



# City of Columbus

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

## Legislation Text

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**File #: 0229-2013, Version: 1**

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**BACKGROUND:** The City of Columbus, Ohio ("City"), desires to grant the Board of County Commissioners, Franklin County, Ohio ("County"), a body politic organized and existing under the laws of the State of Ohio, certain portions of real property and a one (1) year temporary construction easement in, on, over, under, across, and through portions of certain City-owned real property, Franklin County Tax Parcel Nos 260-000013 & 010-118520, adjacent to Nafzger Park. The County will use the portions of real property and temporary easement area, which are more fully described within the body of this legislation, for the purpose of constructing the County's FRA-CR14-5.41 (Refugee Rd - Chatterton Rd at Noe Bixby Rd) Project. After investigation by the City's Department of Recreation and Parks, it was determined that the portions of real property and temporary easement area requested by the County to complete its project should be granted in exchange for the payment of Seven Thousand, Two Hundred Ninety-Three, and 00/100 U.S. Dollars (\$7,293.00) and replacement of trees affected by the project. Therefore, the following legislation authorizes the City's Director of the Department of Recreation and Parks to execute a Quitclaim Deed and a one (1) year Quitclaim Deed of Temporary Construction Easement to the County.

**FISCAL IMPACT:** The funds in the amount of Seven Thousand, Two Hundred Ninety-Three, and 00/100 U.S. Dollars (\$7,293.00) to be received by the City, as consideration for the granting of the property rights, shall be deposited with the Recreation and Parks Department, Fund No 747, OCA No 053181, Object Level 0833, Project No 747999, Permanent Improvement Fund.

**EMERGENCY JUSTIFICATION:** Emergency action is requested so to not delay the benefit to the City resulting from the County's completion of its project, which will preserve the public peace, health, property, safety, and welfare.

To authorize the City's Director of Recreation and Parks to execute those documents prepared by the Columbus City Attorney, Real Estate Division, to convey portions of real property and a one (1) year temporary easement, located at Franklin County Tax Parcel Nos 260-000013 & 010-118520, to the Board of County Commissioners, Franklin County, Ohio, for the purpose of the County's FRA-CR14-5.41 (Refugee Rd - Chatterton Rd at Noe Bixby Rd) Project; and to declare an emergency.

**WHEREAS,** the City of Columbus, Ohio ("City"), desires to grant the Board of County Commissioners, Franklin County, Ohio ("County"), a body politic organized and existing under the laws of the State of Ohio, portions of real property and a one (1) year temporary construction easement in, on, over, under, across, and through portions of City-owned real property located at Franklin County Tax Parcel Nos 260-000013 & 010-118520, adjacent to Nafzger Park; and

**WHEREAS,** the County will use the portions of real property and temporary easement area, which are more fully described within the body of this legislation, for the purpose of the County's FRA-CR14-5.41 (Refugee Rd - Chatterton Rd at Noe Bixby Rd) Project; and

**WHEREAS,** after investigation by the City's Department of Recreation and Parks, it was determined that the portions of real property and temporary easement area requested by the County to complete its project should be granted in exchange for the payment of Seven Thousand, Two Hundred Ninety-Three, and 00/100 U.S. Dollars (\$7,293.00); and

**WHEREAS,** as additional consideration for the portions of real property and temporary easement area granted by the City, the County will plant and replace trees affected by the County's project; and

**WHEREAS**, the following legislation authorizes the City’s Director of the Department of Recreation and Parks to execute those documents prepared by the Columbus City Attorney, Real Estate Division, to grant portions of real property and a one (1) year temporary construction easement to the County; and

**WHEREAS**, an emergency exists in the usual daily operation of the City, because it is immediately necessary to authorize the City’s Director of the Department of Recreation and Parks to execute a Quitclaim Deed, Quitclaim Deed of Temporary Construction Easement, and any other ancillary instruments, as approved by the Columbus City Attorney’s Office, Real Estate Division, in order to allow the County to complete its FRA-CR14-5.41 (Refugee Rd - Chatterton Rd at Noe Bixby Rd) Project, which will preserve the public health, peace, property, safety, and welfare; and now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:**

**SECTION 1.** On behalf of the City of Columbus, Ohio, the Director of the Department of Recreation and Parks is authorized to execute a Quitclaim Deed and any other ancillary instruments, as approved by the Columbus City Attorney’s Office, Real Estate Division, necessary to grant the Board of County Commissioners, Franklin County, Ohio, the following described City-owned real property for the purpose of the County’s FRA-CR14-5.41 (Refugee Rd - Chatterton Rd at Noe Bixby Rd) Project:

**PARCEL 1-WD**

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in the Half Section 48, Section 27, Township 12, Range 21, Refugee Lands, and being a part of that original 64 acre tract (139.773 acres by Auditor’s Tax information) described in a deed to **City of Columbus, Ohio**, of record in Deed Book 3748, page 595, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, being a parcel of land located on the left side of the centerline of survey and construction for Noe-Bixby Road as shown on the centerline plat for FRA-CR14-5.41, of record in Plat Book 115, Pages 2-4, on file at the Franklin County Recorder’s Office, and being further bounded and described as follows:

