



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Details (With Text)

File #: 0117-2012 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 1/18/2012 **In control:** Public Service & Transportation Committee

On agenda: 2/13/2012 **Final action:** 2/15/2012

Title: To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary for the Roadway Improvements - Emerald Parkway Project, to authorize the expenditure of \$148,520.00 from the Northland and Other Acquisition Fund, 735; and to declare an emergency. (\$148,520.00).

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
2/15/2012	1	MAYOR	Signed	
2/15/2012	1	CITY CLERK	Attest	
2/13/2012	1	COUNCIL PRESIDENT	Signed	
2/13/2012	1	Columbus City Council	Approved	Pass

Background: The following legislation authorizes the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary for the Roadway Improvements - Emerald Parkway Project.

Fiscal Impact: It has been determined that Funding for this project will come from the Department of Development, Northland and Other Acquisition Fund, 735.

Emergency Justification: Emergency action is requested to allow appropriation actions to proceed without delay thereby allowing this project to meet it acquisition schedule.

To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary for the Roadway Improvements - Emerald Parkway Project, to authorize the expenditure of \$148,520.00 from the Northland and Other Acquisition Fund, 735; and to declare an emergency. (\$148,520.00).

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the Roadway Improvements - Emerald Parkway Project; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted **Resolution No. 0308X-2011, on the 14th day of November, 2011**, declaring the necessity and intent to appropriate the real property interests hereinafter described and the purpose of the appropriation, and notice of such adoption of said resolution has been served in accordance with Columbus City Code Sec. 909.03; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Division of Design and Construction, in that it is necessary to appropriate such real property interests so that there will be no delay in the aforementioned project, and for the immediate preservation of the public peace, property, health and safety; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Roadway Improvements - Emerald Parkway Project, Project 530161-100003, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

9WD-1
DESCRIPTION OF A FEE SIMPLE
PARCEL FOR RIGHT-OF-WAY

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Virginia Military Survey Number 3011, being a part of Reserve "A" as it is known and delineated on the Tuttle Crossing Northwest Plat, of record in Plat Book 71, page 33, and being a part of that 6.533 acre tract as described in a deed to Duke Realty Ohio, of record in Instrument Number 200302260056923, all records referenced are on file at the Office of the Recorder, Franklin County, Ohio, and being a parcel of land lying on the right side of the centerline of construction for Emerald Parkway, recorded in Plat Book ____, page ____, and bounded and described as follows:

Commencing for reference at Franklin County Monument 2011, said monument is located on the centerline of construction for Tuttle Crossing Boulevard, said monument being 0.21 feet left of Emerald Parkway centerline of construction Station 100+00.03;

Thence North 80 degrees 27 minutes 53 seconds East, along the centerline of construction for said Tuttle Crossing Boulevard, a distance of 0.21 feet to the intersection with the centerline of construction for Emerald Parkway (dedicated as Britton Parkway in Plat Book 71, page 33), said intersection being at Emerald Parkway centerline of construction Station 100+00.03;

Thence North 09 degrees 36 minutes 06 seconds West, along the centerline of construction for said Emerald Parkway, a distance of 99.97 feet to a point of curvature, said point being located at Emerald Parkway centerline of construction Station 101+00.00;

Thence along the arc of a curve to the left, continuing along the centerline of construction for said Emerald Parkway, said curve having a radius of 1,400.00 feet, a central angle of 30 degrees 36 minutes 56 seconds, and an arc length of 748.08 feet to a point, said point being located at Emerald Parkway centerline of construction Station 108+48.08, said curve being subtended by a long chord having a bearing of North 24 degrees 54 minutes 34 seconds West and a length of 739.21 feet;

Thence North 39 degrees 57 minutes 09 seconds West, continuing along the centerline of construction of said Emerald Parkway, a distance of 48.41 feet to a point on the southeast line of said Reserve "A", said point being located at Emerald Parkway centerline of construction station 108+96.49;

Thence North 47 degrees 48 minutes 10 seconds East, along the southeast line of said Reserve "A", a distance of 38.91 feet to the TRUE POINT OF BEGINNING for this description (reference an iron pin found North 72 degrees 35 minutes 35 seconds West at a distance of 0.97 feet), said point of beginning being on the existing northeast right-of-way line for said Emerald Parkway as dedicated by the Dedication of Britton Parkway plat, of record in Plat Book 73, page 92, being on the southwest line of said 6.533 acre tract, and said point of beginning being 38.91 feet right of Emerald Parkway centerline of construction Station 108+98.01;

