



Legislation Details (With Text)

File #: 0026X-2005 **Version:** 1
Type: Resolution **Status:** Passed
File created: 2/16/2005 **In control:** Safety Committee
On agenda: 2/28/2005 **Final action:** 3/2/2005
Title: To declare the necessity and intent to appropriate permanent easements in, over, under and through real estate in connection with the Easement at 8161 Sawmill Road for Traffic Control project, and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
3/2/2005	1	MAYOR	Signed	
3/2/2005	1	CITY CLERK	Attest	
2/28/2005	1	Columbus City Council	Adopted	Pass
2/28/2005	1	COUNCIL PRESIDENT	Signed	
2/17/2005	1	Atty Reviewer	Reviewed and Approved	
2/17/2005	1	Atty Drafter	Sent for Approval	
2/17/2005	1	CITY ATTORNEY	Reviewed and Approved	
2/17/2005	1	Atty Drafter	Sent to Clerk's Office for Council	
2/16/2005	1	Atty Drafter	Sent for Approval	

Background:

The following is a resolution to declare the necessity and intent to appropriate permanent easements in, over, under and through real estate in connection with the **Easement at 8161 Sawmill Road for Traffic Control project**.

Fiscal Impact:

N/A

Emergency Justification: Emergency action is requested to allow the acquisition of the parcels necessary for the aforementioned project so that there will be no delay in the project thereby preserving the public health, peace, property, safety, and welfare.

To declare the necessity and intent to appropriate permanent easements in, over, under and through real estate in connection with the **Easement at 8161 Sawmill Road for Traffic Control project**, and to declare an emergency.

WHEREAS, the City of Columbus is engaged in the **Easement at 8161 Sawmill Road for Traffic Control project**; and,

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that it is immediately necessary to declare the necessity and intent to appropriate permanent easements in, over, under and through the hereinbefore described real estate necessary for the aforementioned project so that there will be no delay in the project thereby

preserving the public health, peace, property, safety, and welfare; now, therefore:

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

Section 1. That this Council hereby declares the necessity and intent to appropriate permanent easements in, over, under and through the following described real estate necessary for the **Easement at 8161 Sawmill Road for Traffic Control project**, Project #540007, pursuant to and in accordance with the Charter of the City of Columbus, Columbus City Code (1959) Revised, Chapter 909, the Constitution of the State of Ohio and Ohio Revised Code, Chapter 719; to-wit:

Situated in the City of Dublin, Township of Perry, County of Franklin, State of Ohio and being part of Quarter Township 1 and 2, Township 2 North Range 19 West, United States Military Lands. Being part of Lot 1 being a part of lots 34 and 35 of Flavel Tuller's survey recorded in Plat Book 3 Page 60, and being also a part of a 1.106 Acre tract, said tract being the residual of a 1.235 Acre tract as conveyed to Carl C. Cooke, Jr. and Macy M. Cooke as recorded in Official Record 2033 D19 (less 0.129 Ac as conveyed to the Franklin County Commissioners and recorded in Official Record 21523 B16), all records in the Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at Franklin County Monument Box (FCGS 7738), at the intersection of construction centerline of Sawmill Road with the centerline of Summit View Road (W):

Thence N 2°29'23" E a distance of 367.76 feet along the centerline of said Sawmill Road to a point;

Thence N 86°29'18" W a distance of 40 feet to a point being the southeasterly corner of said 1.106 Acre tract and the southwesterly corner of said 0.129 Acre tract, and being the *True Point of Beginning*;

Thence N 87°20'37" W a distance of 5 feet along the southerly line of said 1.106 Acre tract and the northerly line of a 1.677 Acre tract as conveyed to Joanne Crocket in Official Record 11274 I05, to a point;

Thence N 2°39'23" E a distance of 140.47 feet, crossing said 1.106 Acre tract and being 45 feet distant from and parallel to the centerline of Sawmill Road, to a point on the northerly line of said 1.106 Acre tract and the southerly line of a 1.607 Acre tract as conveyed to Larry C. Rigsby & Garnet Newsome in Official Record 4425 G15;

Thence S 87°20'37" E a distance of 5 feet along the northerly line of said 1.106 Acre tract and said 1.607 Acre tract to a point being the northeasterly corner of said 1.106 Acre tract and the northwesterly corner of said 0.129 Acre tract;

Thence S 2°39'23" W a distance of 140.47 feet along the easterly line of said 1.106 Acre tract, the westerly line of said 0.129 Acre tract and being 40 feet distant from and parallel to the centerline of Sawmill Road, to the *True Point Of Beginning* and **containing 0.016 acres**, more or less;

The Basis of Bearings for this description is the centerline of Sawmill Road, being N 2°39'39" E as shown of record in Official Record 21523 B16, Recorder's Office, Franklin County, Ohio.

Jeffrey C. LeVally, Ohio Registered Professional Surveyor #7743.

Franklin County Tax Parcel Number 273-008704.

Prior Instrument Reference: O.R. Vol. 02033, Page D-19,

Recorder's Office, Franklin County, Ohio.

Section 2. That the City Attorney be and hereby is authorized to cause a written notice of the adoption of this resolution to be served upon the owners, persons in possession of or persons having a real or possible interest of record in the above described premises in the manner provided by law.

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