Commencing for reference at FCGS 1936, a concrete monument found in a Franklin County monument box assembly, being at the intersection of the existing centerline of survey and construction for County Road 14 (Refugee Road and Chatterton Road) and the centerline of survey and construction for Noe-Bixby Road, and said point of reference being on the west line of the Plat of Qualstan East, of record in Plat Book 38, page 1, and said point being the southeast corner of a 0.230 acre perpetual easement and right-of-way described in an easement granted to the County of Franklin, of record in Deed Book 2928, page 94, and said point of reference being at County Road 14 (Refugee Road and Chatterton Road) centerline of survey and construction Station 110+20.10 and Noe-Bixby Road centerline of survey and construction Station 87+90.60;

Thence across said original 64 acre tract along the following thirteen (13) described courses:

**1. North 15 degrees 31 minutes 48 seconds West** along the centerline of survey and construction for Noe-Bixby Road, along a west line of said Plat of Qualstan East, along an east line of said 0.230 acre easement, a distance of **275.00 feet** to a northeast corner of said 0.230 acre easement, being at Noe-Bixby Road centerline of survey and construction Station 90+65.60, and being the **TRUE POINT OF BEGINNING** for the herein described right-of-way parcel;

**2. South 74 degrees 28 minutes 12 seconds West**, along a north line of said 0.230 acre easement, along a north line of that 0.914 acre tract described in a deed to Lois A. Koom, Successor Trustee, of record in Instrument Number 201007220093022, a distance of **55.00 feet** to an iron pin set on the proposed western right-of-way of said Noe-Bixby Road, said iron pin set being 55.00 feet left of Noe-Bixby Road centerline of survey and construction Station 90+65.60;

**3. North 13 degrees 18 minutes 54 seconds West**, a distance of **284.61 feet** to an iron pin set, said iron pin set being 44.00 feet left of Noe-Bixby Road centerline of survey and construction Station 93+50.00;

**4. North 00 degrees 06 minutes 44 seconds East**, a distance of **51.92 feet** to an iron pin set on the

existing west right-of-way line for said Noe-Bixby Road, said iron pin set being 30.00 feet left of Noe-Bixby Road centerline of survey and construction Station 94+00.00;

**5. North 15 degrees 31 minutes 48 seconds West**, along the existing west right-of-way line for said Noe-Bixby Road, a distance of **654.91 feet** to an iron pin set at the point of intersection of two lines, each being 30.00 feet west of and parallel to the centerline of survey and construction of said Noe-Bixby Road, the corresponding angle point in said centerline being at Station 100+54.83;

**6. North 15 degrees 14 minutes 04 seconds West**, continuing along the existing west right-of-way line for said Noe-Bixby Road, a distance of **75.24 feet** to an iron pin set on the proposed west right-of-way line for said Noe-Bixby Road, said iron pin set being 30.00 feet left of Noe-Bixby Road centerline of survey and construction Station 101+30.00;

**7. South 74 degrees 45 minutes 56 seconds West**, perpendicular from the existing west right-of-way line for said Noe-Bixby Road, a distance of **15.00 feet** to an iron pin set, said iron pin set being 45.00 feet left of Noe-Bixby Road centerline of survey and construction Station 101+30.00;

**8. North 15 degrees 14 minutes 04 seconds West**, parallel to and 15.00 feet westerly from the existing west right-of-way line for Noe-Bixby Road, a distance of **80.00 feet** to an iron pin set, said iron pin set being 45.00 feet left of Noe-Bixby Road centerline of survey and construction Station 102+10.00;

**9. North 74 degrees 45 minutes 56 seconds East**, perpendicular to the existing west right-of-way line for said Noe-Bixby Road, a distance of **15.00 feet** to an iron pin set on the existing west right-of-way line for said Noe-Bixby Road, said iron pin set being 30.00 feet left of Noe-Bixby Road centerline of survey and construction Station 102+10.00;

**10. North 15 degrees 14 minutes 04 seconds West**, along the existing west right-of-way line for said Noe-Bixby Road, a distance of **279.93 feet** to an iron pin set, said iron pin set being 30.00 feet left of Noe-Bixby Road centerline of survey and construction Station 104+89.93;

**11. North 74 degrees 45 minutes 56 seconds East**, perpendicular to said centerline of survey and construction of Noe-Bixby Road, a distance of **30.00 feet** to a MAG nail set at a point of curvature in said centerline of survey and construction of Noe-Bixby Road, said MAG nail set being on the west line of the Plat of Amberly Subdivision, of record in Plat Book 36, page 114, and being at Noe-Bixby Road centerline of survey and construction Station 104+89.93;

**12. South 15 degrees 14 minutes 04 seconds East**, along the centerline of survey and construction for said Noe-Bixby Road, along a west line of said Plat of Amberly Subdivision, a distance of **435.10 feet** to FCGS 1443, a concrete monument set in a Franklin County monument box assembly, said monument being at an angle point said centerline of survey and construction for Noe-Bixby Road, being a southwest corner of said Plat of Amberly Subdivision, being a northwest corner of said Plat of Qualstan East, and said monument being at Noe-Bixby Road centerline of survey and construction Station 100+54.83;

**13. South 15 degrees 31 minutes 48 seconds East**, along the centerline of survey and construction for Noe-Bixby Road, along a west line of said Plat of Qualstan East, a distance of **989.23 feet** to the **TRUE POINT OF BEGINNING** for the herein described right-of-way parcel.

