



Legislation Details (With Text)

File #: 2766-2017 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 10/13/2017 **In control:** Public Service & Transportation Committee
On agenda: 10/30/2017 **Final action:** 11/2/2017

Title: To dedicate tracts of real property owned by the City of Columbus as road right-of-way; to name said public right-of-way as Ohio Avenue, Champion Avenue, Hawthorne Avenue, and Carl L Brown Sr. Way; and to declare an emergency. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. legals and exhibits.pdf, 2. RE 3218 E Poindexter Phase 2 Landbank Parcels.msg

Date	Ver.	Action By	Action	Result
11/2/2017	1	CITY CLERK	Attest	
11/1/2017	1	MAYOR	Signed	
10/30/2017	1	COUNCIL PRESIDENT	Signed	
10/30/2017	1	Columbus City Council	Approved	Pass

1. BACKGROUND

The City of Columbus, Department of Public Service, is currently engaged in a project identified as Poindexter Village Roadways Phase 2 project. This project is to construct Roadway improvements to support the new development, and sidewalks will be added where needed. Hawthorne Avenue, Phale D Hale Drive, and Mt Vernon Avenue improvements will occur between Ohio Avenue and Champion Avenue. Ohio Avenue and Champion Avenue improvements will occur between Long Street and Mt. Vernon Avenue.

During design of the Poindexter Village Roadways Phase 2 project it was determined portions of real property owned by the City of Columbus known as 247 Ohio Avenue, Franklin County Parcel Number 010-066767.179, 183 Ohio Avenue, Franklin County Parcel Numbers 010-024365 and 010-022641, 1240 Long Street, Franklin County Parcel Number 010-057430, and 1720 Hawthorne Avenue, Franklin County Parcel Number 010-066721 would need to be dedicated for roadway purposes to accommodate the improvements contemplated by this project. Current plans for the improvements indicate Parcel 6-WD1 totaling 0.024 acre, Parcel 9-WD1 and 10-WD1 totaling 0.004 acre, Parcel 21-WD1, totaling 0.028 acre, Parcel 23-WD1 totaling 0.331 acre, and Parcel 23-WD2 totaling 0.065 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 Ohio Avenue, Champion Avenue, Hawthorne Avenue and Carl L Brown Sr. Way.

2. FISCAL IMPACT

Not applicable.

3. EMERGENCY DESIGNATION

Emergency action is requested so that construction of the proposed improvements for Poindexter Village Roadways Phase 2 project can proceed without delay.

To dedicate tracts of real property owned by the City of Columbus as road right-of-way; to name said public right-of-way as Ohio Avenue, Champion Avenue, Hawthorne Avenue, and Carl L Brown Sr. Way; 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 City owned land, totaling 0.024, 0.004, 0.028, 0.331, and 0.065 acre tracts, will need to be dedicated to right-of-way for this purpose; and

WHEREAS, the City desires to dedicate a 0.024, 0.004, 0.028, 0.331, and 0.065 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 0.024 and 0.004 acre tracts as public right-of-way and to name the 0.024 and 0.004 acre tracts as Ohio Avenue, and to dedicate a 0.028 and 0.065 acre tracts as public right of way and to name the 0.028 and 0.065 acre tracts as Champion Avenue and Hawthorne Avenue, and to dedicate a 0.331acre tract as public right of way and to name the 0.331 acre tract as Carl L Brown Sr. Way to allow construction to proceed as scheduled, 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 properties as road right-of-way; to-wit:

**PARCEL 6-WD1
0.024 ACRE**

Poindexter Village Roadways Phase 2 project 3218 E

Situated in the State of Ohio, County of Franklin, City of Columbus, in Section 14, Township 5, Range 22, Refugee Lands, being part of Lots 65, 66, 67 and 68 of the subdivision entitled "Bethauser Rankin Samuel & Walker", of record in Plat Book 2, Page 234, and part of those tracts of land conveyed to The City of Columbus, Ohio by deeds of record in Deed Book 791, Page 583, Deed Book 786, Page 580, Deed Book 786, Page 579 and Deed Book 786, Page 582 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows described as follows:

Beginning, for reference, at the original southeasterly corner of Lot 68, at the intersection of the original westerly right of way line of Ohio Avenue (50 feet wide, originally dedicated as Larch Street) with the original northerly right of way line of Ohio Avenue (41 feet wide);

thence North 86° 27' 15" West, with said original northerly right of way line and the southerly line of a right of way easement established by City of Columbus Ordinance Number 106-40, a distance of 34.00 feet to a magnetic nail set at the TRUE POINT OF BEGINNING for this description;

thence North 86° 27' 15" West, with said northerly right-of-way line, a distance of 5.61 feet to a magnetic nail set;

thence crossing said City of Columbus tracts the following courses and distances:

with the arc of a curve to the left, having a central angle of 00° 27' 46", a radius of 229.50 feet, an arc length of 1.85 feet, a chord bearing of North 41° 33' 35" East and chord distance of 1.85 feet to a magnet nail set at a point of compound curvature;

with the arc of said curve, having a central angle of 38° 42' 45", a radius of 170.50 feet, an arc length of 115.20 feet, a chord bearing of North 22° 26' 06" East and chord distance of 113.02 feet to an iron pin set;

North 03° 04' 44" East, a distance of 10.29 feet to an iron pin set; and

North 08° 33' 28" East, a distance of 10.47 feet to an iron pin set in said westerly right-of-way line;
thence South 03° 04' 44" West, with said westerly right-of-way line, a distance of 105.12 feet to an iron pin set;
thence South 58° 10' 24" West, with said westerly right of way line, a distance of 41.46 feet to the TRUE POINT OF BEGINNING, containing 0.024 acre of land, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The Bearings shown hereon are based on the Ohio State Plane Coordinate System South Zone as per NAD83 (NSRS2007). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations of Franklin County Engineering Department monuments "FRANK 65" and "FRANK 165". A bearing of North 03° 03' 34" East, for the easterly right-of-way line of Champion Avenue is designated as the basis of bearings for this description.

EVANS, MECHWART, HAMBLETON & TILTON, INC.
Matthew A. Kirk, Professional Surveyor No. 7865

**PARCEL 9-WD1 & 10-WD1
0.004 ACRE**

Poindexter Village Roadways Phase 2 project 3218 E

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 14, Township 5, Range 22, Refugee Lands, being part of Lots 11, 12 and 13 of the subdivision entitled "William Moneypeny's Subdivision", of record in Plat Book 3, Page 436, said Lots being conveyed to the City of Columbus by deeds of record in Instrument Numbers 201009230124234 and 201403060027742 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

Beginning, for reference, at an iron pin set at the intersection of the westerly right-of-way line of Ohio Avenue (50 feet wide, originally dedicated as Larch Street) and the northerly right-of-way line of an unnamed alley;

thence North 02° 59' 53" East, with said westerly right-of-way line, a distance of 68.59 feet to an iron pin set at the northeasterly corner of that tract conveyed to Armando Campa by deed of record in Instrument Number 200912160180999, the TRUE POINT OF BEGINNING for this description;

thence North 86° 27' 15" West, with the northerly line of said Campa tract, a distance of 2.50 feet to an iron pin set;

thence North 02° 59' 53" East, crossing said City of Columbus tracts, a distance of 70.65 feet to an iron pin set in the southerly line of that tract conveyed to Joseph L. Valentine and Tyrike Davis by deed of record in Instrument Number 201310030167731;

thence South 86° 27' 15" East, with the southerly line of said Valentine and Davis tract, a distance of 2.50 feet to an iron pin set at in said westerly right-of-way line;

thence South 02° 59' 53" West, with said westerly right-of-way line, a distance of 70.65 feet to the TRUE POINT OF BEGINNING, containing 0.004 acre of land, more or less, 0.002 acre of which is located within Parcel Number 010-022641 and 0.002 acre of which is located within Parcel Number 010-024356.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The Bearings shown hereon are based on the Ohio State Plane Coordinate System South Zone as per NAD83 (NSRS2007). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations of Franklin County Engineering Department monuments "FRANK 65" and "FRANK 165". A bearing of North 03° 03' 34" East, for the easterly right-of-way line of Champion Avenue is designated as the basis of bearings for this description.

