



## Legislation Details (With Text)

**File #:** 0005X-2008    **Version:** 1  
**Type:** Resolution    **Status:** Passed  
**File created:** 12/27/2007    **In control:** Judiciary And Court Administration Committee  
**On agenda:** 2/4/2008    **Final action:** 2/6/2008

**Title:** To declare the necessity and intent to appropriate permanent and construction easements in, over, under and through real estate in connection with the Seventh Avenue Improvement (4th Street and 6th Street) Project.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
2/6/2008	1	MAYOR	Signed	
2/6/2008	1	CITY CLERK	Attest	
2/4/2008	1	Columbus City Council	Adopted	Pass
2/4/2008	1	COUNCIL PRESIDENT	Signed	
1/28/2008	1	Columbus City Council	Read for the First Time	
1/18/2008	1	Atty Drafter	Sent to Clerk's Office for Council	
1/16/2008	1	Atty Drafter	Sent for Approval	
1/16/2008	1	CITY ATTORNEY	Reviewed and Approved	
1/15/2008	1	Atty Reviewer	Reviewed and Approved	
12/27/2007	1	Atty Drafter	Sent for Approval	

**Background:**

The following is a resolution to declare the necessity and intent to appropriate permanent and construction easements in, over, under and through real estate in connection with the Seventh Avenue Improvement (4<sup>th</sup> Street and 6<sup>th</sup> Street) Project.

**Fiscal Impact:**

N/A

**Emergency Justification:** N/A

To declare the necessity and intent to appropriate permanent and construction easements in, over, under and through real estate in connection with the Seventh Avenue Improvement (4<sup>th</sup> Street and 6<sup>th</sup> Street) Project.

WHEREAS, the City of Columbus is engaged in the Seventh Avenue Improvement (4<sup>th</sup> Street and 6<sup>th</sup> Street) Project; and,

WHEREAS, it is necessary to declare the necessity and intent to appropriate permanent and construction easements in, over, under and through the hereinbefore described real estate necessary for the aforementioned project; 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 and construction easements in, over, under and through the following described real estate necessary for the Seventh Avenue Improvement (4<sup>th</sup> Street and 6<sup>th</sup> Street) Project, Project #530161, 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:

**PARCEL 1-T1**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Lot 119 of the New Indianola Addition of record in Plat Book 12, Page 35, being a 0.012 acre (520 sq. ft.) tract out of the lands conveyed to Christopher J. Perry in Instrument No. 200202270052470, (further shown and delineated upon Exhibit "A" attached hereto and made a part hereof), and being more particularly described as follows:

Commencing at a point at the centerline intersection of 7<sup>th</sup> Avenue (50 feet in width) and 5<sup>th</sup> Street (50 feet in width) as shown on said New Indianola Addition, at centerline station 13+ 39.65;

Thence North 86 degrees 26 minutes 15 seconds West, along the said centerline of 7<sup>th</sup> Avenue, distance of 170.56 feet to a point, at centerline station 11+69.10;

Thence South 03 degrees 33 minutes 45 seconds West, leaving the said centerline, a distance of 25.00 feet to a point at the intersection of the southerly right-of-way line of said 7<sup>th</sup> Avenue and the westerly right of way line of a 20 foot wide alley, at 25.00 foot right of said centerline station 11+69.10, said point being the Point of Beginning of the tract herein described.

Thence South 03 degrees 20 minutes 44 seconds West, along the said westerly right-of-way line, a distance of 35.00 feet to a point, at 60.00 feet right of centerline station 11 +69.23;

Thence leaving the said westerly right-of-way line and through the grantor's tract of land for the following four (4) courses:

1.) North 86 degrees 39 minutes 16 seconds West, a distance of 5.00 feet to a point, at 60.02 feet right of centerline station 1 1+64.23;

2.) North 03 degrees 20 minutes 44 seconds East, a distance of 30.02 feet to a point, at 30.00 feet right of centerline station I 1+64.11;

3.) North 86 degrees 26 minutes 15 seconds West, a distance of 68.92 feet to a point, at 30.00 feet right of centerline station 10+95.19;

4.) North 03 degrees 33 minutes 45 seconds East, a distance of 5.00 feet to a point in the said southerly right-of-way line of 7<sup>th</sup> Avenue, at 25.00 feet right of centerline station 10+95.19;

Thence South 86 degrees 26 minutes 15 seconds East, along the said southerly right-of-way line, a distance of 73.90 feet to the Point of Beginning. Containing 0.012 acres (520 square feet), more or less, within Franklin County Auditor's Parcel Number 010-033112.