The above described right-of-way parcel contains an area of **1.144 acres** within Franklin County Auditor's tax parcel number 010-118520 (including 0.981 acres within the present road occupied).

Bearings described herein are based on the bearing of North 85 degrees 31 minutes 08 seconds West, for the section line between Sections 3, Township 11, Range 21, Congress Lands and 27, Township 12, Range 21, Refugee Lands, and are referenced to the Ohio State Plane Coordinate System, South Zone, and the North American Datum of 1983 (NSRS 2007 Adjustment) as established utilizing a GPS survey, originating from Franklin County Survey Control Monuments "FRANK 132", "FRANK 32" and "FCGS 9918".

Iron pins set are 5/8 inch diameter rebar 30 inches long with yellow plastic caps stamped "Franklin County Engineer". Iron pins will be set by the Franklin County Engineer's Survey Department upon completion of the roadway improvement.

Grantor retains the right of ingress/egress to residual area of WD take.

The above description of a right-of-way parcel was prepared and reviewed on April 10, 2012 by Brian P. Bingham, Professional Surveyor Number 8438, is based on an actual field survey performed in March 2010 by American Structurepoint, Inc., 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, Registered Professional Surveyor No. 8438

**PARCEL 3-WD1**

Situated in the State of Ohio, County of Franklin, Township of Truro, being located in Half Section 48, Section 27, Township 12, Range 21, Refugee Lands, and being a part of that original 64 acre tract (now a 4.856 acre tract by Auditor’s Tax information) described in a deed to **City of Columbus, Ohio**, of record in Deed Book 3748, page 595, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, being a parcel of land located on the left side of the centerline of survey and construction for Noe-Bixby Road and the left and right sides of the centerline of survey and construction for County Road 14 (Refugee Road) as shown on the centerline plat for FRA-CR14-5.41, of record in Plat Book 115, Pages 2-4, on file at the Franklin County Recorder’s Office, and being further bounded and described as follows:

**BEGINNING** at FCGS 1936, a concrete monument found in a Franklin County monument box assembly, being at the intersection of the existing centerline of survey and construction for County Road 14 (Refugee Road and Chatterton Road) and the centerline of survey and construction for Noe-Bixby Road, and said point of reference being on the west line of the Plat of Qualstan East, of record in Plat Book 38, page 1, and said point being the southeast corner of a 0.230 acre perpetual easement and right-of-way described in an easement granted to the County of Franklin, of record in Deed Book 2928, page 94, and said point of reference being at County Road 14 (Refugee Road and Chatterton Road) centerline of survey and construction Station 110+20.10 and Noe-Bixby Road centerline of survey and construction Station 87+90.60;

Thence **South 15 degrees 31 minutes 48 seconds East**, across said original 64 acre tract, along the centerline of survey and construction of said Noe-Bixby Road, along a west line said Plat of Qualstan East, a distance of **279.83 feet** to a point of curvature, said point of curvature being at Noe-Bixby Road centerline of survey and construction at Station 85+10.77;

Thence along the arc of a curve to the right, continuing across said original 64 acre tract, along the centerline of survey and construction for said Noe-Bixby Road and along a west line of said Plat of Qualstan East, said curve having a radius of **572.95 feet**, a central angle of **01 degree 38 minutes 22 seconds**, and an arc length of **16.39 feet** to a point on the south line of said original 64 acre tract, being on the south line of said Half Section 48 and the north line of Section 3, Township 11, Range 21, Congress Lands, being the northeast corner of the M. & J. Condominium, of record in Condominium Plat Book 37, page 58, being a northwest corner of that 2.00 acre tract described in a deed to Trustees of the Church and Congregation of Truro, of record in Deed Book 16, page 492, being a southwest corner of said Plat of Qualstan East, and being at the intersection with the centerline of survey for Old Refugee Road, and said point being at Noe-Bixby Road centerline of survey and construction Station 84+94.38 and at Old Refugee Road centerline of survey Station 3+67.25, said curve being subtended by a long chord having a bearing of **South 14 degrees 42 minutes 37 seconds East** and a length of **16.39 feet**;

Thence **North 85 degrees 31 minutes 08 seconds West**, along the south line of said original 64 acre tract, along said south line of said Half Section 48 and the north line of said Section 3, along the centerline of survey for said Old Refugee Road, along the north line of said plat of M. & J. Condominium, (passing a railroad spike found at a distance of 191.41 feet, passing a railroad spike found at the northwest corner of said M & J. Condominium and the northeast corner of an original 41.877 acre tract described in a deed to M.H. Murphy Development Company, of record in Instrument Number 200201180017902, Instrument Number 200201180017903, and Instrument Number 200201180017904 at a distance of 291.39 feet, continuing along a north line of said original 41.877 acre tract), a total distance of **458.01 feet** to a southeast corner of that 1.19 acre right-of-way parcel described as Parcel No. 10-WD in a deed to County of Franklin, of record in Deed Book 3056, page 377, said corner being at Old Refugee Road centerline of survey Station 8+25.26;

Thence across said original 64 acre tract along the following eleven (11) described courses:

1. **North 04 degrees 28 minutes 52 seconds East**, along an east line said 1.19 acre right-of-way parcel, a distance of **30.00 feet**, to an iron pin set at the intersection of the existing east right-of-way line and the existing north right-of-way line for said Old Refugee Road, being a northeast corner of said 1.19 acre right-of-way parcel, said point being 30.00 feet right of Old Refugee Road centerline of survey Station 8+25.26;
2. **South 85 degrees 31 minutes 08 seconds East**, along the existing north right-of-way line for said Old Refugee Road, a distance of **372.83 feet** to an iron pin set, said iron pin set being 70.00 feet left of Noe-Bixby Road centerline of survey and construction Station 85+51.72
3. **North 15 degrees 31 minutes 48 seconds West**, along a line parallel to and 40.00 feet westerly from the existing west right-of-way line for said Noe-Bixby Road, a distance of **98.28 feet** to an iron pin set, said iron pin set being 70.00 feet left of Noe-Bixby Road centerline of survey and construction Station 86+50.00;
4. **North 40 degrees 09 minutes 13 seconds West**, a distance of **52.80 feet** to an iron pin set, said iron pin set being 92.60 feet right of County Road 14 (Refugee Road) centerline of survey and construction Station 109+28.10;
5. **South 80 degrees 51 minutes 22 seconds West**, a distance of **159.09 feet** to an iron pin set on the existing south right-of-way line for said County Road 14 (Refugee Road), being on a south line of said 1.19 acre right-of-way parcel, said iron pin set being 74.91 feet right of County Road 14 (Refugee Road) centerline of survey and construction Station 107+70.00;
6. **North 74 degrees 29 minutes 41 seconds East**, along the existing south right-of-way line for said Refugee Road, along a south line of said 1.19 acre right-of-way parcel, a distance of **220.10 feet** to the intersection of the existing south right-of-way line for said County Road 14 (Refugee Road) and the existing west right-of-way line for said Noe-Bixby Road, being a southeast corner of said 1.19 acre right-of-way parcel, said point being 75.00 feet right of County Road 14 (Refugee Road) centerline of survey and construction Station 109+90.10;
7. **North 15 degrees 31 minutes 48 seconds West**, along an east line of said 1.19 acre right-of-way parcel, (passing the centerline of survey and construction for said County Road 14 and a southwest corner of said 0.230 acre right-of-way easement at a distance of 75.00 feet), a total distance of **180.00 feet** to a northeast corner of said 1.19 acre right-of-way parcel, being a southwest corner of said 0.230 acre right-of-way easement, said point being 30.00 feet left of Noe-Bixby Road centerline of survey and construction Station 88+95.60;
8. **South 29 degrees 28 minutes 12 seconds West**, along a northwest line of said 1.19 acre right-of-way parcel, along a southeast line of said 0.230 acre right-of-way easement, a distance of **14.14 feet** to a southwest corner of said 0.230 acre right-of-way easement, being a northeast corner of that 0.147 acre tract and the southeast corner of that 0.914 acre tract, both described in a deed to Lois A. Koom, Successor Trustee, of record in Instrument Number 201007220093022, said corner being on the existing west right-of-way line for said Noe-Bixby Road, said corner being 40.00 feet left of Noe-Bixby Road centerline of survey and construction Station 88+85.60;
9. **North 15 degrees 31 minutes 48 seconds West**, along the east line of said 0.914 acre tract, along the west line of said 0.230 acre right-of-way easement, and along the existing west right-of-way line for said Noe-Bixby Road, a distance of **180.00 feet** to the northeast corner of said 0.914 acre tract, being the northwest corner of said 0.230 acre right-of-way easement, said point being 40.00 feet left of Noe-Bixby Road centerline of survey and construction Station 90+65.60;
10. **North 74 degrees 28 minutes 12 seconds East**, along the easterly prolongation of the north line of said 0.914 acre tract, along the north line of said 0.230 acre right-of-way easement, a distance of **40.00 feet** to the northeast corner of said 0.230 acre right-of-way easement, being on the centerline of survey and construction for said Noe-Bixby Road, being on a west line of said Plat of Qualstan East, said point being at Noe-Bixby Road centerline of survey and construction Station 90+65.60;
11. **South 15 degrees 31 minutes 48 seconds East**, along the east line of said 0.230 acre right-of-way easement, along a west line of said Plat of Qualstan East, and along the centerline of survey and construction for said Noe-Bixby Road, a distance of **275.00 feet** to the **TRUE POINT OF BEGINNING**

for the herein described right-of-way parcel.

The above described right-of-way parcel contains an area of **0.930 acres** within Franklin County Auditor's tax parcel number 260-000013 (including 0.720 acres within the present road occupied).

Bearings described herein are based on the bearing of North 85 degrees 31 minutes 08 seconds West, for the section line between Sections 3, Township 11, Range 21, Congress Lands and 27, Township 12, Range 21, Refugee Lands, and are referenced to the Ohio State Plane Coordinate System, South Zone, and the North American Datum of 1983 (NSRS 2007 Adjustment) as established utilizing a GPS survey, originating from Franklin County Survey Control Monuments "FRANK 132", "FRANK 32" and "FCGS 9918".

