



Legislation Details (With Text)

File #: 0136X-2012 **Version:** 1

Type: Resolution **Status:** Passed

File created: 6/28/2012 **In control:** Public Utilities Committee

On agenda: 7/9/2012 **Final action:** 7/11/2012

Title: To declare the necessity and intent to appropriate permanent and construction easements in, over, under and through real estate in connection with the Dublin Road Capacity Increase Detailed Design Project, and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
7/11/2012	1	CITY CLERK	Attest	
7/10/2012	1	MAYOR	Signed	
7/9/2012	1	COUNCIL PRESIDENT	Signed	
7/9/2012	1	Columbus City Council	Adopted	Pass

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 Dublin Road Capacity Increase Detailed Design Project.

Fiscal Impact: N/A

Emergency Justification: Emergency action is requested in order to provide for the immediate acquisition of real property interests necessary to the City's project for the preservation of public health, peace, property and safety.

To declare the necessity and intent to appropriate permanent and construction easements in, over, under and through real estate in connection with the Dublin Road Capacity Increase Detailed Design Project, and to declare an emergency.

WHEREAS, the City of Columbus is engaged in the Dublin Road Capacity Increase Detailed Design Project; and,

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Water and Power, in that it is immediately 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 Dublin Road Capacity Increase Detailed Design 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 and construction easements in, over, under and through the following described real estate necessary for the Dublin Road Capacity Increase Detailed Design Project, Project #690428, pursuant to and in accordance with the Charter of the City of

tracts to the point of true beginning, containing 0.517 acre, more or less.

The bearings shown herein are based on published Franklin County Monuments COC5-83, COC18-83 and COC1-83, Ohio State Coordinate System, South Zone, NAD83, (2007).

Stantec Consulting Services Inc., Robert J. Sands Date
Professional Surveyor No. S-8053

2P
DESCRIPTION FOR
SLUDGE LINE CONVEYANCE
PERMANENT EASEMENT

Situate in the State of Ohio, County of Franklin, City of Columbus, being an easement 20 feet in width and lying on, over and across a tract conveyed to CSX Transportation Inc. by deed of record in Instrument Number 200212180325201, (all records herein of the Recorder's Office, Franklin County, Ohio), being bounded and more particularly described as follows:

Begin for reference at the northeasterly corner of a 5.832 acre tract as conveyed to Central Ohio Transit Authority by deed of record in Official Record 34032, Page A08, a common corner to a 2.584 acre tract conveyed Robert E. Linderman and Linderman Limited Partnership by deed of record in Instrument Number 19912300318301, and being on the southerly right-of-way line of said CSX Transportation Inc. tract;

Thence North 85°32'53" West, a distance of 10.00 feet, along the southerly railroad right-of-way line of said CSX Transportation Inc. tract to a point, being the Point of True Beginning for the herein described easement;

Thence North 85°32'53" West, a distance of 20.00 feet, continuing along the said southerly line to a point;

Thence North 04°09'08" East, a distance of 42.58 feet, across said CSX property to a point on the northerly line;

Thence South 85°31'18" East, a distance of 20.00 feet, along the northerly line to a point;

Thence South 04°09'08" West, a distance of 42.57 feet, across said CSX property to the Point of True Beginning, containing 0.020 acre, more or less.

The bearings shown herein are based on published Franklin County Monuments COC5-83, COC18-83 and COC1-83, Ohio State Coordinate System, South Zone, NAD83, (2007).

Stantec Consulting Services Inc., Robert J. Sands Date
Professional Surveyor No. S-8053

3P
DESCRIPTION FOR
SLUDGE LINE CONVEYANCE
PERMANENT EASEMENT

Situate in the State of Ohio, County of Franklin, City of Columbus, being an easement 15 feet in width and lying on, over and across a 3.266 acre (Parcel I) tract and a 1.428 acre (Parcel II) tract as conveyed to Lisa Dahlen and Annika Dahlen by deed of record in Instrument Number 200410150240000, (all records herein of the Recorder's Office, Franklin County, Ohio), being bounded and more particularly described as follows:

Beginning at the northeasterly corner of the 3.266 acre tract, a common corner to a 0.535 acre tract conveyed to City of Columbus by deed of record in Official Record 27446, Page A18, and being on the southerly right-of-way line of McKinley Avenue;

Thence South 01°33'29" East, a distance of 15.07 feet, along the line common to the 3.266 acre and 0.535 acre tracts to a point;

Thence North 85°50'53" West, a distance of 429.37 feet, across the 3.266 acre and 1.428 acre tracts to a point on the westerly line of the 1.428 acre tract, a line common to a 1.522 acre tract as conveyed to James A. Woodland, II by deed of record in Instrument Number 199907200184227;

Thence North 01°49'34" West, a distance of 15.08 feet, along the line common to the 1.428 acre and 1.522 acre tracts to a point on the southerly right-of way line of McKinley Avenue;

Thence South 85°50'53" East, a distance of 429.44 feet, along the southerly right-of-way line of McKinley Avenue to the Point of True Beginning, containing 0.148 acre, more or less.

