



Legislation Details (With Text)

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Title: To accept a Standard Highway Easement from the Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District ("Metro Parks"); to dedicate a 3.791-acre tract of land as public right-of-way; to name said public right-of-way as Maier Place and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
4/23/2008	1	CITY CLERK	Attest	
4/22/2008	1	MAYOR	Signed	
4/21/2008	1	Columbus City Council	Approved	Pass
4/21/2008	1	COUNCIL PRESIDENT	Signed	
4/8/2008	1	SERVICE DIRECTOR	Sent to Clerk's Office for Council	
4/3/2008	1	SERVICE DIRECTOR	Reviewed and Approved	
4/3/2008	1	CITY ATTORNEY	Reviewed and Approved	
3/31/2008	1	Service Drafter	Sent for Approval	
3/31/2008	1	Service Reviewer	Reviewed and Approved	

As a part of the Whittier Peninsula Redevelopment project, the City of Columbus desires to accept a Standard Highway Easement for 0.410 acres of land from the Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District ("Metro Parks"). The City also desires to dedicate a 3.791-acre tract, including the 0.410 acres from Metro Parks, as public right-of-way and to name said public right-of-way as Maier Place. Ohio Revised Code Chapter 723.03 requires that property being used as public streets or public alleys must be accepted and dedicated as public right-of-way by an ordinance specifically passed for such purpose. The following legislation provides for the City to accept the Standard Highway Easement from Metro Parks, to dedicate a total of 3.791 acres as road right-of-way and name the 3.791 acres as Maier Place.

This new public right-of-way will provide access to an existing privately owned property that is currently accessed off Whittier Street and will allow the City to vacate a portion of existing Whittier Street, which, in turn, will allow for the construction of the proposed Audubon Center. Companion legislation, which will vacate a portion of existing Whittier Street, is also being submitted at this time.

Emergency Justification: Emergency action is requested so that construction of the proposed Audubon Center can proceed without delay.

To accept a Standard Highway Easement from the Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District ("Metro Parks"); to dedicate a 3.791-acre tract of land as public right-of-way; to name said public right-of-way as Maier Place and to declare an emergency.

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

WHEREAS, the City of Columbus desires to accept a Standard Highway Easement from the **Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District ("Metro Parks")** for 0.410 acres of real property; and

WHEREAS, the City desires to dedicate a 3.791 acre tract, including the 0.410 acres from Metro Parks, as public right-of-way; and

WHEREAS, the City desires to name this 3.791 acre tract of public right-of-way as Maier Place; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to accept that 0.410 acre tract more fully described in the Standard Highway Easement from Metro Parks, of record in Instrument Number 200804080053220, Franklin County, Ohio, Recorder's Office; to dedicate a 3.791 acre tract, which includes the 0.410 acre tract, as public right-of-way and to name the 3.791 acre tract as Maier Place so that vacation of a portion of Whittier Street and subsequent construction of the proposed Audubon Center can 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 accepts the property more fully described in a STANDARD HIGHWAY EASEMENT recorded in the Franklin County, Ohio, Recorder's Office, as Instrument Number 200804080053220, from the **Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District ("Metro Parks")**.

Section 2. That the City of Columbus hereby dedicates the following described property as road right-of-way; to-wit:
3.791 acres

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Half Sections 27 and 28, Township 5 North, Range 22 West, Refugee Lands, being a strip of land located within those tracts of land described in deeds to the City of Columbus of record in Instrument No. 199909030226779 (6.5568 acres), Instrument No. 199902260048206 (9.4686 acres), Official Record Volume 24452, Page F05 (20.228 acres), Deed Book 883, Page 358 (1 acre), Deed Book 883, Page 358 (6.65 acres), Deed Book 787, Page 262 (21.6 acres), Deed Book 655, Page 575 (10 acres), Deed Book 883, Page 358 (1.2 acres), a 20 foot wide alley as shown and delineated upon the plat "Estate of Neely Sawhill Deceased", of record in Court Record 6, Page 235, two(2) 20 foot alleys established by City of Columbus Ordinance No. 16885, and the Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District, of record in Instrument No. 200504190072924 (10.773 acres); all references herein being to the records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning FOR REFERENCE at the intersection of the southerly right-of-way line of Maier Place (established by City of Columbus Ordinance No. 91-90) with the easterly right-of-way line of Furnace Street, 40 feet from centerline, being also the northwesterly corner of that 6.568 acre tract as described in a deed to The City of Columbus, Ohio, of record in Instrument No. 199909030226779; thence North 79°24'03" East, along said southerly right-of-way line, a distance of 131.34 feet to a point at the northwesterly corner of said 10.773 acre tract and the northeasterly corner of said 6.568 acre tract;