Thence across said Reserve "A" along the following seven (7) described courses:

1. Along the arc of a non-tangent curve to the left, along the existing northeast right-of-way line for said Emerald Parkway, along the southwest line of said 6.533 acre tract, said curve having a radius of 1,440.00 feet, a central angle of 00 degrees 14 minutes 07 seconds, and an arc length of 5.91 feet to a point of reverse curvature, said point being 38.67 feet right of Emerald Parkway centerline of construction Station 109+03.92, said curve being subtended by a long chord having a bearing of North 42 degrees 18 minutes 53 seconds West and a length of 5.91 feet;
2. Along the arc of a curve to the right, continuing along the existing northeast right-of-way line for said Emerald Parkway and the southwest line of said 6.533 acre tract, said curve having a radius of 455.59 feet, a central angle of 31 degrees 12 minutes 48 seconds, and an arc length of 248.19 feet to an iron pin to be set, said iron pin to be set being 39.27 feet right of Emerald Parkway centerline of construction Station 111+71.33, said curve being subtended by a long chord having a bearing of North 26 degrees 49 minutes 33 seconds West and a length of 245.14 feet;
3. South 21 degrees 03 minutes 42 seconds East, across said 6.533 acre tract, a distance of 27.27 feet to an iron pin to be set at a point of curvature, said iron pin to be set being 42.99 feet right of Emerald Parkway centerline of construction Station 111+41.86;
4. Along the arc of a curve to the left, continuing across said 6.533 acre tract, said curve having a radius of 243.00 feet, a central angle of 37 degrees 08 minutes 02 seconds, and an arc length of 157.49 feet to an iron pin to be set at a point of compound curvature, said iron pin to be set being 82.99 feet right of Emerald Parkway centerline of construction Station 109+69.56, said curve being subtended by a long chord having a bearing of South 39 degrees 37 minutes 43 seconds East and a length of 154.75 feet;
5. Along the arc of a curve to the left, continuing across said 6.533 acre tract, said curve having a radius of 60.00 feet, a central angle of 25 degrees 19 minutes 47 seconds, and an arc length of 26.53 feet to an iron pin to be set at a point of tangency, said iron pin to be set being 97.89 feet right of Emerald Parkway centerline of construction Station 109+43.03, said curve being subtended by a long chord having a bearing South 70 degrees 51 minutes 38 seconds East and a length of 26.31 feet;
6. South 83 degrees 31 minutes 31 seconds East, continuing across said 6.533 acre tract, a distance of 62.62 feet to an iron pin to be set, said iron pin to be set being 141.31 feet right of Emerald Parkway centerline of construction Station 108+94.16;
7. North 77 degrees 31 minutes 32 seconds East, continuing across said 6.533 acre tract, a distance of 79.03 feet to an iron pin to be set on the existing northwest right-of-way line of Lakehurst Court, being on the southeast line of said 6.533 acre tract, being on the southeast line of said Reserve "A", said iron pin to be set being 25.05 feet left of Lakehurst Court centerline of construction Station 22+11.06;

Thence along a non-tangent curve to the left, along the existing northwest right-of-way line for said Lakehurst Court, along the southeast line for said 5.633 acre tract and said Reserve "A", said curve having a radius of 405.00 feet, a central angle of 18 degrees 54 minutes 28 seconds, and an arc length of 133.65 feet to a point of tangency (reference an iron pin found South 26 degrees 54 minutes 58 seconds East at a distance of 0.40 feet), said point being 80.08 feet right of Emerald Parkway centerline of construction Station 108+78.90, said curve being subtended by a long chord having a bearing of South 59 degrees 13 minutes 10 seconds West and a length of 133.05 feet;

Thence South 49 degrees 45 minutes 56 seconds West, along the existing northwest right-of-way line for said Lakehurst Court, along a southwest line of said 6.533 acre tract and said Reserve "A", a distance of 21.09 feet to a point of curvature (reference an iron pin found North 74 degrees 47 minutes 13 seconds East at a distance of 1.01 feet), said point being 58.99 feet right of Emerald Parkway centerline of construction Station 108+78.80;
Thence along the arc of a curve to the right, along the existing north right-of-way line for said Emerald Parkway, along a south line of said 6.533 acre tract and said Reserve "A", said curve having a radius of 20.00

feet, a central angle of 88 degrees 01 minute 52 seconds, and an arc length of 30.73 feet to the TRUE POINT OF BEGINNING for this description, said curve being subtended by a long chord having a bearing of North 86 degrees 13 minutes 08 seconds West and a length of 27.79 feet;

Of the above-described tract, 0.237 acres is located in Franklin County Auditor's Tax Parcel Number 010-215392.