Iron pins set are 5/8 inch diameter rebar 30 inches long with yellow plastic caps stamped "Franklin County Engineer". Iron pins will be set by the Franklin County Engineer's Survey Department upon completion of the roadway improvement.

Grantor retains the right of ingress/egress to residual area of WD take.

The above description of a right-of-way parcel was prepared and reviewed on April 10, 2012 by Brian P. Bingham, Professional Surveyor Number 8438, is based on an actual field survey performed in March 2010 by American Structurepoint, Inc., 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, Registered Professional Surveyor No. 8438

**PARCEL 3-WD2**  
**DESCRIPTION OF A 0.753 ACRE TRACT**  
**TRURO TOWNSHIP, FRANKLIN COUNTY, OHIO**

Situate in the State of Ohio, County of Franklin, Township of Truro, and being a part of Half Section 48, Section 27, Township 12 North, Range 21 West, Refugee Lands, and being a part of a 4.856 acre tract (Auditor) as conveyed the City of Columbus, Ohio by deed of record Deed Book 3748, Page 595, Recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows;

Commencing for reference at a Franklin County Geodetic Monument (FCGS 1936) at the intersection of the centerline of Refugee Road and the centerline of Noe-Bixby Road, and said monument being in the easterly line of the said 4.856 acre tract;

Thence South 15°31'48" East, a distance of 264.38 feet, along the easterly line of the said 4.856 acre tract, and also along the centerline of Noe-Bixby Road;

Thence North 85°31'08" West, a distance of 74.50 feet, crossing the said 4.856 acre tract, and also along the northerly right-of-way line of Old Refugee Road to an iron pin (set), and said iron pin being also the **True Place of Beginning** of the herein described tract of land;

Thence North 85°31'08" West, a distance of 372.83 feet, continuing across the said 4.856 acre tract, and also continuing along the northerly right-of-way line of said Old Refugee Road to an iron pin (set) at a southwesterly corner of the said 4.856 acre tract, said iron pin being an angle in the northerly right-of-way line of said Old Refugee Road, and said iron pin being also a southeasterly corner of a 4.91 acre tract as conveyed to the County of Franklin by deed of record Deed Book 3056, Page 377, Recorder's Office, Franklin County, Ohio;

Thence North 15°10'32" West, a distance of 36.47 feet, along the westerly line of the said 4.856 acre tract, along a easterly line of the said 4.91 acre tract, and also along the easterly right-of-way line of said Old Refugee Road to an iron pin (set) at a southwesterly corner of the said 4.856 acre tract, said iron pin being a southeasterly corner of the said 4.91 acre tract, and said iron pin being also the intersection of the easterly right-of-way line of said Old Refugee Road and the southerly right-of-way line of Refugee Road;

Thence North 74°29'41" East, a distance of 170.00 feet, along a southerly line of the said 4.856 acre tract, along a southerly line of the said 4.91 acre tract, and also long the southerly right-of-way line of said Refugee Road to an iron pin (set);

Thence crossing the said 4.856 acre tract by the following three (3) described courses:

1. North 80°51'22" East a distance of 159.09 feet to an iron pin (set);
2. South 40°09'13" East, a distance of 52.80 feet to an iron pin (set);
3. South 15°31'48" East, a distance of 98.28 feet to the **True Place of Beginning**, containing 0.753 acres, more or less, subject to all easements, restrictions and rights-of-way of record.

Iron Pins set are 5/8" rebar with yellow plastic caps stamped "Franklin County Engineer".

The bearings shown herein are based on the bearing of (N85°31'08"W) for the section line between Sec. 3, T11N, R21W, Congress Lands East of the Scioto, and Sec. 27, T12N, R21W, Refugee Lands, and are based referenced to the Ohio State Plane Coordinate System, South Zone, and the North American Datum of 1983 (NSRS 2007 Adjustment) as established utilizing a GPS survey originating from Franklin County Survey Control Monuments "Frank 132", "Frank 32" and "FCGS 9918".

This description was prepared by the office of the Franklin County Engineer, David L. Pearson, P.S., Ohio Registered Surveyor No. 7298, from an actual field survey of the premises made by Structurepoint in March 2010 for the Franklin County Engineer's Office, along with public records on file in the Franklin County Recorder's Office and the Franklin County Engineer's Office.

David L. Pearson, Ohio Registered Surveyor No.7298

**SECTION 2.** On behalf of the City of Columbus, Ohio, the Director of the Department of Recreation and Parks is authorized to execute a Quitclaim Deed of Temporary Construction Easement and any other ancillary instruments, as approved by the Columbus City Attorney's Office, Real Estate Division, necessary to grant the Board of County Commissioners, Franklin County, Ohio, a one (1) year temporary construction easement in, on, under, and through the following described City-owned real property for the purpose of the County's FRA-CR14-5.41 (Refugee Rd - Chatterton Rd at Noe Bixby Rd) Project:

**PARCEL 1-T1**

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in the Half Section 48, Section 27, Township 12, Range 21, Refugee Lands, and being a part of that original 64 acre tract (139.773 acre tract from Auditor's Tax information) described in a deed to **City of Columbus, Ohio**, of record in Deed Book 3748, page 595, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, being a parcel of land located on the left side of the centerline of survey and construction for County Road 14 (Refugee Road) as shown on the centerline plat for FRA-CR14-5.41, of record in Plat Book 115, Pages 2-4, on file at the Franklin County Recorder's Office, and being further bounded and described as follows:

Commencing for reference at the southwest corner of that 0.914 acre tract and the northwest corner of that 0.147 acre tract, both as described in a deed to Lois A. Koom, Successor Trustee, of record in Instrument Number 201007220093022, said corner being on the exiting north right-of-way line for County Road 14 (Refugee Road), as described as Parcel 10-WD in a deed to County of Franklin, of record in Deed Book 3056, page 377, and said corner being 75.00 feet left of County Road 14 (Refugee Road) centerline of survey and construction Station 107+80.10;

Thence across said original 64 acre tract, along the existing north right-of-way line for said County Road 14 (Refugee Road) along the following six (6) described courses:

1. **South 74 degrees 28 minutes 12 seconds West**, a distance of **101.91 feet** to a point, said point being 75.00 feet left of County Road 14 (Refugee Road) centerline of survey and construction Station 106+78.19;
2. **South 73 degrees 22 minutes 37 seconds West**, a distance of **245.69 feet** to a point, said point being 65.00 feet left of County Road 14 (Refugee Road) centerline of survey and construction Station 104+28.19;
3. **South 81 degrees 38 minutes 34 seconds West**, a distance of **220.29 feet** to a point, said point being 65.00 feet left of County Road 14 (Refugee Road) centerline of survey and construction Station 102+00.00;
4. **South 87 degrees 45 minutes 44 seconds West**, a distance of **179.93 feet** to a point, said point being 64.69 feet left of County Road 14 (Refugee Road) centerline of survey and construction Station

100+13.67;

**5. North 85 degrees 35 minutes 40 seconds West**, a distance of **42.36 feet** to a point, said point being 67.00 feet left of County Road 14 (Refugee Road) centerline of survey and construction Station 99+70.00, and said point being the **TRUE POINT OF BEGINNING** for the herein described temporary easement;

**6. North 85 degrees 35 minutes 40 seconds West**, a distance of **221.98 feet** to a point, said point being 70.00 feet left of County Road 14 (Refugee Road) centerline of survey and construction Station 97+45.00;

Thence leaving said north right-of-way line and continuing across said original 64 acre tract the following three (3) courses:

1. Thence **North 88 degrees 48 minutes 52 seconds East**, a distance of **104.88 feet** to a point, said point being 80.00 feet left of County Road 14 (Refugee Road) centerline of survey and construction Station 98+50.00;

2. Thence **South 86 degrees 21 minutes 00 seconds East**, a distance of **49.07 feet** to a point, said point being 80.00 feet left of County Road 14 (Refugee Road) centerline of survey and construction Station 99+00.00;

3. Thence **South 76 degrees 35 minutes 11 seconds East**, a distance of **69.39 feet** to the **TRUE POINT OF BEGINNING** for the herein described temporary easement.

The above described temporary easement contains an area of **0.033 acres** within Franklin County Auditor's tax parcel number 010-118520.

Bearings described herein are based on the bearing of North 85 degrees 31 minutes 08 seconds West, for the section line between Sections 3, Township 11, Range 21, Congress Lands and 27, Township 12, Range 21, Refugee Lands, and are referenced to the Ohio State Plane Coordinate System, South Zone, and the North American Datum of 1983 (NSRS 2007 Adjustment) as established utilizing a GPS survey, originating from Franklin County Survey Control Monuments "FRANK 132", "FRANK 32" and "FCGS 9918".

The above description of a temporary easement was prepared and reviewed on February April 10, 2012 by Brian P. Bingham, Professional Surveyor Number 8438, is based on an actual field survey performed in March 2010 by American Structurepoint, Inc., and is true and correct to the best of my knowledge.

American Structurepoint, Inc.

Brian P. Bingham, Registered Professional Surveyor No. 8438

#### **PARCEL 1-T2**

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in the Half Section 48, Section 27, Township 12, Range 21, Refugee Lands, and being a part of that original 64 acre tract (139.773 acre by Auditor's Tax information) described in a deed to **City of Columbus, Ohio**, of record in Deed Book 3748, page 595, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, being a parcel of land located on the left side of the centerline of survey and construction for County Road 14 (Refugee Road) as shown on the centerline plat for FRA-CR14-5.41, of record in Plat Book 115, Pages 2-4, on file at the Franklin County Recorder's Office, and being further bounded and described as follows:

Commencing for reference at the southwest corner of that 0.914 acre tract and the northwest corner of that 0.147 acre tract, both as described in a deed to Lois A. Koom, Successor Trustee, of record in Instrument Number 201007220093022, said corner being on the exiting north right-of-way line for County Road 14 (Refugee Road), as described as Parcel 10-WD in a deed to County of Franklin, of record in Deed Book 3056, page 377, and said corner being 75.00 feet left of County Road 14 (Refugee Road) centerline of survey and construction Station 107+80.10;

Thence across said original 64 acre tract, along the existing north right-of-way line for said County Road 14 (Refugee Road) along the following four (4) described courses:

**7. South 74 degrees 28 minutes 12 seconds West**, a distance of **101.91 feet** to a point, said point

being 75.00 feet left of County Road 14 (Refugee Road) centerline of survey and construction Station 106+78.19;