Thence along the common property lines to said 10.773 acre tract and said 6.568 acre tract the following courses:

1. South 27°43'57" East, a distance of 156.48 feet to a point;
2. North 81°18'03" East, a distance of 53.06 feet to a point;
3. South 25°05'57" East, a distance of 150.23 feet to a point;
4. South 14°09'57" East, a distance of 154.66 feet to TRUE PLACE OF BEGINNING;

Thence through said 10.773 acre tract with the following courses:

1. With the arc of a non-tangent curve to the right, having a radius of 155.00 feet, a central angle of 34° 41'19", an arc length of 93.84 feet, the chord of which bears North 46°44'17" East, a chord distance of 92.41 feet to a point of tangency;
2. North 64°04'56" East, a distance of 88.88 feet to a point;
3. With the arc of a curve to the left, having a radius of 20.00 feet, a central angle of 90°00'00", an arc length of 31.42 feet, the chord of which bears North 19°04'56" East, a chord distance of 28.28 feet to a point;
4. North 64°04'56" East, a distance of 60.95 feet to a point;
5. South 26°08'57" East, a distance of 90.00 feet to a point;

6. South 64°04'56" West, a distance of 50.35 feet to a point;
7. With the arc of a non-tangent curve to the left, having a radius of 20.00 feet, a central angle of 90°00'00", an arc length of 31.42 feet, the chord of which bears North 70°55'04" West, a chord distance of 28.28 feet to a point of tangency;
8. South 64°04'56" West, a distance of 72.93 feet to a point of curvature;
9. With the arc of a curve to the left, having a radius of 125.00 feet, a central angle of 75°10'05", an arc length of 163.99 feet, the chord of which bears South 26°29'54" West, a chord distance of 152.48 feet to a point in the easterly perimeter of said 6.568 acre tract;

Thence South 35°26'57" East, along said easterly perimeter, a distance of 107.17 feet to a point;

Thence South 42°33'57" East, continuing along said easterly perimeter, a distance of 228.10 feet to a point at the southeasterly corner of said 6.568 acre tract;

Thence North 86°13'57" West, along the southerly line of said 6.568 acre tract a distance of 12.56 feet to a point in the easterly line of a 20 foot alley;

Thence South 04°15'44" West, along said easterly line, a distance of 204.97 feet to an angle point in the northerly perimeter of said 20.228 acre tract;

Thence South 67°16'50" East, along said northerly perimeter, a distance of 31.63 feet to a point;

Thence through said 20.228 acre tract, 1 acre tract, said 6.65 acre tract, said 21.6 acre tract, said 10 acre tract, and said 1.2 acre tract the following courses;

1. South 04°15'44" West, a distance of 137.71 feet to a point of curvature;
2. With the arc of a curve to the right, having a radius of 225.00 feet, a central angle of 54°50'58", an arc length of 215.39 feet, the chord of which bears South 31°41'13" West, a chord distance of 207.26 feet to a point of tangency;
3. South 59°06'42" West, a distance of 66.75 feet to a point of curvature;
4. With the arc of a curve to the left, having a radius of 235.00 feet, a central angle of 144°12'00", an arc length of 591.44 feet, the chord of which bears South 12°59'18" East, a chord distance of 447.25 feet to a point of tangency;
5. South 85°05'18" East, a distance of 102.06 feet to a point of curvature;
6. With the arc of a curve to the right, having a radius of 325.00 feet, a central angle of 41°05'18", an arc length of 233.07 feet, the chord of which bears South 64°32'39" East, a chord distance of 228.10 feet to a point of tangency;
7. South 44°00'00" East, a distance of 490.24 feet to a point of curvature;
8. With the arc of a curve to the right, having a radius of 200.00 feet, a central angle of 40°02'11", an arc length of 139.93 feet, the chord of which bears South 23°58'55" East, a chord distance of 136.93 feet to a point of compound curvature;
9. With the arc of a curve to the right, having a radius of 325.00 feet, a central angle of 19°41'54", an arc length of 111.73 feet, the chord of which bears South 05°53'08" West, a chord distance of 111.19 feet to a point of tangency;
10. South 15°44'05" West, a distance of 42.93 feet to a point in the northerly right-of-way line of Whittier Street (80 feet in width);

