

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



Today's Date: 2-24-10

Request by: Noble & Squire Properties
Name of Applicant / Organization

Kraig Noble
Contact Person

146 E. Spring St.
Address

419-394-7441
Telephone and Fax Fax 419 394 7694

St. Marys OH 45885
City, State, Zip code

knoble@nmmlawyers.com
Email

Location of subject canal land: county, township, road intersection, canal station, plat map number, etc.

Lease No. M-88 - City of St. Marys, Auglaize County
Corner of building located at 146 E. Spring St. St. Marys OH

Type of property request - Check appropriate option(s) --

Lease Right of Entry Easement License Transfer Temporary/Other

→ purchase the ground

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

The building owned by the applicant sits partially in the canal
right of way. Transfer of the land will in no way alter the
current use or location of the canal

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:

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

RECEIVED

Mar
JAN 01 2010

PLANNING & DEVELOPMENT
GROUP

2-23-2010

CANAL LANDS CONVEYANCE REVIEW FORM

FILE #M-88 COUNTY: Auglaize STATION: located along a hydraulic Plat # 122C

LOCATION OF PARCEL: City of St. Marys

SQ FT/ACRES: 233 Sq. Ft.

APPLICANT'S NAME: Noble and Squire Properties

ADDRESS: 146 E. Spring St.

CITY: St. Marys ZIP: 45885 PHONE #: 419-394-7441

INTENDED PURPOSE: The 233 sq. ft parcel is located under an existing commercial building. Building owner desires to own entire building footprint.

BACKGROUND INFORMATION: Owner has paid a lease payment for many years.

PERTINENT INFORMATION:

- 1) Are there any historical features on or near the parcel of land that will be conveyed? If Yes, Explain: **A canal boat replica and restored lock area are in the nearby downtown neighborhood.** **Yes** No
- 2) Is the canal parcel having any usage as a waterway, water supply or water control that is reflective of its historical purpose? Yes **No**
- 3) Will the proposed conveyance diminish the significant historical canal features near or on the parcel? Yes **No**
- 4) Is there local preservation support to protect the parcel to be conveyed? Yes No **N/A**
- 5) Does the parcel to be conveyed have any wetland qualities or is a part of a wetland? Yes **No**
- 6) Does the proposed conveyance preserve the habitat values of the land? Yes **No**
- 7) Does the proposed conveyance preserve the use as in floodplain management, storm water retention, water quality, or water supply functions? Yes **No**
- 8) Will the proposed conveyance conflict with proposed or potential recreational trails in statewide, regional, county or local plans? Yes **No**
- 9) Have local recreation agencies been contacted concerning the proposed conveyance? **Concurrent notification** **Yes** No

Name of Office or Officials: **Allison Brady, Executive Director, Heritage Trails Park District**

- 10) Are there any **structures**/encroachments on the proposed parcel? **Yes** No

- | | | |
|---|------------|-----------|
| 11) Are there any environmental concerns/issues with the land?
Any Documentation? Explain _____ | Yes | No |
| 12) Will the proposed conveyance conflict with established regional
and or community planning activities? | Yes | No |
| 13) Does the local entity support and have the capability to oversee
and/or manage the proposed conveyance? | Yes | No |
| 14) Is applicant an adjoining property owner? | Yes | No |
| 15) Is there a potential title or sale issue associated with this land?
If Yes, Explain: Potentially, future buyers of the building could have difficulty
obtaining a mortgage due to the state's partial ownership of the land under
the building. | Yes | No |
| 16) Does applicant have a lease, license, or easement? | Yes | No |
| 17) Is there any unpaid lease/license fee?
If yes, how much? | Yes | No |
| 18) Is the canal land part of a potential trail/greenway? | Yes | No |
| 19) Are there any structures/encroachments on the land?
What type of structures/encroachment ___ One commercial building. | Yes | No |
| 20) Have local public officials been notified of possible conveyance?
Concurrent notification | Yes | No |
| 21) Is property a potential liability to state due to environmental
hazard, nuisance or others? Explain _____ | Yes | No |
| 23) Were pictures taken of property
Photos obtained online. | Yes | No |

CANAL LANDS REAL ESTATE STAFF RECOMMENDATION:

Maintaining state ownership of this parcel does not appear to be of public benefit. This proposal should proceed to the 30 day public review stage.

– M. Fitch, Canal Lands Coordinator, Ohio State Parks, 2-2-10

K3201531000

146 E. Spring

Mill Street



233 Sq. Ft.
Canal Parcel

Spring Street



K3201531000

**Location of
Canal Parcel**

City of St. Marys