The bearings shown herein are based on published Franklin County Monuments COC5-83, COC18-83 and COC1-83, Ohio State Coordinate System, South Zone, NAD83, (2007).

Stantec Consulting Services Inc., Robert J. Sands
Professional Surveyor No. S-8053

Date

4P, 4T
DESCRIPTION FOR
SLUDGE LINE CONVEYANCE
PERMANENT EASEMENT

Situate in the State of Ohio, County of Franklin, City of Columbus, being an easement 20 feet in width and lying on, over and across a 2.737 acre (Parcel I) tract as conveyed to Hite Parts Rebuilders Inc. by deed of record in Official Record 11899, Page I05, (all records herein of the Recorder's Office, Franklin County, Ohio), being bounded and more particularly described as follows:

Beginning at intersection of the southerly right-of-way line of Harrison Road (50 feet in width) and the southerly right-of-way line of McKinley Avenue (60 feet in width);

Thence South $35^{\circ}16'51''$ East, a distance of 198.57 feet, along the westerly right-of-way line of McKinley Avenue, to a point;

Thence North $49^{\circ}19'36''$ West, a distance of 216.08 feet, crossing said 2.737 acre tract to a point on the southerly right-of-way line of Harrison Road;

Thence North $66^{\circ}36'59''$ East, a distance of 53.59 feet, along the southerly right-of-way line of Harrison Road to the Point of True Beginning, containing 0.119 acre, more or less.

Together with a Temporary Easement more particularly described as follows:

Situate in the State of Ohio, County of Franklin, City of Columbus, being an easement 20 feet in width and lying on, over and across a 2.737 acre (Parcel I) tract as conveyed to Hite Parts Rebuilders Inc. by deed of record in Official Record 11899, Page I05, (all records herein of the Recorder's Office, Franklin County, Ohio), being bounded and more particularly described as follows:

Begin for reference at intersection of the southerly right-of-way line of Harrison Road (50 feet in width) and the southerly right-of-way line of McKinley Avenue (60 feet in width);

Thence South $66^{\circ}36'59''$ West, a distance of 53.59 feet, along the southerly right-of-way line of said Harrison Road to a point;

Thence South $49^{\circ}19'36''$ East, a distance of 57.73 feet, crossing said 2.737 acre tract to the Point of True Beginning for the herein described temporary easement;

Thence the following four (4) courses and distances across said 2.737 acre tract;

1. South $49^{\circ}19'36''$ East, a distance of 40.00 feet, to a point;
2. South $40^{\circ}40'24''$ West, a distance of 20.00 feet, to a point;
3. North $49^{\circ}19'36''$ West, a distance of 40.00 feet, to a point;
4. North $40^{\circ}40'24''$ East, a distance of 20.00 feet, to the Point of True Beginning, containing 0.018 acre, more or less.

The bearings shown herein are based on published Franklin County Monuments COC5-83, COC18-83 and COC1-83, Ohio State Coordinate System, South Zone, NAD83, (2007). Stantec Consulting Services Inc.
Robert J. Sands Date, Professional Surveyor No. S-8053

5T
DESCRIPTION FOR
SLUDGE LINE CONVEYANCE
TEMPORARY EASEMENT

Situate in the State of Ohio, County of Franklin, City of Columbus, being an Temporary easement 50 feet by 50 feet in width, lying on, over and across a 2.915 acre (Tract I) tract as conveyed to George Kuhn Enterprises, Inc. by deed of record in Instrument No. 200007120137686, (all records herein of the Recorder's Office, Franklin County,

Ohio), being bounded and more particularly described as follows:

Begin for reference at intersection of the northerly right-of-way line of McKinley Avenue (60 feet in width) and the westerly property line of said 2.915 acre tract;

Thence South 38°34'46" East, a distance of 108.67 feet, along the northerly right-of-way line of said McKinley Avenue to a point, being the Point of True Beginning for the herein described easement;

Thence the following four (4) courses and distances across said 2.915 acre tract;

1. North 51°25'14" East, a distance of 50.00 feet, to a point;
2. South 38°34'46" East, a distance of 50.00 feet, to a point;
3. South 51°25'14" West, a distance of 50.00 feet, to a point on the said right-of-way line;
4. North 38°34'46" West, a distance of 50.00 feet, along the said right-of-way line to the Point of True Beginning, containing 0.057 acres, more or less.

The bearings shown herein are based on published Franklin County Monuments COC5-83, COC18-83 and COC1-83, Ohio State Coordinate System, South Zone, NAD83, (2007).

