



City of Columbus

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

Legislation Text

File #: 0095X-2012, **Version:** 1

The following is a resolution to declare the necessity and intent to appropriate highway and permanent easements in, over, under, across, and through certain real estate in connection with the Warner Road Project Phase I.

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 in order to meet the Department of Public Service acquisition schedule.

To declare the necessity and intent to appropriate highway and permanent easements in, over, under, across, and through certain real estate in connection with the Warner Road Project Phase I, and to declare an emergency.

WHEREAS, the City of Columbus is engaged in the Warner Road Project Phase I; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Design and Construction, in that it is immediately necessary to declare the necessity and intent to appropriate highway and permanent easements in, over, under, across, and through certain real estate 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 highway and permanent easements in, over, under, across, and through the following described real estate necessary for the Warner Road Project Phase I, Project # 441100-100000/2765 DR. E., 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:

PARCEL 33-SH
0.011 ACRE
WARNER ROAD IMPROVEMENTS - PHASE 1

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 2, Range 16 of the United States Military Lands, being part of Albany Landings Investment Condominium as shown on Plat Book 217, Page 17, First Amendment of record in Instrument Number 201007010082772, Second Amendment of record in 201007260094444, and conveyed to W.G. Landings, LLC of record in Instrument Number 201008260110448 and described as follows:

Beginning, for reference, at Franklin County monument number FCGS 6611 marking an angle point in the centerline of Warner Road, on the line between Plain and Blendon Townships, at the northwest corner of said Quarter Township 3, at the southwest corner of said Section 15, said Township 2, Range 16, at the northeast corner of Quarter Township 4, township 2, Range 17 of the United State Military Lands, and at the southeast corner of Quarter Township 1, said Township 2, Range 17, also being the northwest corner of the 0.418 acre tract conveyed to the City of Columbus, Ohio of record in Instrument Number 200707100120011;
thence South 03° 29' 17" West, a distance of 40.00 feet, with the line between said Quarter Township 3 and said Quarter Township 4, the west line of said 0.418 acre tract, the west line of the 0.139 acre tract conveyed to the City of Columbus, Ohio of record in Instrument Number 201003120029573, to the southwest corner of said 0.139 acre tract and a northwest corner of the remainder of the 31.287 acre tract conveyed to Albany Moor LLC of record in Instrument Number 200911040159748;
thence South 86° 28' 00" East, a distance of 104.47 feet, with the north line of said 31.287 acre tract, the north line of said Albany Landings Investment Condominium, the south line of said 0.139 acre tract, and the existing south right-of-way of Warner Road, to an iron pin set, the True Point of Beginning;
thence South 86° 28' 00" East, a distance of 80.97 feet, continuing with the north line of said Albany Landings Investment Condominium, said south line, and said existing south right-of-way, to an iron pin set;
thence across said Albany Landings Investment Condominium, the following courses:
South 51° 11' 27" West, a distance of 9.35 feet, to an iron pin set;
North 86° 29' 27" West, a distance of 67.13 feet, to an iron pin set;
North 44° 03' 41" West, a distance of 9.38 feet, to the True Point of Beginning, containing 0.011 acre, more or less, from Auditor's Parcel Numbers 010-289277 thru 010- 289292, inclusive.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

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 on this survey are based on the Ohio State Plan Coordinate System, South Zone, NAD83 (1986 Adjustment). Control for bearings was from coordinates of Franklin County Geodetic Survey control monuments 8824 and 8825 as established by the Franklin County Engineering Department. A portion of the southerly right-of-way line of Warner Road, having a bearing of South 86° 28' 00" East, is the basis of bearings for this survey.

This description is based on an actual field survey performed by or under the direct supervision of Edward J. Miller, Register Surveyor Number 8250.

PARCEL 33-P1
0.005 ACRE
WARNER ROAD IMPROVEMENTS - PHASE 1

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 2, Range 16 of the United States Military Lands, being across Albany Landings Investment Condominium as shown on Plat Book 217, Page 17, First Amendment of record in Instrument Number 201007010082772, Second Amendment of record in 201007260094444, and conveyed to W.G. Landings, LLC of record in Instrument Number 201008260110448 and described as follows:

Beginning at a northwest corner of said Albany Landings Investment Condominium, in the south line of the 0.139 acre tract conveyed to the City of Columbus, Ohio of record in Instrument Number 201003120029573, and in the existing south right-of-way line of Warner Road;
thence South 86° 28' 00" East, a distance of 54.47 feet, with the north line of said Albany Landings Investment Condominium, said south line, and with said existing south right-of-way line, to an iron pin set;
South 44° 03' 41" East, a distance of 5.93 feet, across said Albany Landings Investment Condominium with a proposed south right-of-way line for Warner Road, to a point;
North 86° 28' 00" West, a distance of 58.85 feet, across said Albany Landings Investment Condominium, to a west line of thereof;
thence North 03° 29' 17" East, a distance of 4.00 feet, with said west line, to the Point of Beginning, containing 0.005 acre, more or less, from Auditor's Parcel Numbers 010-289277 thru 010-289292, inclusive.

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.