EVANS, MECHWART, HAMBLETON & TILTON, INC.
Matthew A. Kirk, Professional Surveyor No. 7865

PARCEL 21-WD1

0.028 ACRE

Poindexter Village Roadways Phase 2 project 3218 E

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 14, Township 5, Range 22, Refugee Lands, being part of Lot 54 of the subdivision entitled "John L. Winner's 2nd Addition to Columbus", of record in Plat Book 2, Page 305, and part of that tract of land conveyed to the City of Columbus, Ohio by deed of record in Deed Book 2722, Page 202 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows described as follows:

BEGINNING at a magnetic nail set at the intersection of the easterly right-of-way line of Champion Avenue (50 feet wide, originally dedicated as Ridge Road) and the southerly right-of-way line of Author Place (20 feet wide);

thence North 81° 55' 34" East, with said southerly right-of-way line, a distance of 8.22 feet to a magnetic nail set;

thence crossing said Lot 54 the following courses and distances:

with the arc of a curve to the left, having a central angle of 18° 52' 00", a radius of 10.00 feet, an arc length of 3.29 feet, a chord bearing of South 72° 29' 34" West and chord distance of 3.28 feet to a magnetic nail set;

South 03° 03' 34" West, a distance of 122.73 feet to an iron pin set;

South 54° 42' 09" East, a distance of 28.88 feet to an iron pin set; and

South 08° 45' 54" East, a distance of 8.63 feet to an iron pin set in the northerly right-of-way line of Long Street (70 feet wide);

thence South 81° 47' 51" West, with said northerly right-of-way line, a distance of 31.81 feet to an iron pin set in said easterly right-of-way line;

thence North 03° 03' 34" East, with said easterly right-of-way line, a distance of 152.36 feet to the POINT OF BEGINNING, containing 0.028 acre of land, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The Bearings shown hereon are based on the Ohio State Plane Coordinate System South Zone as per NAD83 (NSRS2007). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations of Franklin County Engineering Department monuments "FRANK 65" and "FRANK 165". A bearing

of North 03° 03' 34" East, for the easterly right-of-way line of Champion Avenue is designated as the basis of bearings for this description.

EVANS, MECHWART, HAMBLETON & TILTON, INC.
Matthew A. Kirk, Professional Surveyor No. 7865

**PARCEL 23-WD1
0.331 ACRE**

Poindexter Village Roadways Phase 2 project 3218 E

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 14, Township 5, Range 22, Refugee Lands, being part of Lots 7 and 8 of the subdivision entitled "Justin Morrison's Ridge Road Subdivision", of record in Plat Book 3, Page 163, Lots 4, 5, and 6 of the subdivision entitled "John Will's Subdivision", of record in Plat Book 3, Page 367, an unnamed 20' alley vacated by Ordinance Number 34656, Mink Street (30' wide, Plat Book 3, Page 367), as vacated by Ordinance Numbers 352-39 and 2-40, and part of that tract of land conveyed to the City of Columbus, Ohio by deed of record in Instrument Number 201502130018861 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

Beginning, for reference, at an iron pin set at the intersection of the easterly right-of-way line of Champion Avenue (50 feet wide, originally dedicated as Ridge Road) and the northerly right-of-way line of Hawthorne Avenue (50 feet wide, originally dedicated as Mann Street);

thence South 86° 38' 05" East, with said northerly right-of-way line, a distance of 230.28 feet to an iron pin set at the TRUE POINT OF BEGINNING for this description;

thence North 03° 21' 55" East, crossing said City of Columbus, Ohio tract, said Lots 4, 5, 6 and 7, and said unnamed alley, a distance of 255.36 feet to an iron pin set in a southerly line of that tract conveyed to Columbus Metropolitan Housing Authority by deed of record in Deed Book 1850, Page 165, in the southerly line of an unnamed alley (vacated by Ordinances 352-39 and 2-40);

thence South 86° 32' 20" East, with said southerly lines, a distance of 60.45 feet to an iron pin set at the northeasterly corner of said City of Columbus, Ohio tract, in the centerline of said vacated Mink Street;