Stantec Consulting Services Inc., Robert J. Sands Date, Professional Surveyor No. S-8053

5P
DESCRIPTION FOR
SLUDGE LINE CONVEYANCE
PERMANENT EASEMENT

Situate in the State of Ohio, County of Franklin, City of Columbus, being a permanent easement lying on, over and across a 2.915 acre (Tract I) tract as conveyed to George Kuhn Enterprises, Inc. by deed of record in Instrument No. 200007120137686, (all records herein of the Recorder's Office, Franklin County, Ohio), being bounded and more particularly described as follows:

Begin for reference at intersection of the northerly right-of-way line of McKinley Avenue (60 feet in width) and the westerly property line of said 2.915 acre tract;

Thence South 38°34'46" East, a distance of 108.67 feet, along the northerly right-of-way line of said McKinley Avenue to the Point of True Beginning for the herein described easement;

Thence the following four (4) courses and distances across said 2.915 acre tract and the existing right of way of McKinley Avenue;

1. South 38°34'46" East, a distance of 50.00 feet, along said right-of-way line to a point;
2. South 14°34'15" East, a distance of 101.74 feet, to a point on the southerly line of said 2.915 acre tract;
3. South 66°19'57" West, a distance of 8.91 feet, along the southerly line of said 2.915 acre tract, to a point;
4. North 38°34'46" West, a distance of 28.39 feet, along the westerly line of said 2.915 acre tract to point at the intersection of the intersection of the westerly right of way of McKinley Avenue and the northerly right of way line of Harrison Road;
5. North 14°34'15" West, a distance of 122.89 feet, to the Point of True Beginning, containing 0.055 acres, more or less.

The bearings shown herein are based on published Franklin County Monuments COC5-83, COC18-83 and COC1-83, Ohio State Coordinate System, South Zone, NAD83, (2007).

Stantec Consulting Services Inc., Robert J. Sands Date
Professional Surveyor No. S-8053

6P
DESCRIPTION FOR
SLUDGE LINE CONVEYANCE
PERMANENT EASEMENT

Situate in the State of Ohio, County of Franklin, City of Columbus, being a permanent easement lying on, over and across a 2.742 acre tract as conveyed to 1877 McKinley, LLC by deed of record in Instrument No. 200703230050229, (all records herein of the Recorder's Office, Franklin County, Ohio), being bounded and more particularly described as follows:

Beginning at the northwesterly corner of said 2.742 acre tract and on the southerly right-of-way of McKinley Avenue;

Thence South 79°15'31" East, a distance of 196.00 feet along the southerly right-of-way line of McKinley Avenue to a point;

Thence the following two (2) courses and distances across said 2.742 acre tract;

1. South 10°44'29" West, a distance of 15.00 feet, to a point;
2. North 79°15'31" West, a distance of 192.70 feet, to a point on the line common to said 2.742 acre tract and that tract as conveyed to Masood Haghazari by deed of record in Instrument Number 2011090970112194;

Thence North 01°40'34" West, a distance of 15.36 feet, along the westerly line of 2.742 acre tract to the Point of Beginning, containing 0.067 acres, more or less.

The bearings shown herein are based on published Franklin County Monuments COC5-83, COC18-83 and COC1-83, Ohio State Coordinate System, South Zone, NAD83, (2007).

Stantec Consulting Services Inc., Robert J. Sands, Date, Professional Surveyor No. S-8053

7P
DESCRIPTION FOR
SLUDGE LINE CONVEYANCE
PERMANENT EASEMENT

Situate in the State of Ohio, County of Franklin, City of Columbus, being an easement 15 feet in width and lying on, over and across a 1.522 acre tract as conveyed to James A. Woodland II by deed of record in Instrument Number 199907200184227, (all records herein of the Recorder's Office, Franklin County, Ohio), being bounded and more particularly described as follows:

Beginning at the northeasterly corner of the 1.522 acre tract, a common corner to a 1.428 acre (Parcel II) tract conveyed to Lisa Dahlen and Annika Dahlen by deed of record in Instrument Number 200410150240000, and being on the southerly right-of-way line of McKinley Avenue;

Thence South 01°49'34" East, a distance of 15.08 feet, along the line common to the 1.522 acre and 1.428 acre tracts to a point;

Thence the following two (2) courses and distances across the 1.522 acre tract:

1. North 85°42'29" West, a distance of 86.50 feet, to a point;
2. North 04°17'31" East, a distance of 15.00 feet, to a point on the southerly right-of way line of McKinley Avenue;

Thence South 85°42'29" East, a distance of 84.89 feet, along the southerly right-of-way line of McKinley Avenue to the Point of True Beginning, containing 0.030 acre, more or less.

The bearings shown herein are based on published Franklin County Monuments COC5-83, COC18-83 and COC1-83, Ohio State Coordinate System, South Zone, NAD83, (2007).

Stantec Consulting Services Inc., Robert J. Sands

Date

Professional Surveyor No. S-8053

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.