Thence along said northerly right-of-way line with the arc of curve to the right, having a radius of 2,637.43 feet, a central angle of 01°05'10", an arc length of 50.00 feet, the chord of which bears North 74°36'00" West, a chord distance of 50.00 feet to a point;

Thence through said 20.228 acre tract, 1 acre tract, said 6.65 acre tract, said 21.6 acre tract, said 9.4686 acre tract and said 1.2 acre tract the following courses;

1. North 15°44'05" East, a distance of 43.22 feet to a point of curvature;
2. With the arc of a curve to the left, having a radius of 275.00 feet, a central angle of 19°41'54", an arc length of 94.54 feet, the chord of which bears North 05°53'08" East, a chord distance of 94.08 feet to a point of compound curvature;
3. With the arc of a curve to the left, having a radius of 150.00 feet, a central angle of 40°02'11", an arc length of 104.81 feet, the chord of which bears North 23°58'55" West, a chord distance of 102.70 feet to a point of tangency;
4. North 44°00'00" West, a distance of 490.24 feet to a point of curvature;
5. With the arc of a curve to the left, having a radius of 275.00 feet, a central angle of 41°05'18", an arc length of 197.21 feet, the chord of which bears North 64°32'39" West, a chord distance of 193.01 feet to a point of tangency;
6. North 85°05'18" West, a distance of 122.57 feet to a point of curvature;
7. With the arc of a curve to the left, having a radius of 285.00 feet, a central angle of 144°12'00", an arc length of 717.28 feet, the chord of which bears North 12°59'18" West, a chord distance of 542.41 feet to a point of tangency;

8. North $59^{\circ}06'42''$ East, a distance of 97.03 feet to a point of curvature;
9. With the arc of a curve to the left, having a radius of 165.00 feet, a central angle of $54^{\circ}50'58''$, an arc length of 157.96 feet, the chord of which bears North $31^{\circ}41'13''$ East, a chord distance of 151.99 feet to a point of tangency in the easterly line of said 9.4686 acre tract;

Thence North $04^{\circ}15'44''$ East, along said easterly line, a distance of 223.03 feet to a point of curvature;

Thence through said 9.4686 acre tract, said 20 foot alley and said 6.568 acre tract the following courses:

1. With the arc of a curve to the left having a radius of 175.00 feet, a central angle of $46^{\circ}56'18''$, an arc length of 143.37 feet, the chord of which bears North $19^{\circ}12'26''$ West, a chord distance of 139.39 feet to a point of tangency;
2. North $42^{\circ}40'35''$ West, a distance of 226.32 feet to a point of curvature;
3. With the arc of a curve to the right, having a radius of 155.00 feet, a central angle of $72^{\circ}04'12''$, an arc length of 194.97 feet, the chord of which bears North $06^{\circ}38'29''$ West, a chord distance of 182.37 feet to TRUE PLACE OF BEGINNING and containing 3.791 acres of land.

Bearings herein are based on the NAD 83 Ohio State Plane Coordinate System, South Zone, utilizing monuments COC 13-83 and COC 18-83 and determines the south right-of-way line of Maier Place to be North $79^{\circ}24'03''$ East.

This description was prepared by M•E Companies, Inc., Civil Engineering Group.

Section 3. That the City of Columbus hereby names the above described road right-of-way as Maier Place.

Section 4. 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.