreational trails in statewide, regional, county or local plans? Yes No
- 12) Based on current knowledge and existing public land ownership, does the subject parcel have potential as a part of a future trail or greenway? Yes No
Explain: Very little Canal Land is still available in this Troy - Piqua stretch. Much of it was used years ago during County Rd 25A roadway work. A nearby parallel trail is currently under construction (see Great Miami River Recreational Trail map) that should satisfy need for a north-south trail in this vicinity.
- 13) Will the proposed conveyance conflict with other established regional and/or community plans? How was this determined? Yes No
Plans for providing recreational trail opportunities between Troy and Piqua are currently being implemented through the construction of a trail running parallel to M&E Canal Lands. This was determined through review of a funded Clean Ohio Trails project file.

REAL ESTATE ISSUES:

- 14) Are there any structures/encroachments on the land? Yes No
 If yes, explain: driveway
- 15) Is there a potential title or sale issue associated with this land? Yes No
 If yes, Explain: see PERTINENT BACKGROUND INFORMATION
- 16) Does the applicant have a lease, license, or easement? Yes No
- 17) Is there an unpaid lease/license fee? Yes No
 If yes, how much? _____
- 18) Were photographs taken of property? Yes No
 Approximate date of photographs: _____

CANAL LANDS STAFF RECOMMENDATION:

This proposal should proceed to the 30 day public review stage.

– M. Fitch, Canal Lands Coordinator, Ohio State Parks, 8-10-2011

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF PARKS AND RECREATION
STATE CANAL LANDS
APPLICATION FOR USE OF CANAL LANDS



Today's Date: 7/15/2011 _____

Request by: Benjamin L Grilliot _____
Name of Applicant / Organization Contact Person

222 Grant St. _____
Address

Troy, Oh 45373 _____
City, State, Zip code

Location of subject canal land: county, township, road intersection, canal station, plat map number, etc.
Land Located at 2153 North County Road 25A

Type of property request - Check appropriate option(s)

Lease Right of Entry Easement License Transfer/Purchase Temporary/Other

Describe the specific activity that is proposed for the canal property. For example, surveying, recreation use, construction, equipment staging area, etc.

The Canal land that I am proposing to buy is located adjacent to my property, and is currently preventing the sale of my house as it is located between my house and County Road 25a. As the title insurance company has stated my property is currently "land locked" by the Canal land owned by the State of Ohio. I am proposing to buy it for the purpose of resolving this conflict.

Attachment(s) - Please attach a map, plot plan, USGS topographic map, aerial or any other document that clearly illustrates the property location and boundaries.

RETURN COMPLETED FORM AND ATTACHMENTS TO:

David Payne, Chief
Division of Parks and Recreation
Ohio Department of Natural Resources
2045 Morse Road, Bldg C-3
Columbus, Oh 43229



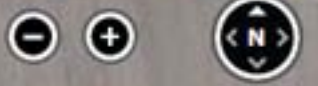
2153 N County Rd 25A, Troy, OHIO

Maps Web Maps

Road Aerial Traffic

Print Share

Wodd • United States • OH • Miami Co



250 feet 50 m

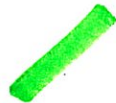
SECTION LINE
BRANCH OF B.F.O. RAILROAD
P.F.T. 2082.66

SUR. 4-191
" 22-139
" 21-30

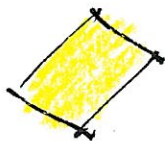
MIAMI COUNTY
DB 437-238

53.906 ACRES

NOTE: ACREAGE SHOWN (BY SUR. VOL. 22, PG. 139)
DOES NOT INCLUDE AN ADJACENT UNDETERMINED
AMOUNT OF LAND BETWEEN THE CENTERLINE OF
COUNTY ROAD 25A AND THE WEST LINE OF THE MIAMI
& ERIE CANAL. ALL OF WHICH IS NOW OWNED BY THE
MIAMI COUNTY COMMISSIONERS.



