



Legislation Text

File #: 0028X-2009, Version: 1

Background:

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 Merwin Hill Area Sanitary Improvement Project.

Fiscal Impact:

N/A

Emergency Justification:

Emergency action is requested to allow the acquisition of the parcels necessary for this project to proceed without delay, thus facilitating the immediate commencement of construction necessary to the project.

To declare the necessity and intent to appropriate permanent and construction easements in, over, under and through real estate in connection with the Merwin Hill Area Sanitary Improvement Project, and to declare an emergency.

WHEREAS, the City of Columbus is engaged in the Merwin Hill Area Sanitary Improvement Project; and,

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, 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 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 permanent and construction easements in, over, under and through the following described real estate necessary for the Merwin Hill Area Sanitary Improvement Project, Project # 650699, 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:

11S Revised 05/06/08

Situated in the City of Columbus, County of Franklin, State of Ohio and being a part of a 0.755 acre tract recorded in Deed Book 2134, Page 104 and owned by Robert J. and Mariam K. Odonnell, all references being to the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Commencing for reference at the Grantor's northwest corner, thence along the Grantor's west line, South 3°05'42" west 28.16 feet to a point on the proposed easement line and being the TRUE POINT OF BEGINNING of the parcel herein conveyed;

Thence crossing said 0.755 acre tract along the proposed easement line, south 86°44'54" east 70.05 feet to a point;

Thence crossing said 0.755 acre tract along the proposed easement line, north 48°15'06" east 39.82 feet to a point on the Grantor's northerly line;

Thence along said northerly line, South 86°44'54" east 18.60 feet to a point;
Thence crossing said 0.755 acre tract on the proposed easement line, South 3°05'42" west 16.71 feet to a point;
Thence crossing said 0.755 acre tract on the proposed easement line, South 48°15'06" west 44.47 feet to a point;
Thence crossing said 0.755 acre tract on the proposed easement line, North 86°44'54" west 85.35 feet to a point on the Grantor's west line;
Thence along said west line North 3°05'42" east 20.00 feet to the point of beginning and containing 0.063 acres (2763.05 square feet). The above take is from Auditor's Parcel No. 010-146663, which contains 0.755 acres.

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.