thence South 02° 48' 41" West, with said centerline, a distance of 113.61 feet to an iron pin set in the northerly line of Lot 9 of said Justin Morrison's Ridge Road Subdivision;

thence North 86° 34' 16" West, with said northerly line, a distance of 8.91 feet to an iron pin set at the northwesterly corner thereof;

thence South 03° 05' 28" West, with the westerly line of said Lot9, a distance of 141.67 feet to an iron pin set in said northerly right-of-way line;

thence North 86° 38' 05" West, with said northerly right-of-way line, a distance of 53.32 feet to the TRUE POINT OF BEGINNING, containing 0.331 acre of land, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The Bearings shown hereon are based on the Ohio State Plane Coordinate System South Zone as per NAD83 (NSRS2007). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations of Franklin County Engineering Department monuments "FRANK 65" and "FRANK 165". A bearing

of North 03° 03' 34" East, for the easterly right-of-way line of Champion Avenue is designated as the basis of bearings for this description.

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Matthew A. Kirk, Professional Surveyor No. 7865

**PARCEL 23-WD2
0.065 ACRE**

Poindexter Village Roadways Phase 2 project 3218 E

Situated in the State of Ohio, County of Franklin, City of Columbus, in Section 14, Township 5, Range 22, Refugee Lands, being part of Lots 1, 2, 3, 4, 5, 6 and 7 of the subdivision entitled "Justin Morrison's Ridge Road Subdivision", of record in Plat Book 3, Page 163, part of Lots 1, 2 and 3 of the subdivision entitled "John Will's Subdivision", of record in Plat Book 3, Page 367, and part of an unnamed Alley vacated by Ordinance Number 34656, said Lots and alley conveyed to the City of Columbus, Ohio by deed of record in Instrument Number 201502130018861 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

BEGINNING at an iron pin set at the intersection of the northerly right-of-way line of Hawthorne Avenue (50 feet wide, originally dedicated as Mann Street) and the easterly right-of-way line of Champion Avenue (50 feet wide, originally dedicated as Ridge Road);

thence North 03° 03' 34" East, with said easterly right-of-way line, a distance of 255.75 feet to an iron pin set at the southwesterly corner of Lot 1 of the subdivision entitled "Garner and Prentice's Subdivision", of record in Plat Book 3, Page 25, being a southwesterly corner of that tract conveyed to Columbus Metropolitan Housing Authority by deed of record in Deed Book 1850, Page 165;

thence South 86° 32' 20" East, with the southerly line of said Lot 1, a distance of 2.50 feet to an iron pin set;

thence crossing said City of Columbus, Ohio tract the following courses and distances:

South 03° 03' 34" West, a distance of 232.82 feet to an iron pin set at a point of curvature to the left;

with the arc of said curve, having a central angle of 89° 41' 39", a radius of 13.50 feet, an arc length of 21.13 feet, a chord bearing of South 41° 47' 16" East and chord distance of 19.04 feet to an iron pin set;

South 86° 38' 05" East, a distance of 208.40 feet to an iron pin set at a point of curvature to the left;

with the arc of said curve, having a central angle of 67° 22' 48", a radius of 6.50 feet, an arc length of 7.64 feet, a chord bearing of North 59° 40' 31" East and chord distance of 7.21 feet to an iron pin set; and

South 03° 21' 55" West, a distance of 13.50 feet to an iron pin set in said northerly right-of-way line;

thence North 86° 38' 05" West, with said northerly right-of-way line, a distance of 230.28 feet to the POINT OF BEGINNING, containing 0.065 acre of land, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The Bearings shown hereon are based on the Ohio State Plane Coordinate System South Zone as per NAD83 (NSRS2007). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations of Franklin County Engineering Department monuments "FRANK 65" and "FRANK 165". A bearing of North 03° 03' 34" East, for the easterly right-of-way line of Champion Avenue is designated as the basis of bearings for

this description.

EVANS, MECHWART, HAMBLETON & TILTON, INC.
Matthew A. Kirk, Professional Surveyor No. 7865

SECTION 2. That the City of Columbus hereby names the above described road right-of-way as Ohio Avenue, Champion Avenue, Hawthorne Avenue, and Carl L Brown Sr. Way.

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.