



## Legislation Text

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**File #:** 0020X-2007, **Version:** 1

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### **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 NCR #2 High Street-Lane to Arcadia Project.

### **Fiscal Impact:**

N/A

### **Emergency Justification: N/A**

To declare the necessity and intent to appropriate permanent and construction easements in, over, under and through real estate in connection with the NCR #2 High Street-Lane to Arcadia Project, and to declare an emergency.

WHEREAS, the City of Columbus is engaged in the **NCR #2 High Street-Lane to Arcadia Project**; and,

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, 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 NCR #2 High Street-Lane to Arcadia Project, Project #440005, 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**

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in the Third Quarter, Township One, Range Eighteen, United States Military Lands, being a part of that 1.436 acre tract as described in a deed to Robert C. Caley and John R. Greer, recorded on July 31, 2002, in Instrument Number 200207310186815, being a part of that Lot 25 as delineated in S&G.W. Beer's North Columbus Sub as recorded in Plat Book 1, Page 54, and being Lots Number 8 and 9 as delineated in John Walsh's Subdivision Block No. 25 North Columbus as recorded in Plat Book 58, Page 96 (all references to deeds to deeds, microfiche, plats, survey, etc., refer to the records of Franklin County Recorder's Office), said easement being more particularly bounded and described as follows;

Commencing at an iron pin found in the southerly right of way line of Dodridge Street, at the northeasterly corner of said Lot 8, being the northeasterly corner of said 1.436 acre tract;

Thence South 78°43'24" West, along said southerly right of way line of Dodridge Street, a distance of 13.00 feet to the **True Point of Beginning** for the easement herein to be described;

Thence South 11°16'36" East, though said 1.436 acre tract, a distance of 167.15 feet parallel to and 20 feet easterly from the westerly line of said Lot 8 and the easterly line of said Lot 9 to the southerly line of said 1.436 acre tract;

Thence South 78°43'24" West, along the southerly line of said 1.436 acre tract, a distance of 380.63 to the southwesterly corner of said 1.436 acre tract;

Thence North 01°53'44" East, along the westerly line of said 1.436 acre tract, a distance of 28.76 feet to a point;

Thence through the said 1.436 acre tract by the following four (4) described course:

1. North 78°43'24" East, a distance of 56.02 feet parallel to and 28.00 feet northerly from the southerly line of said 1.436 acre tract to a point;
2. South 74°15'56" East, a distance of 48.44 feet to a point;
3. North 78°43'24" East, a distance of 192.76 feet parallel to and 6.00 feet northerly from the southerly line of said 1.436 acre tract to a point;
4. North 70°36'05 East, a distance of 62.77 feet to a point;
5. North 11°16'36" West, along the westerly line of said Lot 8 and the easterly line of said Lot 9, a distance of 152.28 feet to the southerly right of way line of said Dodridge Street;
6. Thence North 78°43'24" East, along southerly right of way line of said Dodridge Street, a distance of 20.00 feet to the **True Point of Beginning** and containing an area of 7,542 square feet (0.173 acre) of land and being a part of Franklin County Auditor's Parcel Number 010-040247.

Basis of bearings are based on the Ohio State Plane Coordinate System, South Zone and the North American Datum of 1983.

This description was prepared from an actual field survey of the premises in September, 2006 by ms consultants, inc., under the direct supervision of John L. Price, Registered Professional Surveyor Number 7159.

ms consultants, inc., John L. Price, Registered Professional Surveyor No. 7159

## 1T

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in the Third Quarter, Township One, Range Eighteen, United States Military Lands, being a part of that 1.436 acre tract as described in a deed to Robert C. Caley and John R. Greer, recorded on July 31, 2002, in Instrument Number 200207310186815, being a part of that Lot 25 as delineated in S&G.W. Beer's North Columbus Sub as recorded in Plat Book 1, Page 54, and being Lots Number 8 and 9 as delineated in John Walsh's Subdivision Block No. 25 North Columbus as recorded in Plat Book 58, Page 96 (all references to deeds to deeds, microfiche, plats, survey, etc., refer to the records of Franklin County Recorder's Office), said temporary construction easement area being more particularly bounded and described as follows;

Commencing at an iron pin found in the southerly right of way line of Dodridge Street, at the northeasterly corner of said Lot 8, being the northeasterly corner of said 1.436 acre tract;

Thence South 78°43'24" West, along said southerly right of way line of Dodridge Street, along the northerly line of said 1.436 acre tract, a distance of 33.00 feet to the northwesterly corner of said Lot 8 and being the **True Point of Beginning** for the temporary construction easement herein to be described;

Thence South 11°16'36" East, though said 1.436 acre tract, along the westerly line of said Lot 8 and the easterly line of said Lot 9, a distance of 152.28 feet to a point;

Thence continuing through the said 1.436 acre tract by the following four (4) described courses and distances:

1. South 70°36'05" West, a distance of 62.77 feet to a point;
2. South 78°43'24" West, along a line parallel to and 6.00 feet northerly from the southerly line of said 1.436 acre tract, a distance of 192.76 feet to a point;
3. North 74°15'56" West, a distance of 48.44 feet to a point;
4. South 78°43'24" West, along a line parallel to and 28.00 feet northerly from the southerly line of said 1.436 acre tract, a distance of 56.02 feet to a point in the westerly line of said 1.436 acre tract;
5. Thence North 01°53'44" East, along the westerly line of said 1.436 acre tract, a distance of 3.08 feet to a point;

Thence through the said 1.436 acre tract by the following seven (7) described courses and distances:

1. North 78°43'24" East, along a line parallel to and 31.00 feet northerly from the southerly line of said 1.436 acre tract, a distance of 124.20 feet to a point;
2. South 11°16'36" East, a distance of 18.00 feet to a point;
3. North 78°43'24" East, along a line parallel to and 13.00 feet northerly from the southerly line of said 1.436 acre tract, a distance of 192.01 feet to a point;
4. North 59°09'44" East, a distance of 35.74 feet to a point;

5. North 11°16'36" West, a distance of 17.14 feet to a point;
  6. North 63°27'00" West, a distance of 21.52 feet to a point;
  7. North 11°16'36" West, a distance of 111.85 feet to a point in the northerly line of said 1.436 acre tract, in the southerly right of way line of said Dodridge Street;
  8. Thence North 78°43'24" East, along southerly right of way line of said Dodridge Street, a distance of 20.50 feet to the **True Point of Beginning** and containing an area of 5,496 square feet (0.1261 acre) of land and being a part of Franklin County Auditor's Parcel Number 010-040247.
- Bearings are based on North 78°43'24" East along the southerly right of way line of said Dodridge Street and is referenced to the Ohio State Plane Coordinate System, South Zone and the North American Datum of 1983.
- This description was prepared from an actual field survey of the premises in September, 2006 by ms consultants, inc., under the direct supervision of John L. Price, Registered Professional Surveyor Number 7159.
- ms consultants, inc.,      John L. Price,      Registered Professional Surveyor No. 7159

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.