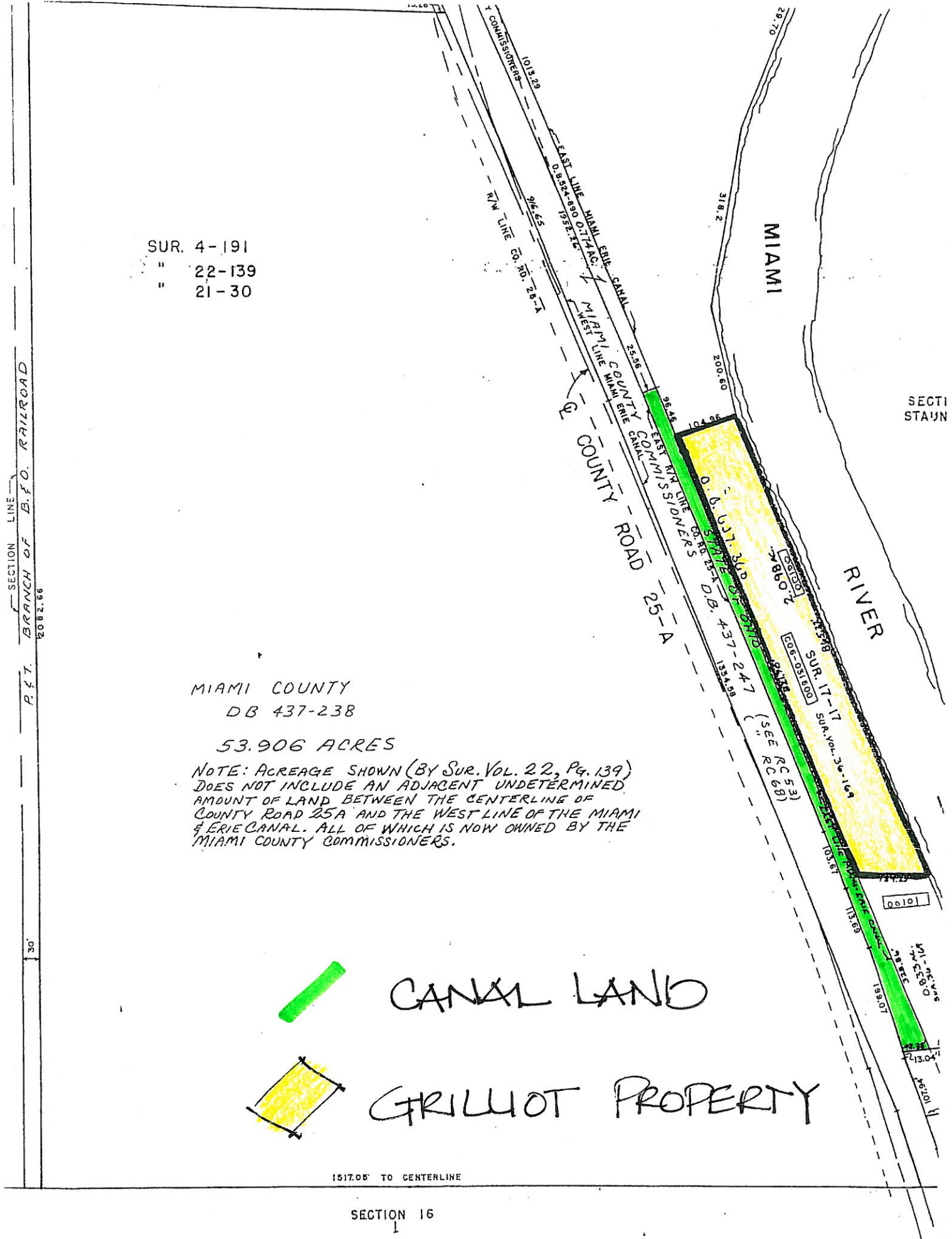
CANAL LAND



GRILLOT PROPERTY

1517.05' TO CENTERLINE

SECTION 16



SECTI
STAWN



33

25A

14

Eldean Rd

Eldean

Subject Canal Land

Lytle Rd

Lytle Rd

Troy-Sidney Rd

Paul G Duke Park

Miami County Fairgrounds

4



State owned Canal Land

Great Miami River Recreational Trail Lytle to Eldean Section

Troy Quad,
Miami Co.

Twin Arch Reserve,
Miami Co. Park District

project route

[Redacted Box]

Subject Canal Land

New Trail Shown in Red