**8. South 73 degrees 22 minutes 37 seconds West**, a distance of **245.69 feet** to a point, said point being 65.00 feet left of County Road 14 (Refugee Road) centerline of survey and construction Station 104+28.19;

**9. South 81 degrees 38 minutes 34 seconds West**, a distance of **87.10 feet** to a point, said point being 68.15 feet left of County Road 14 (Refugee Road) centerline of survey and construction Station 103+38.00, and said point being the **TRUE POINT OF BEGINNING** for the herein described temporary easement;

**10. South 81 degrees 38 minutes 34 seconds West**, a distance of **75.22 feet** to a point, said point being 67.55 feet left of County Road 14 (Refugee Road) centerline of survey and construction Station 102+60.00;

Thence leaving said north right-of-way line and continuing across said original 64 acre tract along the following three (3) courses:

**1. North 26 degrees 29 minutes 57 seconds East**, a distance of **24.37 feet** to a point, said point being 87.89 feet left of County Road 14 (Refugee Road) centerline of survey and construction Station 102+74.00;

**2. North 81 degrees 38 minutes 34 seconds East**, a distance of **43.88 feet** to a point, said point being 88.28 feet left of County Road 14 (Refugee Road) centerline of survey and construction Station 103+20.00;

**3. Thence South 49 degrees 24 minutes 14 seconds East**, a distance of **26.52 feet** to the **TRUE POINT OF BEGINNING** for the herein described temporary easement.

The above described temporary easement contains an area of **0.027 acres** within Franklin County Auditor's tax parcel number 010-118520.

Bearings described herein are based on the bearing of North 85 degrees 31 minutes 08 seconds West, for the section line between Sections 3, Township 11, Range 21, Congress Lands and 27, Township 12, Range 21, Refugee Lands, and are referenced to the Ohio State Plane Coordinate System, South Zone, and the North American Datum of 1983 (NSRS 2007 Adjustment) as established utilizing a GPS survey, originating from Franklin County Survey Control Monuments "FRANK 132", "FRANK 32" and "FCGS 9918".

The above description of a temporary easement was prepared and reviewed on April 10, 2012 by Brian P. Bingham, Professional Surveyor Number 8438, is based on an actual field survey performed in March 2010 by American Structurepoint, Inc., and is true and correct to the best of my knowledge.

American Structurepoint, Inc.

Brian P. Bingham, Registered Professional Surveyor No. 8438

### **PARCEL 1-T3**

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in the Half Section 48, Section 27, Township 12, Range 21, Refugee Lands, and being a part of that original 64 acre tract (139.773 acres by Auditor's Tax information) described in a deed to **City of Columbus, Ohio**, of record in Deed Book 3748, page 595, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, being a parcel of land located on the left side of the centerline of survey and construction for Noe-Bixby Road as shown on the centerline plat for FRA-CR14-5.41, of record in Plat Book 115, Pages 2-4, on file at the Franklin County Recorder's Office, and being further bounded and described as follows:

Commencing for reference at the northeast corner of that 0.914 acre tract described in a deed to Lois A. Koom, Successor Trustee, of record in Instrument Number 201007220093022, being the northwest corner of a 0.230 acre perpetual easement and right-of-way described in an easement granted to the County of Franklin, of record in Deed Book 2928, page 94, and said point of reference being 40.00 feet left of Noe-Bixby Road centerline of survey and construction Station 90+65.60;

Thence across said original 64 acre tract along the following twenty (20) described courses:

