



## Legislation Details (With Text)

**File #:** 1215-2015      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 4/27/2015      **In control:** Public Service & Transportation Committee  
**On agenda:** 5/11/2015      **Final action:** 5/13/2015  
**Title:** To dedicate a 0.043 acre tract of land as public right-of-way; to name said public right-of-way as Joyce Avenue and to declare an emergency. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
5/13/2015	1	CITY CLERK	Attest	
5/12/2015	1	MAYOR	Signed	
5/11/2015	1	COUNCIL PRESIDENT PRO-TEM	Signed	
5/11/2015	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

The City of Columbus, Department of Public Service is currently engaged in a project identified as Operation Safewalks - Joyce Avenue Phase 3 project (2906 DR. E). The goal of this project is to construct storm sewer improvements, curbs, gutters, street lights, sidewalk on both sides of Joyce Avenue, and ADA curb ramps from 1,084.5 feet north of Seventeenth Avenue to 130.5 feet north of Kenmore Road (approximately 3,690 feet 0.69 miles) along Joyce Avenue.

During design of the Operation Safewalks - Joyce Avenue Phase 3 project, it was determined a portion of real property owned by the City of Columbus known as 1765 Joyce Avenue, Franklin County Parcel Numbers, 010-098841, 010-098842, 010-098843, 010-098845 and 010-007746 would need to be dedicated for roadway purposes to accommodate the improvements contemplated by this project. Current plans for the improvements indicate Parcel 139-WD, 139A-WD and 142-WD, totaling 0.043 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 Joyce Avenue.

### 2. FISCAL IMPACT

Not applicable.

### 3. EMERGENCY DESIGNATION

Emergency action is requested so that construction of the proposed improvements for Operation Safewalks - Joyce Avenue Phase 3 can proceed without delay.

To dedicate a 0.043 acre tract of land as public right-of-way; to name said public right-of-way as Joyce Avenue 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 one (3) parcels of City owned land, totaling 0.043 acre will need to be dedicated to right-of-way for this purpose; and

**WHEREAS**, the City desires to dedicate a 0.043 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 0.043 acre tract, as public right-of-way and to name the 0.043 acre tract as Joyce Avenue 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 139-WD  
0.024 ACRE  
Joyce Avenue Phase 3  
3116 E**

Situated in the State of Ohio, County of Franklin, City of Columbus and being in Quarter Township 4, Township 1, Range 18 of the United States Military Lands and being part of a tract of land conveyed to Unity Community Development Corp. by deed of record in Instrument # 200909030129505 (all references to the Recorder's Office, Franklin County, Ohio) also being part of lots 193-195 of Duxberry Park Subdivision in Plat Book 20, Page 21 and being a parcel of land located on the right side of the centerline of construction for Joyce Avenue made for the City of Columbus by Dynotec, Inc., and recorded in Plat Book 115, Page 73, and being further bounded and described as follows:

*Commencing for reference* at the intersection of the existing easterly right of way of Joyce Avenue (60' RW) and the existing northerly right of way of Maynard Avenue (50' RW), being 30.00 feet right of station 113+72.01 on Joyce Avenue;

thence N 13°35'41" E along the said right of way of Joyce Avenue a distance of 84.93 feet to an iron pin set on the northwest corner of lot 191 of the said Duxberry Park Subdivision, being 30.00 feet right of station 114+56.94 and being the **True Point of Beginning**;

thence N 13°35'41" E along the said right of way of Joyce Avenue a distance of 105.00 feet to an iron pin set at the southwest corner of lot 196 of the said Duxberry Park Subdivision, being 30.00 feet right of station 115+61.94;

thence S 76°24'19" E along the south property line of the said Church tract a distance of 10.00 feet to an iron pin set, being 40.00 feet right of station 115+61.94;

thence S 13°35'41" W across the said lots 192-195 a distance of 105.00 feet to an iron pin set in the said right of way of Maynard Avenue, being 40.00 feet right of station 114+56.94;

thence N 76°24'19" W along the said right of way of Maynard Avenue a distance of 10.00 feet to the **True Point of Beginning**.

The above described area is contained within the Franklin County Auditor's Parcel Numbers 010-098841 (0.008 acres gross take, 0.000 acres in the present road occupied, resulting in a net take of 0.008 acres), 010-098842 (0.004 acres gross take, 0.000 acres in the present road occupied, resulting in a net take of 0.004 acres), 010-007746 (0.004 acres gross take, 0.000 acres in the present road occupied, resulting in a net take of 0.004 acres) and 010-098843 (0.008 acres gross take, 0.000 acres in the present road occupied, resulting in a net take of 0.008 acres) for a grand total of 0.024 acres gross take, more or less, of which 0.000 acres is in the present road occupied, for a total net take of 0.024 acres, more or less.

This description and survey was prepared from field observations made in March 2009 and reviewed on June 18, 2014 by Robert A. Bosworth, Registered Surveyor #7750.

