



## Legislation Details (With Text)

**File #:** 0251X-2011    **Version:** 1

**Type:** Resolution                      **Status:** Passed

**File created:** 9/13/2011              **In control:** Public Safety & Judiciary Committee

**On agenda:** 9/26/2011                **Final action:** 9/27/2011

**Title:** To declare the necessity and intent to appropriate a permanent easement in, over, under and through real estate in connection with the Recreation and Parks Department, Scioto Trail Land Acquisition Project, and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
9/27/2011	1	MAYOR	Signed	
9/27/2011	1	CITY CLERK	Attest	
9/26/2011	1	COUNCIL PRESIDENT	Signed	
9/26/2011	1	Columbus City Council	Adopted	Pass

The following is a resolution to declare the necessity and intent to appropriate a permanent easement in, over, under and through real estate necessary to the Recreation and Parks Department, Scioto Trail Land Acquisition Project.

Fiscal Impact: N/A

Emergency Designation: Emergency action to allow for the immediate acquisition of those properties necessary to the completion of the project without delay.

To declare the necessity and intent to appropriate a permanent easement in, over, under and through real estate in connection with the Recreation and Parks Department, Scioto Trail Land Acquisition Project, and to declare an emergency.

WHEREAS, the City of Columbus is engaged in the Recreation and Parks Department Scioto Trail Land Acquisition Project; and,

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department, in that it is immediately necessary to declare the necessity and intent to appropriate a permanent easement 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 a permanent easement in, over, under and through the following described real estate necessary for the Scioto Trail Land Acquisition Project, Project # 510316-100000, 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 4SL  
LEGAL DESCRIPTION OF A CERTAIN 0.052 ACRE  
EASEMENT CONTAINED WITHIN FRANKLIN COUNTY AUDITOR PARCEL NUMBER  
143-000201

Situated in the State of Ohio, County of Franklin, Village of Marble Cliff, and being a 0.052 acre easement out of a 3.615 acre tract (survey acreage) known as Franklin County Auditor Parcel Number 143-000201 conveyed to Midwestern Enterprises, LLC, by affidavit of record filed as Instrument Number 200207090168320 (all document references are to the Franklin County Recorder's Office unless otherwise stated) being more particularly described as follows:

BEGINNING on the easterly existing right-of-way line of Dublin Road at a point being 18.55 feet right of the centerline of the proposed bike trail station 38+56.82;

Thence along the said easterly existing right-of-way line of following two (2) courses:

- 1) North 37° 19' 38" West for a distance of 41.47 feet to a point of curvature being 9.52 feet right of the centerline of the proposed bike trail station 38+98.97;
- 2) Along a curve to the right, said curve having a central angle of 00° 44' 08", an arc length of 146.34 feet, a radius of 11399.13 feet, and a chord which bears North 21° 07' 37" West for a distance of 146.34 feet to a point of tangency being 9.48 feet right of the centerline of the proposed bike trail station 40+45.31;

Thence crossing through the lands of the Grantor the following eight (8) courses:

- 1) South 72° 07' 44" East for a distance of 3.75 feet to a point being 12.40 feet right of the centerline of the proposed bike trail station 40+42.95;
- 2) South 33° 29' 27" East for a distance of 16.60 feet to a point being 15.95 feet right of the centerline of the proposed bike trail station 40+26.74;
- 3) South 31° 06' 37" East for a distance of 25.54 feet to a point being 20.39 feet right of the centerline of the proposed bike trail station 40+01.58;
- 4) South 29° 52' 10" East for a distance of 25.45 feet to a point being 24.26 feet right of the centerline of the proposed bike trail station 39+76.42;
- 5) South 27° 27' 54" East for a distance of 25.45 feet to a point being 27.08 feet right of the centerline of the proposed bike trail station 39+51.13;
- 6) South 23° 08' 24" East for a distance of 25.65 feet to a point being 27.99 feet right of the centerline of the proposed bike trail station 39+25.49;
- 7) South 15° 00' 57" East a distance of 50.42 feet to a point being 21.99 feet right of the centerline of the proposed bike trail station 38+72.91;

8) South 15° 42' 44" East a distance of 16.29 feet to the POINT OF BEGINNING, containing 0.052 acres, more or less.

The above described 0.052 acres is contained within Franklin County Auditor's parcel number 143-000201 which has an Auditor's record area of 3.618 acres.

Bearings are based on the Ohio State Plane Coordinate System, South zone, and reference the North American Datum of 1983 and the CORS adjustment (NAD83(CORS)).

The above description is based on a survey conducted by DLZ Ohio, Inc., performed under the direct supervision of Charles H. Murphy, Ohio Registered Professional Surveyor number 6950.

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 stated 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.