Iron pins described as "to be set" will be set upon completion of construction activities and if applicable. Iron pins to be set are 5/8 inch by 30 inch long rebar with yellow plastic caps stamped "PS 8438".

The bearings described herein are based on the bearing for the centerline of Rings Road (North 71 degrees 17 minutes 25 seconds East) which is referenced to the Ohio State Plane Coordinate System, South Zone and the North American Datum of 1983 (1986 adjustment), as established utilizing a GPS survey originating from Franklin County Monuments "FCGS 2213" and "FCGS 4412 RESET".

This description was prepared and reviewed on December 23, 2010 by Brian P. Bingham, P.S. No. 8438, is based on a survey of field observations made by Dynotec, Inc. in 2008, meets the requirements of the "Minimum Standards for Boundary Surveys" described in Ohio Revised Code Chapter 4733-37, and is true and correct to the best of my knowledge.

American Structurepoint, Inc., Brian P. Bingham, P.S.
Surveyor No. 8438

Date, Registered Professional

9T-1
DESCRIPTION OF A TEMPORARY
EASEMENT FOR GRADING, CONSTRUCTION AND
INSTALLATION OF A STORM SEWER

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Virginia Military Survey Number 3011, being a part of Reserve "A" as it is known and delineated on the Tuttle Crossing Northwest Plat, of record in Plat Book 71, page 33, and being a part of that 6.533 acre tract as described in a deed to Duke Realty Ohio, of record in Instrument Number 200302260056923, all records referenced are on file at the Office of the Recorder, Franklin County, Ohio, and being a parcel of land lying on the right side of the centerline of construction for Emerald Parkway, recorded in Plat Book ____, page ____, and bounded and described as follows:

Commencing for reference at Franklin County Monument 2011, said monument is located on the centerline of construction for Tuttle Crossing Boulevard, said monument being 0.21 feet left of Emerald Parkway centerline of construction Station 100+00.03;

Thence North 80 degrees 27 minutes 53 seconds East, along the centerline of construction for said Tuttle Crossing Boulevard, a distance of 0.21 feet to the intersection with the centerline of construction for Emerald Parkway (dedicated as Britton Parkway in Plat Book 71, page 33), said intersection being at Emerald Parkway centerline of construction Station 100+00.03;

Thence North 09 degrees 36 minutes 06 seconds West, along the centerline of construction for said Emerald Parkway, a distance of 99.97 feet to a point of curvature, said point being located at Emerald Parkway centerline of construction Station 101+00.00;

Thence along the arc of a curve to the left, continuing along the centerline of construction for said Emerald Parkway, said curve having a radius of 1,400.00 feet, a central angle of 30 degrees 36 minutes 56 seconds, and an arc length of 748.08 feet to a point, said point being located at Emerald Parkway centerline of construction Station 108+48.08, said curve being subtended by a long chord having a bearing of North 24 degrees 54 minutes 34 seconds West and a length of 739.21 feet;

Thence North 39 degrees 57 minutes 09 seconds West, continuing along the centerline of construction of said Emerald Parkway, a distance of 0.43 feet to the intersection with the existing centerline of right-of-way for Lakehurst Court, said point being located at Emerald Parkway centerline of construction station 108+48.51;

Thence North 49 degrees 45 minutes 56 seconds East, along the existing centerline of right-of-way for said Lakehurst Court, a distance of 80.23 feet to a point of curvature, said point being 80.23 feet right of Emerald

Parkway centerline of construction Station 108+48.90;

Thence along the arc of a curve to the right, continuing along the existing centerline of right-of-way for said Lakehurst Court, said curve having a radius of 375.00 feet, a central angle of 18 degrees 54 minutes 28 seconds, and an arc length of 123.75 feet to a point, said point being 4.89 feet right of Lakehurst Court centerline of construction Station 22+12.83, said curve being subtended by a long chord having a bearing of North 59 degrees 13 minutes 10 seconds East and a length of 123.19 feet;