**PARCEL 2-T**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Lot 172 of the New Indianola Addition of record in Plat Book 12, Page 35, being a 0.013 acre (549 sq. ft.) tract out of the lands conveyed to Paul C. Hoy and Amy D. Hoy in Instrument No. 200505180095446, (further shown and delineated upon Exhibit "A" attached hereto and made a part hereof), and being more particularly described as follows:

Commencing at a point at the centerline intersection of 7<sup>th</sup> Avenue (50 feet in width) and 5<sup>th</sup> Street (50 feet in width) as shown on said New Indianola Addition, at centerline station 13+39.65;

Thence North 86 degrees 26 minutes 15 seconds West, along the said centerline of 7<sup>th</sup> Avenue, a distance of 154.56 feet to a point, at centerline station 11 +85.1 0;

Thence South 03 degrees 33 minutes 45 seconds West, leaving the said centerline, a distance of 25.00 feet to a point at the intersection of the southerly right-of-way line of said 7<sup>th</sup> Avenue and the easterly right-of-way line of a 20 foot wide alley, at 25.00 feet right of centerline station 11 +85.10, said point being the Point of Beginning of the tract herein described;

Thence South 86 degrees 26 minutes 15 seconds East, along the said southerly right-of-way line, a distance of 129.65 feet to a point at the intersection of the said southerly right-of-way line and the westerly right-of-way line of said 5<sup>th</sup> Street, at 25.00 feet right of centerline station 13+ 14.75;

Thence South 03 degrees 20 minutes 44 seconds West, along the said westerly right-of-way line, a distance of 9.25

feet to a point, at 34.25 feet right of centerline station 13+ 14.78;

Thence leaving the said westerly right-of-way line and through the grantor's tract of land for the following seven (7) courses:

1.) North 86 degrees 39 minutes 16 seconds West, a distance of 5.00 feet to a point, at 34.27 feet right of centerline station 13+09.77;

2.) North 03 degrees 20 minutes 44 seconds East, a distance of 4.27 feet to a point, at 30.00 feet right of centerline station 13+09.77;

3.) North 86 degrees 26 minutes 15 seconds West, a distance of 15.10 feet to a point, at 30.00 feet right of centerline station 12+94.66;

4.) North 03. degrees 33 minutes 45 seconds East, a distance of 2.65 feet to a point, at 27.35 feet right of centerline station 12+94.66;

5.) North 86 degrees 26 minutes 15 seconds West, a distance of 45.43 feet to a point, at 27.35 feet right of centerline station 12+49.24;

6.) South 03 degrees 33 minutes 45 seconds West, a distance of 2.65 feet to a point, at 30.00 feet right of centerline station 12+49.24;

7.) North 86 degrees 26 minutes 15 seconds West, a distance of 64.12 feet to a point in the said easterly right-of-way line of a 20 foot wide alley, at 30.00 feet right of centerline station 11 +85.11;

Thence North 03 degrees 20 minutes 44 seconds East, along the said easterly right-of-way line, a distance of 5.00 feet to the Point of Beginning.

Containing 0.013 acres (549 square feet), more or less, within Franklin County Auditor's Parcel Number 010-049883.