1. **South 74 degrees 28 minutes 12 seconds West**, along a north line of said 0.914 acre tract, a distance of **15.00 feet** to a point on the proposed west right-of-way of said Noe-Bixby Road, said point being 55.00 feet left of Noe-Bixby Road centerline of survey and construction Station 90+65.60, said point being the **TRUE POINT OF BEGINNING** for the herein described temporary easement;
2. **South 74 degrees 28 minutes 12 seconds West**, continuing along a north line of said 0.914 acre tract, a distance of **20.00 feet** to a point, said point being 75.00 feet left of Noe-Bixby Road centerline of survey and construction Station 90+65.60;
3. **North 44 degrees 26 minutes 39 seconds West**, a distance of **39.30 feet** to a point, said point being 94.00 feet left of Noe-Bixby Road centerline of survey and construction Station 91+00.00;
4. **North 12 degrees 19 minutes 29 seconds West**, a distance of **250.39 feet**, to a point, said point being 80 feet left of said Noe-Bixby Road centerline of survey and construction at Station 93+50.00;
5. **North 06 degrees 16 minutes 17 seconds East**, a distance of **53.85 feet**, to a point said point being 60.00 feet left of Noe-Bixby Road centerline of survey and construction Station 94+00.00;
6. **North 15 degrees 31 minutes 48 seconds West**, parallel to and 30.00 feet westerly from the existing west right-of-way line for said Noe-Bixby Road, a distance of **350.00 feet** to a point, said point being 60.00 feet left of Noe-Bixby Road centerline of survey and construction Station 97+50.00;
7. **North 07 degrees 56 minutes 07 seconds West**, a distance of **151.33 feet** to a point, said point being 40.00 feet left of Noe-Bixby Road centerline of survey and construction Station 99+00.00;
8. **North 22 degrees 37 minutes 54 seconds West**, a distance of **161.55 feet** to a point, said point being 60.00 feet left of Noe-Bixby Road centerline of survey and construction Station 100+60.00;
9. **North 15 degrees 14 minutes 04 seconds West**, parallel to and 30.00 feet westerly from the existing west right-of-way line for said Noe-Bixby Road, a distance of **140.00 feet** to a point, said point being 60.00 feet left of Noe-Bixby Road centerline of survey and construction Station 102+00.00;
10. **North 07 degrees 38 minutes 24 seconds West**, a distance of **151.33 feet** to a point, said point being 40.00 feet left of Noe-Bixby Road centerline of survey and construction Station 103+50.00;
11. **North 19 degrees 38 minutes 00 seconds West**, a distance of **130.38 feet** to a point, said point being 50.00 feet left of Noe-Bixby Road centerline of survey and construction Station 104+80.00;
12. **North 10 degrees 16 minutes 03 seconds East**, a distance of **46.45 feet** to a point on the existing west right-of-way line for said Noe-Bixby Road, said point being 31.01 feet left of Noe-Bixby Road centerline of survey and construction Station 105+20.00;
13. **South 15 degrees 14 minutes 04 seconds East**, along the existing west right-of-way line for said Noe-Bixby Road, a distance of **311.93 feet** to a point on a proposed west right-of-way line for said Noe-Bixby Road, said point being 30.00 feet left of Noe-Bixby Road centerline of survey and construction at Station 102+10.00;
14. **South 74 degrees 45 minutes 56 seconds West**, along a proposed west right-of-way line for said Noe-Bixby Road, a distance of **15.00 feet** to a point, said point being 45.00 feet left of Noe-Bixby Road centerline of survey and construction at Station 102+10.00;
15. **South 15 degrees 14 minutes 04 seconds East**, along the proposed west right-of-way line for said Noe-Bixby Road, a distance of **80.00 feet** to a point, said point being 45.00 feet left of said Noe-Bixby Road centerline of survey and construction at Station 101+30.00;
16. **North 74 degrees 45 minutes 56 seconds East**, along a proposed west right-of-way line for said Noe-Bixby Road, a distance of **15.00 feet** to a point on the existing west right-of-way line for said Noe-Bixby Road, said point being 30.00 feet left of Noe-Bixby Road centerline of survey and construction at Station 101+30.00;
17. **South 15 degrees 14 minutes 04 seconds East**, along the existing west right-of-way line for said Noe-Bixby Road, a distance of **75.24 feet** to the point of intersection of two lines, each being 30.00 feet west of and parallel to the centerline of survey and construction of said Noe-Bixby Road, the corresponding angle point in said centerline being at Station 100+54.83;
18. **South 15 degrees 31 minutes 48 seconds East**, continuing along the existing west right-of-way line for said Noe-Bixby Road, a distance of **654.91 feet** to a point on the proposed west right-of-way line for said Noe-Bixby Road, said point being 30.00 feet left of Noe-Bixby Road centerline of survey and construction Station 94+00.00;

**19. South 00 degrees 06 minutes 44 seconds West**, along the proposed west right-of-way line for said Noe-Bixby Road, a distance of **51.92 feet** to a point, said point being 44.00 feet left of Noe-Bixby Road centerline of survey and construction Station 93+50.00;

**20. South 13 degrees 18 minutes 54 seconds East**, continuing along the proposed west right-of-way line for said Noe-Bixby Road, a distance of **284.61 feet** to the **TRUE POINT OF BEGINNING** for the herein described temporary easement.

The above described temporary easement contains an area of **0.856 acres** within Franklin County Auditor's tax parcel number 010-118520.

Bearings described herein are based on the bearing of North 85 degrees 31 minutes 08 seconds West, for the section line between Sections 3, Township 11, Range 21, Congress Lands and 27, Township 12, Range 21, Refugee Lands, and are referenced to the Ohio State Plane Coordinate System, South Zone, and the North American Datum of 1983 (NSRS 2007 Adjustment) as established utilizing a GPS survey, originating from Franklin County Survey Control Monuments "FRANK 132", "FRANK 32" and "FCGS 9918".

The above description of a temporary easement was prepared and reviewed on April 10, 2012 by Brian P. Bingham, Professional Surveyor Number 8438, is based on an actual field survey performed in March 2010 by American Structurepoint, Inc., and is true and correct to the best of my knowledge.

American Structurepoint, Inc.  
Brian P. Bingham, Registered Professional Surveyor No. 8438

**SECTION 3.** The total consideration of Seven Thousand, Two Hundred Ninety-Three, and 00/100 U.S. Dollars (\$7,293.00) received by the City for granting portions of real property and temporary easement rights to the County shall be deposited with the Recreation and Parks Department, Fund № 747, OCA № 053181, Object Level 0833, Project № 747999, Permanent Improvement Fund, or as otherwise determined by the Columbus City Auditor and the Department of Recreation and Parks.

**SECTION 4.** For the reasons stated in this ordinance's preamble, which is made a part of this ordinance, this ordinance is 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 (10) days after its passage if the Mayor neither approves nor vetoes the same.