Thence North 21 degrees 19 minutes 36 seconds West, along a radial line from the existing centerline of right-of-way for said Lakehurst Court, a distance of 30.00 feet to the TRUE POINT OF BEGINNING for this description, said point of beginning being on the existing northwest right-of-way line for said Lakehurst Court, being on the south line of said Reserve "A" and said 5.663 acre tract, and said point of beginning being 25.05 feet left of Lakehurst Court centerline of construction Station 22+11.06;

Thence across said 6.533 acre tract and said Reserve "A" by the following eight (8) described courses:

1. South 77 degrees 31 minutes 32 seconds West, a distance of 79.03 feet to a point, said point being 141.31 feet right of Emerald Parkway centerline of construction Station 108+94.16;
2. North 03 degrees 44 minutes 24 seconds West, a distance of 9.14 feet to a point, said point being 146.71 feet right of Emerald Parkway centerline of construction Station 109+01.54;
3. North 83 degrees 31 minutes 31 seconds West, a distance of 58.95 feet to point, said point being 105.62 feet right of Emerald Parkway centerline of construction Station 109+49.38;
4. Along the arc of a curve to the right, said curve having a radius of 60.00 feet, a central angle of 25 degrees 59 minutes 16 seconds, and an arc length of 27.21 feet to a point of compound curvature, said point being 90.16 feet right of Emerald Parkway centerline of construction Station 109+76.94, said curve being subtended by a long chord having a bearing of North 70 degrees 31 minutes 54 seconds West and a length of 26.98 feet;
5. Along the arc of a curve to the right, said curve having a radius of 234.00 feet, a central angle of 57 degrees 55 minutes 11 seconds, and an arc length of 236.55 feet to a point of tangency, said point being 50.16 feet right of Emerald Parkway centerline of construction Station 112+40.14, said curve being subtended by a long chord having a bearing of North 28 degrees 34 minutes 40 seconds West and a length of 226.60 feet;
6. North 00 degrees 22 minutes 56 seconds East, a distance of 75.02 feet to a point, said point being 49.00 feet right of Emerald Parkway centerline of construction Station 113+23.58;
7. North 06 degrees 05 minutes 23 seconds East, along a line parallel to and 9.00 feet easterly from the existing southeast right-of-way line for said Emerald Parkway, a distance of 373.33 feet to a point on the northwest line of said 6.533 acre tract and said Reserve "A", being on the southeast line of Lot 4, as it is known and designated on the Tuttle Crossing North plat, of record in Plat Book 80, Page 38, being on the southeast line of that 5.493 acre tract of land describe in a deed to Duke Realty Ohio, of record in Instrument Number 200302260056923, said point being 49.00 feet right of Emerald Parkway centerline of construction Station 116+96.91;

Thence North 84 degrees 28 minutes 11 seconds East, along the northerly line of said 6.533 acre tract and said Reserve "A", along the southerly line of said Lot 4 and said 5.493 acre tract, a distance of 7.15 feet to a point, said point being 56.00 feet right of Emerald Parkway centerline of construction Station 116+98.35;

Thence across said 6.533 acre tract and said Reserve "A" by the following eleven (11) described courses:

1. South 06 degrees 05 minutes 23 seconds West, along a line parallel to and 16.00 feet easterly from the existing easterly right-of-way line for said Emerald Parkway, a distance of 166.12 feet to a point, said point being 56.00 feet right of Emerald Parkway centerline of construction Station 115+32.23;
2. South 02 degrees 49 minutes 07 seconds West, a distance of 70.10 feet to a point, said point being 60.00 feet right of Emerald Parkway centerline of construction Station 114+62.24;