#### PARCEL 3-T

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Lot 173 of the New Indianola Addition of record in Plat Book 12, Page 35, being a 0.020 acre (885 sq. ft.) tract out of the lands conveyed to Doris J. Resatka and Richard R. Resatka in Instrument No. 200509160193289, (further shown and delineated upon Exhibit "A" attached hereto and made a part hereof), and being more particularly described as follows:

Commencing at a point at the centerline intersection of 7<sup>th</sup> A venue (50 feet in width) and 5<sup>th</sup> Street (50 feet in width) as shown on said New Indianola Addition, at centerline station 13+39.65;

Thence North 86 degrees 26 minutes 15 seconds West, along the said centerline of 7th Avenue, a distance of 154.75 feet to a point, at centerline station 11 +84.91;

Thence North 03 degrees 33 minutes 45 seconds East, leaving the said centerline, a distance of 25.00 feet to a point at the intersection of the northerly right-of-way line of said Seventh Avenue and the easterly right-of-way line of a 20 foot wide alley, at 25.00 feet left of centerline station 11+84+91, said point being the Point of Beginning of the tract herein described;

Thence North 03 degrees 20 minutes 44 seconds East, along the said easterly right-of-way line, a distance of 10.00 feet to a point, at 35.00 feet left of centerline station 11 +84.87;

Thence leaving the said easterly right-of-way line, and through the grantor's tract of land for the following five (5) courses:

1.) South 86 degrees 26 minutes 15 seconds East, a distance of 62.26 feet to a point, at 35.00 feet left of centerline station 12+47.13;

2.) South 03 degrees 33 minutes 45 seconds West, a distance of 7.00 feet to a point, at 28.00 feet left of centerline station 12+47.13;

3.) South 86 degrees 26 minutes 15 seconds East, a distance of 62.42 feet to a point, at 28.00 feet left of centerline station 13+09.50;

4.) North 03 degrees 20 minutes 44 seconds East, a distance of 11.98 feet to a point, at 39.98 feet left of centerline station 13+09.50;

5.) South 86 degrees 39 minutes 16 seconds East, a distance of 5.00 feet to a point in the westerly right-of-way line of said 5<sup>th</sup> Street, at 40.00 feet left of centerline station 13+ 14.50;

Thence South 03 degrees 20 minutes 44 seconds West, along the said westerly right-of-way line, a distance of 15.00 feet to a point at the intersection of the said northerly right-of-way line and the said westerly right-of-way line, at 25.00 feet left of centerline station 13+ 14.56;

Thence North 86 degrees 26 minutes 15 seconds West, along the said northerly right-of-way line, a distance of 129.65 feet to the Point of Beginning.

Containing 0.020 acres (885 square feet), more or less, within Franklin County Auditor's Parcel Number 010-024550.

**PARCEL 4-T**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Lot 234 of the New Indianola Addition of record in Plat Book 12, Page 35, being a 0.013 acre (581 sq. ft.) tract out of the lands conveyed to Doris I. Resatka and Richard R. Resatka in Instrument No. 200509160193289, (further shown and delineated upon Exhibit "A" attached hereto and made a part hereof), and being more particularly described as follows:

Commencing at a point at the centerline intersection of 7<sup>th</sup> Avenue (50 feet in width) and 5<sup>th</sup> Street (50 feet in width) as shown on said New Indianola Addition, at centerline station 13+39.65:

Thence North 03 degrees 20 minutes 44 seconds East, along the centerline of said 5<sup>th</sup> Street, a distance of 24.91 feet to a point, at 24.91 feet left of centerline station 13+39.56;

Thence South 86 degrees 39 minutes 16 seconds East, leaving the centerline of said 5<sup>th</sup> Street, a distance of 25.00 feet to a point at the intersection of the northerly right-of-way line of said 7<sup>th</sup> Avenue and the easterly right of way line of said 5<sup>th</sup> Street, at 25.00 feet left of centerline station 13+64.56, said point being the Point of Beginning of the tract herein described;

Thence North 03 degrees 20 minutes 44 seconds East, along the said easterly right-of-way line, a distance of 10.00 feet to a point, at 35.00 feet left of centerline station 13+64.52;

Thence leaving the said easterly right-of-way line and through the grantor's tract of land for the following five (5) courses:

1.) South 86 degrees 39 minutes 16 seconds East, a distance of 10.00 feet to a point, at 35.04 feet left of centerline station 13+74.52;

2.) South 03 degrees 20 minutes 44 seconds West, a distance of 7.04 feet to a point, at 28.00 feet left of centerline station 13+74.55;

3.) South 86 degrees 26 minutes 15 seconds East, a distance of 56.63 feet to a point, at 28.00 feet left of centerline station 14+31.15;

4.) North 03 degrees 33 minutes 45 seconds East, a distance of 2.00 feet to a point, at 30.00 feet left of centerline station 14+31.15;

5.) South 86 degrees 26 minutes 15 seconds East, a distance of 62.39 feet to a point in the westerly right-of-way line of a 16 foot wide alley, at 30.00 feet left of centerline station 14+93.54;

Thence South 03 degrees 20 minutes 44 seconds West, along the said westerly right-of-way line, a distance of 5.00 feet to a point at the intersection of the said northerly right-of-way line and the said westerly right-of-way line, at 25.00 feet left of centerline station 14+93.56;

Thence North 86 degrees 26 minutes 15 seconds West, along the said northerly right-of-way line, a distance of 129.00 feet to the Point of Beginning.

Containing 0.013 acres (581 square feet), more or less, within Franklin County Auditor's Parcel Number 010-024572.

**PARCEL 8-T**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Lot 276 of the New Indianola Addition of record in Plat Book 12, Page 35, being a 0.010 acre (433 sq. ft.) tract out of the lands conveyed to James M. Burtch, III, Trustee in Instrument No. 200203070060133, (further shown and delineated upon Exhibit "A" attached hereto and made a part hereof), and being more particularly described as follows:

Commencing at a point at the centerline intersection of 7<sup>th</sup> Avenue (50 feet in width) and 5<sup>th</sup> Street (50 feet in width) as shown on said New Indianola Addition, at centerline station 13+39.65;

Thence South 86 degrees 26 minutes 15 seconds East, along the centerline of said 7<sup>th</sup> Avenue, a distance of 170.10 feet to a point, at centerline station 15+09.75;

Thence South 03 degrees 33 minutes 45 seconds West, leaving the said centerline, a distance of 25.00 feet to a point at the intersection of the southerly right-of-way line of said 7<sup>th</sup> Avenue and the easterly right-of-way line of a 16 foot wide alley, at 25.00 feet right of centerline station 15+09.75, said point being the Point of Beginning of the tract herein described;

Thence South 86 degrees 26 minutes 15 seconds East, along the said southerly right-of-way line, a distance of 125.00 feet to a point at the intersection of the said southerly right-of-way line and the westerly right-of-way line of 6<sup>th</sup> Street (50 feet in width), at 25.00 feet right of centerline station 16+34.75;

Thence South 03 degrees 20 minutes 44 seconds West, along the said westerly right-of-way line, a distance of 2.25 feet to a point, at 27.25 feet right of centerline station 16+34.76;

Thence leaving the said westerly right-of-way line and through the grantor's tract of land for the following three (3)

courses:

- 1.) North 86.degrees 26 minutes 15 seconds West, a distance of 69.75 feet to a point, at 27.25 feet right of centerline station 15+65.00;
- 2.) South 03 degrees 33 minutes 45 seconds West, a distance of 2.75 feet to a point, at 30.00 feet right of centerline station 15+65.00;
- 3.) North 86 degrees 26 minutes 15 seconds West, a distance of 55.23 feet to a point in the easterly right-of-way line of said 16 foot wide alley, at 30.00 feet right of centerline station 15+09.77;  
Thence North 03 degrees 20 minutes 44 seconds East, along the said easterly right-of-way line, a distance of 5.00 feet to the Point of Beginning.

Containing 0.010 acres (433 square feet), more or less, within Franklin County Auditor's Parcel Number 010-003264.

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 this resolution shall take effect and be in force from and after the earliest period allowed by law.