



Legislation Details (With Text)

File #: 0396-2016 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 2/4/2016 **In control:** Public Service & Transportation Committee
On agenda: 2/22/2016 **Final action:** 2/26/2016
Title: To dedicate a 0.9972 acre tract of land as public right-of-way; to name said public right-of-way as Alum Creek Drive and to declare an emergency. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. #3105 Alum Creek Drive Parcel 9-WD RW plans, 2. E03105_ROW_Legal Descriptions 35

| Date | Ver. | Action By | Action | Result |
|-----------|------|------------------------------|----------|--------|
| 2/26/2016 | 1 | CITY CLERK | Attest | |
| 2/25/2016 | 1 | ACTING MAYOR | Signed | |
| 2/22/2016 | 1 | COUNCIL PRESIDENT (approver) | Signed | |
| 2/22/2016 | 1 | Columbus City Council | Approved | Pass |

1. BACKGROUND

The City of Columbus, Department of Public Service is currently engaged in a project identified as Arterial Street Rehabilitation-Alum Creek Drive-Frebis to Refugee project. (aka FRA-CR122-6.22 (PID 85017). This project is to construct 1.28 miles of work for widening and reconstruction of the existing two lane roadway of Alum Creek Drive to a five lane roadway with a two-way left turn lane and the addition of ten foot shared use path on the east side and a 5' sidewalk on the west side of Alum Creek Drive.

During design of the Arterial Street Rehabilitation-Alum Creek Drive-Frebis to Refugee project, it was determined a portion of real property owned by the City of Columbus known as 2100 Alum Creek Drive, Franklin County Parcel Number 010-014029 would need to be dedicated for roadway purposes to accommodate the improvements contemplated by this project. Current plans for the improvements indicate Parcel 9-WD, totaling 0.9972 acre, will need to be dedicated as right of way for this purpose. After review of the preliminary plan sheets, the Department of Public Service has determined the dedication of this property to right of way will not adversely affect the City and should be allowed to proceed.

The following legislation permits the City to dedicate the property as road right-of-way and name the road right-of-way as Alum Creek Drive.

2. FISCAL IMPACT

Not applicable.

3. EMERGENCY DESIGNATION

Emergency action is requested so that construction of the proposed improvements for Arterial Street Rehabilitation-Alum Creek Drive-Frebis to Refugee project can proceed without delay.

To dedicate a 0.9972 acre tract of land as public right-of-way; to name said public right-of-way as Alum Creek Drive and to declare an emergency. (\$0.00)

WHEREAS, Ohio Revised Code Chapter 723.03 requires that property to be used as a public street or alley must be accepted and dedicated as public right-of-way by an ordinance specially passed for such purpose; and

WHEREAS, current plans indicate City owned land, totaling 0.9972 acre will need to be dedicated to right-of-way for this purpose; and

WHEREAS, the City desires to dedicate a 0.9972 acre tract, as public right-of-way; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to dedicate a 0.9972 acre tract, as public right-of-way and to name the 0.9972 acre tract as Alum Creek Drive and proceed without delay, thereby preserving the public health, peace, property, safety and welfare; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the City of Columbus hereby dedicates the following described property as road right-of-way; to-wit:

**PARCEL 9-WD
0.9972 ACRE
Alum Creek Drive-Frebis to Refugee
3105 E**

Situated in the City of Columbus, County of Franklin, State of Ohio, and in Half Section 36, Section 25, Township 5 North, Range 22 West, Refugee Lands, being part of a tract in the name of the City of Columbus (hereinafter known as the "Grantor") as recorded in Official Record 3381, Page 134 and Instrument Number 199907290192176 of said county records.

Being a parcel of land lying on the right side of the centerline of right of way of Alum Creek Drive as shown on the centerline plat of FRA-CR122-6.22 as recorded in Plat Book _____, Page _____ of the records of Franklin County and being further described as follows:

Commencing, at a railroad spike (set) at the southeasterly corner of dedicated Alum Creek Drive, as shown on Dedication of Alum Creek Drive and Winslow Drive, as recorded in Plat Book 25, Page 114, said corner being on the centerline of right of way of Alum Creek Drive, at a station equation point in said centerline, being station 62+84.90 (Back) and station 214+36.06 (Ahead), said railroad spike (set) being the northeasterly corner of a tract in the name of Mark Carl Buchsieb and Jonathon A. Tarbox, Trustees as recorded in Official Record 16765, Page E09 and also being an angle point in the north property line of a tract in the name of Pennsylvania Lines, LLC, a Delaware Limited Liability Company, as recorded in Instrument Number 200212180325195 and also Court Record 3714, Page 214 and the Point of Beginning of the parcel herein described;

Thence, North 35 degrees 58 minutes 54 seconds West, along the centerline of right of way Alum Creek Drive, the grantor's westerly property line and the easterly line of dedicated Alum Creek Drive, as shown on said Plat Book 25, Page 114, a distance of 741.83 feet to a mag nail (found) at the grantor's northwesterly corner and the southwestly corner of a 14.414 acre tract in the name of Twenty Forty Company, LLC as recorded in Instrument Numbers 201302080023073, 200503290057647, 199907290192175 and Deed Volume 3318, Page 623, said corner being at station 221+77.89;

Thence, North 53 degrees 57 minutes 50 seconds East, along the grantor's northerly property line and the southerly property line of said Twenty Forty tract, a distance of 58.43 feet to an iron pin set 58.43 feet right of station 221+77.95;

Thence, leaving said property line, through the grantor's tract, the following four (4) calls:

1. South 36 degrees 22 minutes 33 seconds East, a distance of 167.25 feet to an iron pin (set) 59.58 feet right of station 220+10.71;
2. South 35 degrees 31 minutes 32 seconds East, a distance of 230.00 feet to an iron pin (set) 57.75 feet right of station

217+80.71;

3. South 34 degrees 58 minutes 41 seconds East, a distance of 255.01 feet to an iron pin (set) 53.28 feet right of station 215+25.74;

4. South 35 degrees 45 minutes 59 seconds East, a distance of 133.55 feet to an iron pin (set) on the northerly existing right of way line of Pennsylvania Lines, LLC, a Delaware Limited Liability Company, as recorded in Instrument Number 200212180325195 and Court Record 3714, Page 214, and the grantor's southerly property line, 53.13 feet right of station 62+41.45;

Thence, North 86 degrees 14 minutes 52 seconds West, along said property line, a distance of 68.63 feet to the Point of Beginning.

The above described area contains 0.9972 acres, of which the present road occupies 0.7800 acres, and is contained within Franklin County Auditor's Permanent Parcel No. 010-014029.

The bearings for this description are based on the bearing between Franklin County Engineer's Stations "FRANK33" and "FRANK43" being South 26 degrees 38 minutes 00 seconds East, as measured using GPS methods and the Ohio State Plane Coordinate System, South Zone, NAD83 (2007 Adjustment).

All iron pins set are 5/8" x 30" rebar with cap stamped "GPD GROUP".

This description was prepared and reviewed under the supervision of Steven L. Mullaney, Professional Surveyor No. 7900 from a survey conducted for the City of Columbus, Ohio in June, 2012.

Glaus, Pyle, Schomer, Burns & DeHaven, Inc.
dba GPD Group

SECTION 2. That the City of Columbus hereby names the above described road right-of-way as Alum Creek Drive.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.