3. South 06 degrees 05 minutes 23 seconds West, along a line parallel to and 20.00 feet easterly from the existing easterly right-of-way line for said Emerald Parkway, a distance of 138.66 feet to a point, said point being 60.00 feet right of Emerald Parkway centerline of construction Station 113+23.58;
 4. South 01 degree 54 minutes 19 seconds West, a distance of 63.57 feet to a point, said point being 60.00 feet right Emerald Parkway centerline of construction Station 112+51.20;
 5. South 83 degrees 56 minutes 40 seconds East, a distance of 50.72 feet to a point, said point being 110.11 feet right of Emerald Parkway centerline of construction Station 112+41.75;
 6. South 06 degrees 09 minutes 19 seconds East, a distance of 100.00 to a point, said point being 102.08 feet right of Emerald Parkway centerline of construction Station 111+14.56;
 7. South 24 degrees 01 minute 14 seconds East, a distance of 104.18 feet to a point, said point being 99.09 feet right of Emerald Parkway centerline of construction Station 109+83.52;
 8. South 89 degrees 16 minutes 29 seconds East, a distance of 162.33 feet to a point, said point being 37.88 feet left of Lakehurst Court centerline of construction Station 22+19.67;
 9. North 35 degrees 49 minutes 24 seconds East, a distance of 20.78 feet to a point, said point being 50.81 feet left of Lakehurst Court centerline of construction Station 22+34.31;
 10. North 75 degrees 59 minutes 21 seconds East, a distance of 32.71 feet to a point, said point being 51.63 feet left of Lakehurst Court centerline of construction Station 22+63.31;
 11. South 73 degrees 44 minutes 27 seconds East, a distance of 53.00 feet to a point on the existing northwest right-of-way line for said Lakehurst Court, being on the southeast line of said Reserve "A" and said 6.533 acre tract, said point being 30.26 feet left of Lakehurst Court centerline of construction Station 23+08.10;
- Thence along the arc of a non-tangent curve to the left, along the existing northwest right-of-way line for said Lakehurst Court, along the southeast line of said Reserve "A" and said 6.533 acre tract, said curve having a radius of 405.00 feet, a central angle of 14 degrees 35 minutes 45 seconds, and an arc length of 103.17 feet to the TRUE POINT OF BEGINNING for this description, said curve being subtended by a long chord having a bearing of South 75 degrees 58 minutes 16 second West and a length of 102.89 feet.
- Of the above-described tract, 0.441 acres is located in Franklin County Auditor's Tax Parcel Number 010-215392.

The bearings described herein are based on the bearing for the centerline of Rings Road (North 71 degrees 17 minutes 25 seconds East) which is referenced to the Ohio State Plane Coordinate System, South Zone and the North American Datum of 1983 (1986 adjustment), as established utilizing a GPS survey originating from Franklin County Monuments "FCGS 2213" and "FCGS 4412 RESET".

This description was prepared and reviewed on December 23, 2010 by Brian P. Bingham, P.S. No. 8438, is based on a survey of field observations made by Dynotec, Inc. in 2008, and is true and correct to the best of my knowledge.

American Structurepoint, Inc., , Brian P. Bingham, P.S.
Surveyor No. 8438

Date, Registered Professional

9E-1
DESCRIPTION OF A PERPETUAL
SIDEWALK EASEMENT

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Virginia Military Survey Number 3011, being a part of Reserve "A" as it is known and delineated on the Tuttle Crossing Northwest Plat, of record in Plat Book 71, page 33, and being a part of that 6.533 acre tract as described in a deed to Duke Realty Ohio, of record in Instrument Number 200302260056923, all records referenced are on file at the Office of the Recorder, Franklin County, Ohio, and being a parcel of land lying on the right side of the centerline of construction for Emerald Parkway, recorded in Plat Book ____, page ____, and bounded and described as follows:

Commencing for reference at Franklin County Monument 2011, said monument is located on the centerline of construction for Tuttle Crossing Boulevard, said monument being 0.21 feet left of Emerald Parkway centerline of construction Station 100+00.03;

Thence North 80 degrees 27 minutes 53 seconds East, along the centerline of construction for said Tuttle Crossing Boulevard, a distance of 0.21 feet to the intersection with the centerline of construction for Emerald Parkway (dedicated as Britton Parkway in Plat Book 71, page 33), said intersection being at Emerald Parkway centerline of construction Station 100+00.03;

Thence North 09 degrees 36 minutes 06 seconds West, along the centerline of construction for said Emerald Parkway, a distance of 99.97 feet to a point of curvature, said point being located at Emerald Parkway centerline of construction Station 101+00.00;

