



## Legislation Details (With Text)

**File #:** 0212X-2008    **Version:** 1

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

**File created:** 11/18/2008    **In control:** Judiciary And Court Administration Committee

**On agenda:** 12/8/2008    **Final action:** 12/10/2008

**Title:** To declare the necessity and intent to appropriate permanent easements in, over, under and through real estate in connection with the OSIS Augmentation and Relief Sewer (OARS) Project.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
12/10/2008	1	CITY CLERK	Attest	
12/9/2008	1	MAYOR	Signed	
12/8/2008	1	Columbus City Council	Adopted	Pass
12/8/2008	1	COUNCIL PRESIDENT	Signed	
12/1/2008	1	Columbus City Council	Read for the First Time	
11/19/2008	1	Atty Reviewer	Reviewed and Approved	
11/19/2008	1	Atty Drafter	Sent for Approval	
11/19/2008	1	CITY ATTORNEY	Reviewed and Approved	
11/19/2008	1	Atty Drafter	Sent to Clerk's Office for Council	
11/18/2008	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 OSIS Augmentation and Relief Sewer (OARS) Project.

**Fiscal Impact:** N/A

**Emergency Justification:** N/A

To declare the necessity and intent to appropriate permanent easements in, over, under and through real estate in connection with the OSIS Augmentation and Relief Sewer (OARS) Project.

WHEREAS, the City of Columbus is engaged in the OSIS Augmentation and Relief Sewer (OARS) Project; and,

WHEREAS, in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, it is 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; 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 OSIS Augmentation and Relief Sewer (OARS) Project, Project # 650704, 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:

PERMANENT SUBTERRANEAN TUNNEL EASEMENT EXTENDING VERTICALLY BETWEEN NAVD88  
ELEVATIONS 527' AND 577' OLENTANGY SCIOTO INTERCEPTING SEWER (OSIS) AUGMENTATION  
AND RELIEF SEWER (OARS) CIP-704  
FROM: THEANO E. ZISSIS

PARCEL 25P

Situated in the State of Ohio, County of Franklin, City of Columbus, and being a part of Half Section 29, Township 5, Range 22 of the Refugee Lands and being a part of a 1.44 tract conveyed to Theano E. Zissis by general warranty deed of record in Volume 01308, Page 114 of the records of the Recorder of Franklin County, Ohio, and being more particularly described as follows:

Commencing for reference at a southeasterly corner of the said 1.44 acre tract and in the westerly line of the CSX Transportation Inc. Railroad of record in Volume 13276, Page B15 of the records of the Recorder of Franklin County, Ohio and in the north line of Moler Street;

thence from said reference point North 86°27'01" West a distance of 154.31 feet along the southerly line of the said 1.44 acre tract and along the northerly line of Moler Street to the True Point of Beginning of the herein described permanent subterranean tunnel easement;

thence continuing North 86°27'01" West a distance of 29.54 feet along the southerly line of the said 1.44 acre tract and along the northerly line of Moler Street to a point in the easterly line of the Columbus Feeder of the Ohio and Erie Canal as leased to the Columbus & Southern Ohio Electric Company of record in Lease Record Volume 83 Page 346 of the records of the Recorder of Franklin County, Ohio;

thence North 16°43'32" East a distance of 332.32 feet along the westerly line of the said 1.44 acre tract and the easterly line of the said Canal Lands to a point;

thence North 21°24'42" East a distance of 6.41 feet along the westerly line of the said 1.44 acre tract and the easterly line of the said Canal Lands to a point;

thence South 10°17'57" West a distance of 196.49 feet across a part of the said 1.44 acre tract to a point of curvature;

thence with a curve to the right having a radius of 1030.00 feet, an arc length of 136.97 feet, and a chord which bears South 14°06'32" West a distance of 136.87 feet across a part of the said 1.44 acre tract to the True Point of Beginning of the herein described permanent subterranean tunnel easement.

It is understood that the above permanent subterranean tunnel easement contains 0.139 acres (6,058 square feet more or less.

PERMANENT SUBTERRANEAN TUNNEL EASEMENT EXTENDING VERTICALLY BETWEEN NAVD88  
ELEVATIONS 525' AND 575' OLENTANGY SCIOTO INTERCEPTING SEWER (OSIS) AUGMENTATION  
AND RELIEF SEWER (OARS) CIP-704 FROM: NORTH STAR CONCRETE OF OHIO, INC.

PARCEL 23P

Situated in the State of Ohio, County of Franklin, City of Columbus, and being a part of Section 28, Township 5, Range 22 of the Refugee Lands and being a part of a 31.966 tract conveyed to North Star Concrete of Ohio, Inc. by general warranty deed of record in Volume 21460 Page B10 of the records of the Recorder of Franklin County, Ohio, and being more particularly described as follows:

Commencing for reference at a northeasterly corner of the said 31.966 acre tract and in the westerly line of the Columbus Feeder of the Ohio and Erie Canal as leased to the Columbus & Southern Ohio Electric Company of record in Lease Record Volume 83 Page 346 of the records of the Recorder of Franklin County, Ohio;

thence North 85°31'28" West a distance of 292.62 feet along a northerly line of the said 31.966 acre tract and a southerly line of a 9.88 acre tract conveyed to the City of Columbus by deed of record in Volume 389 Page 544 of the records of the Recorder of Franklin County, Ohio to the True Point of Beginning of the herein described permanent subterranean tunnel easement;

thence South 46°30'04" West a distance of 523.00 feet across a part of the said 31.966 acre tract to a point of

curvature;

thence with a curve to the left having a radius of 1970.00 feet, an arc length of 608.79 feet, and a chord which bears South 37°38'53" West a distance of 606.37 feet across a part of the said 31.966 acre tract to a point in the median line of the Scioto River;

thence North 06°25'31" East a distance of 145.86 feet along the median line of the Scioto River to a point;

thence with a curve to the right having a radius of 2030.00 feet, an arc length of 492.34 feet, and a chord which bears North 39°33'11" East a distance of 491.14 feet across a part of the said 31.966 acre tract to a point of tangency;

thence North 46°30'04" East a distance of 468.93 feet across a part of the said 31.966 acre tract to a point in a northerly line of the said 31.966 acre tract and in a southerly line of the said 9.88 acre tract;

thence South 85°31'28" East a distance of 80.77 feet along a northerly line of the said 31.966 acre tract and a southerly line of the said 9.88 acre tract to the True Point of Beginning of the herein described permanent subterranean tunnel easement.

It is understood that the above permanent subterranean tunnel easement contains 1.439 acres (62,694 square feet) more or less.

PERMANENT SUBTERRANEAN TUNNEL EASEMENT EXTENDING VERTICALLY BETWEEN NAVD88 ELEVATIONS 527' AND 579' OLENTANGY SCIOTO INTERCEPTING SEWER (OSIS) AUGMENTATION AND RELIEF SEWER (OARS) CIP-704 FROM: THE STATE OF OHIO

PARCEL 24P

Situated in the State of Ohio, County of Franklin, City of Columbus, and being a part of Sections 21 and 28, Township 5, Range 22 of the Refugee Lands and being a part of the original Columbus Feeder of the Ohio and Erie Canal as leased to the Columbus and Southern Ohio Electric Company of record in Lease Record Volume 83 Page 346 of the records of the Recorder of Franklin County, Ohio, and being more particularly described as follows:

Beginning at the intersection of the north line of Moler Street and the easterly line of said canal lands, being the True Point of Beginning of the herein described permanent subterranean tunnel easement;

thence South 16°43'32" West a distance of 214.47 feet along the easterly line of the said canal lands to a point:

thence with a curve to the right having a radius of 1030.00 feet, an arc length of 225.78, and a chord which bears South 36°37'52" West a distance of 225.33 feet across a part of the said canal lands to a point in the westerly line of the said Canal Lands and in an easterly line of a 9.88 acre tract conveyed to the City of Columbus by deed of record in Volume 2675 Page 468 of the records of the Recorder of Franklin County, Ohio;

thence North 05°52'44" West a distance of 59.14 feet along the westerly line of the said canal lands and the easterly line of the said 9.88 acre tract to a point;

thence North 15°12'34" East a distance 39.42 feet along the westerly line of the said canal lands and the easterly line of the said 9.88 acre tract to a point;

thence with a curve to the left having a radius of 970.00 feet, an arc length of 478.17 feet and a chord which bears North 24°25'17" East a distance of 473.34 feet across a part of the said canal lands to a point of tangency;

thence North 10°17'57" East a distance of 672.66 feet across a part of the said canal lands to a point of curvature;

thence with a curve to the left having a radius of 970.00 feet, an arc length of 491.95 feet, and a chord which bears North 04°13'48" West a distance of 486.70 feet across a part of the said canal lands to a point of tangency:

thence North 18°45'34" West a distance 506.07 feet across a part of the said canal lands to a point in a northwesterly line of the said canal lands and a southeasterly line of lands dedicated to the City of Columbus by plat of record in Plat Book 8 Page 4 of the records of the Recorder of Franklin County, Ohio;

thence North 64°18'39" East a distance of 60.44 feet along the northwesterly line of the said canal lands and a southeasterly line of said City of Columbus lands:

thence South 18°45'34" East a distance of 513.36 feet across a part of the said canal lands to a point of curvature;

thence with a curve to the right having a radius of 1030.00 feet an arc length of 522.38 feet, and a chord which bears South 04°13'48" East a distance of 516.80 feet across a part of the said canal lands to a point of South 10°17'57" West a distance of 476.16 feet across a part of the said canal lands to a point in an easterly line of the said canal lands and in a westerly line of a 1.44 acre tract conveyed to Theano E. Zissis by general warranty deed of record in Volume 01308 Page 114 of the records of the Recorder of Franklin County, Ohio;

thence South 21°24'42" West a distance of 6.41 feet along an easterly line of the said canal lands and along a westerly line of the said 1.44 acre tract to a point;

thence South 16°43'32" West a distance of 332.33 feet along an easterly line of the said canal lands and along a westerly line of the said 1.44 acre tract to the True Point of Beginning of the herein described permanent subterranean tunnel easement.

It is understood that the above permanent subterranean tunnel easement contains 2.840 acres (123,717 square feet) more or less.

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.