



## Legislation Text

File #: 0070X-2011, Version: 1

### 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 **Operation Sidewalks-Deshler at Lockbourne Project**.

### Fiscal Impact:

N/A

Emergency action is requested to allow the acquisition of the parcels 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.

To declare the necessity and intent to appropriate permanent easements in, over, under and through real estate in connection with the **Operation Sidewalks-Deshler at Lockbourne Project**, and to declare an emergency.

WHEREAS, the City of Columbus is engaged in the **Operation Sidewalks-Deshler at Lockbourne Project**; and,

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction, in that it is immediately 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 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 easements in, over, under and through the following described real estate necessary for the **Operation Sidewalks-Deshler at Lockbourne Project**, 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:

1P  
DESCRIPTION OF EASEMENT  
For  
SIDEWALK PURPOSES

Situated in the State of Ohio, County of Franklin, City of Columbus, and being a part of half section 32, Township 5 North, Range 22 West Refugee Lands and being a part of NATHANIEL MARIONS SUBDIVISION, LOT 1 recorded in Plat Book 1, Page 212 and being a part of a 0.254 Acre tract of land recorded in INS. NO. 200205150122088 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning at an Iron Pin (Fnd) at the northeast corner of the above mentioned 0.254 Acre tract  
Thence, S 3° 46' 02" W along the east line of the above mentioned 0.254 Acre tract a distance of 54.00 feet

to a point, said point being THE TRUE PLACE OF BEGINNING of the herein described easement.

Thence, continuing S 3° 46' 02" W along the east line of the above mentioned 0.254 Acre tract a distance of 6.00 feet to a point,

Thence, N 85° 48' 04" W and being parallel with the south line of the above mentioned 0.254 Acre tract a distance of 105.00 feet to a point, said point being in the easterly right of way line of Lockbourne Avenue,

Thence, N 3° 46' 02" E along the east right of way line of Lockbourne Avenue a

distance of 6.00 feet to a point,

Thence, S 85° 48' 04" E and being parallel with the south line of the above mentioned 0.254 Acre tract a distance of 105.00 feet to THE TRUE PLACE OF BEGINNING, containing 630 Square Feet or 0.014 Acres of land, more or less.

This description was prepared from existing deed and plat records recorded in the Franklin County Recorder's Office.

Basis of bearings is the centerline of DESHLER AVENUE and was established as S 85° 48' 04" E by adjustment of existing property pins between LOCKBOURNE AVE. & FAIRWOOD AVE. using RTK GPS observations and is for the determination of angles only.

2P  
DESCRIPTION OF EASEMENT  
For  
SIDEWALK PURPOSES

Situated in the State of Ohio, County of Franklin, City of Columbus and being a part of half section 32, Township 5 North, Range 22 West Refugee Lands and being a part of NATHANIEL MARIONS SUBDIVISION, LOTS 1 and 2 recorded in Plat Book 1, Page 212 and a part of TRACTS 1, 8 and 9 recorded in INS. NO. 200605220098826 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being further herein described as follows:

Beginning at a point in the west line of the above mentioned Tract 8, said point being N 7° 49' E a distance of 15.00 feet from the centerline of DESHLER AVENUE, and being THE TRUE PLACE OF BEGINNING of the herein described easement,

Thence, N 7° 49' E along the west line of Tract 8 a distance of 19.00 feet to a point,

Thence, S 82° E parallel to and 19.00 feet from the north right of way line of DESHLER AVENUE (40 FEET WIDE) a distance of 350.00 feet through Tract 9 to a point in the east line of Tract 1,

Thence, S 7° 52' W along the east line of Tract 1 a distance of 19.00 feet to a point in the north right of way line of DESHLER AVENUE,

Thence, N 82° W along the north right of way line of DESHLER AVENUE a distance of 350.00 feet to THE TRUE PLACE OF BEGINNING, containing 6650 Square Feet or 0.153 Acres of land, more or less.

Basis of Bearings is along the centerline of DESHLER AVENUE and is N 82° W as mentioned in Deed Volume 706, Page 128 records of the Recorder's Office, Franklin County, Ohio.

3P  
DESCRIPTION OF EASEMENT  
For  
SIDEWALK PURPOSES

Situated in the State of Ohio, County of Franklin, City of Columbus, also being in half section 32, Township 5 North, Range 22 West, Refugee Lands and being a part of Lot 1 of E J SWERER'S LOCKBOURNE AVE. ADDITION recorded in Plat Book 7, Page 436 and a part of INS. NO. 200901060001393 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being further herein described as follows:

Beginning at the northwest corner of Lot 1, said corner also being THE TRUE PLACE OF BEGINNING of the herein described easement,

Thence, S 85° 48' 04" E along the north line of Lot 1 a distance of 130 feet to the northeast corner of Lot 1,

Thence, S 3° 58' 56" W along the east line of Lot 1 a distance of 5.50 feet to a point,

Thence, N 85° 48' 04" W with a line parallel to and 5.50 feet from the north line of Lot 1 a distance of 130 feet to a point in the west line of Lot 1,

Thence, N 3° 58' 56" E along the west line of Lot 1 a distance of 5.5 feet to THE TRUE PLACE OF

BEGINNING, containing 715 Square Feet or 0.016 Acres of land, more or less.

This description was prepared from existing deed and plat records recorded in the Franklin County Recorder's Office.

Basis of bearings is the centerline of DESHLER AVENUE and was established as S 85° 48' 04" E by adjustment of existing property pins between LOCKBOURNE AVE. & FAIRWOOD AVE. using RTK GPS observations and is for the determination of angles only.

6P  
EASEMENT FOR  
DRAINAGE PURPOSES

Situate in the State of Ohio, County of Franklin, City of Columbus and being a part of the south half of section 32, Township 5 North, Range

22 West, Refugee Lands and a part of Nathaniel Merion's subdivision recorded in Plat Book 1, Page 212 and being a part of a 4.122± Acres tract of land being described in Ins. No. 199709220098443,

Beginning at the northwest corner of a 0.226± Acre parcel conveyed to Lashuanda Richardson by Ins. No. 200704020056307 said corner being the

most northeasterly corner of the above mentioned 4.122± Acre tract,

Thence, leaving the centerline of DESHLER AVENUE and along the west line of the above mentioned 0.266± Acre tract of land S 3° 46' 41" W a distance of 25.00 feet to a point, passing a 3/4 inch dia. iron pin (fnd) in good condition at a distance of 23.49 feet, said point being in the south right of way line of DESHLER AVE.,

Thence, N 85° 48' 04" W along the south right of way line of DESHLER AVE. a distance of 15.00 feet to a point, said point being the TRUE PLACE OF BEGINNING of the herein described tract of land,

Thence, S 4° 11' 56" W a distance of 10.00 feet to a point,

Thence, N 85° 48' 04" W parallel to and 10.00 feet from the south right of way line of DESHLER AVE. a distance of 20.00 feet to a point,

Thence, N 4° 11' 56" E a distance of 10.00 feet to a point in the south right of way line of DESHLER AVE.,

Thence, S 85° 48' 04" E along the south right of way line of DESHLER AVE. a distance of 20.00 feet to the TRUE PLACE OF BEGINNING, containing 200 Square Feet or 0.004± Acres of land, more or less.

This description was prepared from existing deed and plat records recorded in the Franklin County Recorder's Office.

Basis of bearings is the centerline of DESHLER AVENUE and was established as S 85° 48' 04" E by adjustment of existing property pins between LOCKBOURNE AVE. and FAIRWOOD AVE. using RTK GPS observations and is for the determination of angles only.

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.