Thence along the arc of a curve to the left, continuing along the centerline of construction for said Emerald Parkway, said curve having a radius of 1,400.00 feet, a central angle of 30 degrees 36 minutes 56 seconds, and an arc length of 748.08 feet to a point of tangency, said point being located at Emerald Parkway centerline of construction Station 108+48.08, said curve being subtended by a long chord having a bearing of North 24 degrees 54 minutes 34 seconds West and a length of 739.21 feet;

Thence across said Reserve "A" along the following five (5) described courses:

1. North 39 degrees 57 minutes 09 seconds West, continuing along the centerline of construction of said Emerald Parkway, a distance of 77.26 feet to a point of curvature, said point being located at Emerald Parkway centerline of construction station 109+25.34;
2. Along the arc of a curve to the right, continuing along the centerline of construction for said Emerald Parkway, said curve having a radius of 495.59 feet, a central angle of 28 degrees 26 minutes 21 seconds, and an arc length of 245.99 feet to a point, said point being at Emerald Parkway centerline of construction Station 111+71.33, said curve being subtended by a long chord having a bearing of North 25 degrees 43 minutes 58 seconds West and a length of 243.47 feet;
3. North 78 degrees 29 minutes 15 seconds East, along a radial line from the centerline of construction for said Emerald Parkway, a distance of 39.27 feet to the TRUE POINT OF BEGINNING for this description, said point of beginning being on the existing east right-of-way line for said Emerald Parkway, being on the west line of said 5.633 acre tract, and said point of beginning being 39.27 feet right of Emerald Parkway centerline of construction Station 111+71.33;
4. Along the arc of a non-tangent curve to the right, along the existing east right-of-way line for said Emerald Parkway, along the west line of said 5.633 acre tract, said curve having a radius of 455.59 feet, a central angle of 17 degrees 18 minutes 32 seconds, and an arc length of 137.63 feet to a point of tangency, said point being 39.99 feet right of Emerald Parkway centerline of construction Station 113+20.92, said curve being subtended by a long chord having a bearing of North 02 degrees 33 minutes 53 seconds West and a length of 137.11 feet;
5. North 06 degrees 05 minutes 23 seconds East, along the existing southeast right-of-way line for said Emerald Parkway, along the northwest lone of said 5.633 acre tract, a distance of 373.92 feet to the northwest corner of said 6.533 acre tract, being on the northerly line of said Reserve "A", said iron pin being at the southwest corner of Lot 4, as it is known and designated on the Tuttle Crossing North plat, of record in Plat Book 80, Page 38, being the southwest corner of that 5.493 acre tract of land describe in a deed to Duke Realty Ohio, of record in Instrument Number 200302260056923, and said iron pin being 40.00 feet right of Emerald Parkway

centerline of construction Station 116+95.06;

Thence North 84 degrees 28 minutes 11 seconds East, along the northerly line of said 6.533 acre tract and said Reserve "A", along the southerly line of said Lot 4 and said 5.493 acre tract, a distance of 9.19 feet to an iron pin to be set, said iron pin being 49.00 feet right of Emerald Parkway centerline of construction Station 116+96.91;

Thence across said 6.533 acre tract and said Reserve "A" along the following ten (10) described courses:

1. South 06 degrees 05 minutes 23 seconds West, along a line parallel to and 9.00 feet easterly from the existing southeast right-of-way line for said Emerald Parkway, a distance of 373.33 feet to an iron pin to be set, said iron pin to be set being 49.00 feet right of Emerald Parkway centerline of construction Station 113+23.58;
2. South 00 degrees 22 minutes 56 seconds West, a distance of 75.02 feet to an iron pin to be set at a point of curvature, said iron pin to be set being 50.16 feet right of Emerald Parkway centerline of construction Station 112+40.14;
3. Along the arc of a curve to the left, said curve having a radius of 234.00 feet, a central angle of 57 degrees 55 minutes 11 seconds, and an arc length of 236.55 feet to an iron pin to be set at a point of compound curvature, said iron pin to be set being 90.16 feet right of Emerald Parkway centerline of construction Station 109+76.94, said curve being subtended by a long chord having a bearing of South 28 degrees 34 minutes 40 seconds East and a length of 226.60 feet;
4. Along the arc of a curve to the left, said curve having a radius of 60.00 feet, a central angle of 25 degrees 59 minutes 16 seconds, and an arc length of 27.21 feet to an iron pin to be set at a point of tangency, said iron pin to be set being 105.62 feet right of Emerald Parkway centerline of construction Station 109+49.38, said curve being subtended by a long chord having a bearing of South 70 degrees 31 minutes 54 seconds East and a length of 26.98 feet;
5. South 83 degrees 31 minutes 31 seconds East, a distance of 58.95 feet to an iron pin to be set, said iron pin to be set being 146.71 feet right of Emerald Parkway centerline of construction Station 109+01.54;
6. South 03 degrees 44 minutes 24 seconds East, a distance of 9.14 feet to an iron pin to be set, said iron pin to be set being 141.31 feet right of Emerald Parkway centerline of construction Station 108+94.16;
7. North 83 degrees 31 minutes 31 seconds West, a distance of 62.62 feet to an iron pin to be set at a point of curvature, said iron pin to be set being 97.89 feet right of Emerald Parkway centerline of construction Station 109+43.03;
8. Along the arc of a curve to the right, said curve having a radius of 60.00 feet, a central angle of 25 degrees 19 minutes 47 seconds, and an arc length of 26.53 feet to an iron pin to be set at a point of compound curvature, said iron pin to be set being 82.99 feet right of Emerald Parkway centerline of construction Station 109+69.56, said curve being subtended by a long chord having a bearing North 70 degrees 51 minutes 38 seconds West and a length of 26.31 feet;
9. Along the arc of a curve to the right, said curve having a radius of 243.00 feet, a central angle of 37 degrees 08 minutes 02 seconds, and an arc length of 157.49 feet to an iron pin to be set at a point of tangency, said iron pin to be set being 42.99 feet right of Emerald Parkway centerline of construction Station 111+41.86, said curve being subtended by a long chord having a bearing of North 39 degrees 37 minutes 43 seconds West and a length of 154.75 feet;
10. North 21 degrees 03 minutes 42 seconds West, a distance of 27.27 feet to the TRUE POINT OF BEGINNING for this description.

Of the above-described tract, 0.166 acres is located in Franklin County Auditor's Tax Parcel Number 010-215392.

Iron pins described as "to be set" will be set upon completion of construction activities and if applicable. Iron pins to be set are 5/8 inch by 30 inch long rebar with yellow plastic caps stamped "PS 8438".

The bearings described herein are based on the bearing for the centerline of Rings Road (North 71 degrees 17 minutes 25 seconds East) which is referenced to the Ohio State Plane Coordinate System, South Zone and the North American Datum of 1983 (1986 adjustment), as established utilizing a GPS survey originating from Franklin County Monuments "FCGS 2213" and "FCGS 4412 RESET".

This description was prepared and reviewed on December 23, 2010 by Brian P. Bingham, P.S. No. 8438, is based on a survey of field observations made by Dynotec, Inc. in 2008, meets the requirements of the "Minimum Standards for Boundary Surveys" described in Ohio Revised Code Chapter 4733-37, and is true and correct to the best of my knowledge.

American Structurepoint, Inc. , Brian P. Bingham, P.S.

Date, Registered Professional Surveyor

Section 2. That the Council of the City of Columbus, Ohio, declares that the appropriation of said real property interests is necessary for the stated public purpose, and that the City of Columbus, Ohio, has been unable to agree with the owner(s) as to the just compensation to be paid by the City of Columbus, Ohio.

Section 3. That the Council of the City of Columbus hereby declares its intention to obtain immediate possession of the real property interests described herein.

Section 4. That the Council of the City of Columbus hereby declares the value of said fee simple title and /or lesser interests as follows:

1.	9WD1, E1, T1	BRE/COH OH LLC	\$148,520.00.
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Section 5. That the City Attorney be and he hereby is authorized to file complaints for appropriation of real property, in the Franklin County Court of Common Pleas, and to have a jury impaneled to make inquiry into and assess the just compensation to be paid for the foregoing described real property interests.

Section 6. That the expenditure of \$148,520.00, or so much thereof as may be necessary for acquisition costs related to the aforesaid purpose is hereby authorized as follows

Department-Division: 44-01

Fund / AC# / Project / Project Name / O.L. 01-03 / OCA Code / Amount

735 / AC030782-001 / 590415-100000 / Economic and Community Development / 06-6601 / 440735 / \$148,520.00

Section 7. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

Section 8. 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 its passage if the Mayor neither approves nor vetoes the same.