**PARCEL 139A-WD**  
**0.011 ACRE**  
**Joyce Avenue Phase 3**  
**3116 E**

Situated in the State of Ohio, County of Franklin, City of Columbus and being in Quarter Township 4, Township 1, Range 18 of the United States Military Lands and being part of a tract of land conveyed to Unity Community Development Corp. by deed of record in Instrument # 200909030129505 (all references to the Recorder's Office, Franklin County, Ohio) also being part lot 197 of Duxberry Park Subdivision in Plat Book 20, Page 21 and being a parcel of land located on the right side of the centerline of construction for Joyce Avenue made for the City of Columbus by Dynotec, Inc., and recorded in Plat Book 115, Page 73, and being further bounded and described as follows:

Beginning at an iron pin set at the intersection of the existing easterly right of way of Joyce Avenue (60' RW) and the existing southerly right of way of Blake Avenue (50' RW), being the northwest corner of the said lot 197 and being 30.00 feet right of station 116+32.07 on Joyce Avenue;

thence S 86°32'19" E along the said right of way of Blake Avenue a distance of 53.97 feet to an iron pin set, being 83.13 feet right of station 116+41.56;

thence the following three courses across the said lot 197, S 88°13'48" W a distance of 34.14 feet to an iron pin set, being 50.21 feet right of station 116+32.52;

thence S 71°02'37" W a distance of 12.11 feet to an iron pin set, being 40.00 feet right of station 116+26.00;

thence S 13°35'41" W a distance of 29.06 feet to an iron pin set on the north line of lot 196 of the said Duxberry Park Subdivision, being 40.00 feet right of station 115+96.94;

thence N 76°24'19" W along the north line of the said lot 196 a distance of 10.00 feet to an iron pin set along the said right of way of Joyce Avenue and being 30.00 feet right of station 115+96.94;

thence N 13°35'41" E along the said right of way of Joyce Avenue a distance of 35.13 feet to the point of beginning.

The above described area is contained within the Franklin County Auditor's Parcel Numbers 010-098845. Within said boundary is 0.011 acres, more or less, of which 0.000 acres is in the present road occupied, for a net take of 0.011 acres, more or less.

This description and survey was prepared from field observations made in March 2009 and reviewed on June 18, 2014 by Robert A. Bosworth, Registered Surveyor #7750.

All iron pins set are 5/8" rebar (30" long) with a yellow plastic cap stamped "R/W DYNOTEC, INC" and are to be placed at the completion of construction.

The basis of bearings in this description is based on GPS observations using the Ohio CORS Network (Ohio South Zone) to determine a grid bearing in the NAD83 (96CORS adjustment) state plane coordinate system. The Columbus, Mount Vernon, and McConnelsville CORS stations were used in determining the grid bearing, and establishing a bearing along the centerline of Joyce Avenue to be N 13°32'54"E (north of 17<sup>th</sup> Avenue).

All stations and offsets are referenced to the centerline of right-of-way and construction as filed with the City of Columbus and designated as "2906- E".

**PARCEL 142-WD  
0.008 ACRE  
Joyce Avenue Phase 3  
3116 E**

Situated in the State of Ohio, County of Franklin, City of Columbus and being in Quarter Township 4, Township 1, Range 18 of the United States Military Lands and being part of a tract of land conveyed to Galilee Missionary Baptist Church by deed of record in Instrument # 201308220143677 (all references to the Recorder's Office, Franklin County, Ohio) also being part of lot 196 of Duxberry Park Subdivision in Plat Book 20, Page 21 and being a parcel of land located on the right side of the centerline of construction for Joyce Avenue made for the City of Columbus by Dynotec, Inc., and recorded in Plat Book 115, Page 73, and being further bounded and described as follows:

*Commencing for reference* at the intersection of the existing easterly right of way of Joyce Avenue (60' RW) and the existing northerly right of way of Maynard Avenue (50' RW), and being 30.00 feet right of station 113+72.01 on Joyce Avenue;

thence N 13°35'41" E along the said right of way of Joyce Avenue a distance of 189.93 feet to an iron pin set on the northwest corner of lot 195 of the said Duxberry Park Subdivision, being 30.00 feet right of station 115+61.94 and being the **True Point of Beginning**;

thence N 13°35'41" E along the said right of way of Joyce Avenue a distance of 35.00 feet to an iron pin set on the southwest corner of lot 197 of the said Duxberry Park Subdivision, said point being 30.00 feet right of station 115+96.94;

thence S 76°24'19" E along the south line of the said lot 197 a distance of 10.00 feet to an iron pin set, being 40.00 feet right of station 115+96.94;

thence S 13°35'41" W across the said lot 196 a distance of 35.00 feet to an iron pin set on the north line of the said lot 195, being 40.00 feet right of station 115+61.94;

thence N 76°24'19" W along the said north line a distance of 10.00 feet to the **True Point of Beginning**.

The above described area is contained within the Franklin County Auditor's Parcel Numbers 010-098844. Within said boundary is 0.008 acres, more or less, of which 0.000 acres is in the present road occupied, for a net take of 0.008 acres, more or less.

This description and survey was prepared from field observations made in March 2009 and reviewed on June 18, 2014 by Robert A. Bosworth, Registered Surveyor #7750.

All iron pins set are 5/8" rebar (30" long) with a yellow plastic cap stamped "R/W DYNOTEC, INC" and are to be placed at the completion of construction.

The basis of bearings in this description is based on GPS observations using the Ohio CORS Network (Ohio South Zone) to determine a grid bearing in the NAD83 (96CORS adjustment) state plane coordinate system. The Columbus, Mount Vernon, and McConnelville CORS stations were used in determining the grid bearing, and establishing a bearing along the centerline of Joyce Avenue to be N 13°32'54"E (north of 17<sup>th</sup> Avenue). All stations and offsets are referenced to the centerline of right-of-way and construction as filed with the City of Columbus and designated as "2906- E".

**SECTION 2.** That the City of Columbus hereby names the above described road right-of-way as Joyce Avenue.

**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.

