



## Legislation Details (With Text)

**File #:** 2019-2007      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**File created:** 11/20/2007      **In control:** Judiciary And Court Administration Committee

**On agenda:** 12/10/2007      **Final action:** 12/13/2007

**Title:** To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary the Lockbourne Road Roadway Improvement Project, to authorize the expenditure of \$7,066.00 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$7,066.00).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
12/13/2007	2	ACTING CITY CLERK	Attest	
12/12/2007	2	MAYOR	Signed	
12/10/2007	1	Columbus City Council	Amended as submitted to the Clerk	Pass
12/10/2007	1	Columbus City Council	Approved as Amended	Pass
12/10/2007	2	COUNCIL PRESIDENT	Signed	
11/26/2007	1	Atty Drafter	Sent for Approval	
11/26/2007	1	Auditor Reviewer	Reviewed and Approved	
11/26/2007	1	CITY AUDITOR	Reviewed and Approved	
11/26/2007	1	Atty Drafter	Sent for Approval	
11/26/2007	1	CITY ATTORNEY	Reviewed and Approved	
11/26/2007	1	Atty Drafter	Sent to Clerk's Office for Council	
11/21/2007	1	Atty Reviewer	Reviewed and Approved	
11/21/2007	1	Atty Drafter	Sent for Approval	
11/21/2007	1	Finance Reviewer	Reviewed and Approved	
11/21/2007	1	Finance Reviewer	Reviewed and Approved	
11/21/2007	1	FINANCE DIRECTOR	Reviewed and Approved	
11/20/2007	1	Atty Drafter	Sent for Approval	

**Background:** The following legislation authorizes the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary for the **Lockbourne Road Roadway Improvement Project**.

**Fiscal Impact:** Funding for this project is from the Public Service Department, Transportation Division 1995, 1999 Voted Streets and Highways Fund.

**Emergency Justification:** N/A

To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary the **Lockbourne Road Roadway Improvement Project**, to authorize the expenditure of \$7,066.00 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$7,066.00).

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the **Lockbourne Road Roadway Improvement Project**; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 0193X-2006, on the 4th day of December, 2006, declaring the necessity and intent to appropriate the real property interests hereinafter described and the purpose of the appropriation, and notice of such adoption of said resolution has been served in accordance with Columbus City Code Sec. 909.03; and,

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that it is necessary to appropriate such real property interests so that there will be no delay in the aforementioned project, and for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Lockbourne Road Roadway Improvement Project, # 530103, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

**PARCEL NO. 39WD**

Situated in the City of Columbus, County of Franklin, State of Ohio and being a part of the Southeast Quarter of Section 3, Township 4, Range 22, Congress Lands, and being part of a 0.818 acre parcel owned by A.G. and Mary E. Douridas, as referenced in D.B. 2683 page 538, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Being a parcel of land lying on the left side of the proposed centerline of construction of Lockbourne Road as shown in plans for Lockbourne Road, C.I.P. 937, and being located within the following described points in the boundary thereof:

Beginning at a point at the intersection of the westerly right of way line of Lockbourne Road, with the southerly property line of said 0.818 acre parcel and with the northerly property line of a 24.00 acre parcel referenced in Deed Book 2726 page 442 and owned by the City of Columbus, and being the northeast corner of the Baker Heights Subdivision as recorded in Plat Book 19, Page 48, Recorder's Office, Franklin County, Ohio, and being 30.25 feet left of station 19+34.80 of the proposed centerline of construction of Lockbourne Road, said point being South 86 degrees 28 minutes 49 seconds East, a distance of 1.22 feet from a found iron pin and being the TRUE POINT OF BEGINNING of the parcel herein described;

Thence along the Grantor's southerly property line, and northerly line of said 24.00 acre parcel, North 86 degrees 28 minutes 49 seconds West, a distance of 1.00 feet to an iron pin set on the proposed right of way line and being South 86 degrees 28 minutes 49 seconds East, a distance of 0.22 feet from said found iron pin, and being 31.25 feet left of station 19+34.82 of the proposed centerline of construction of Lockbourne Road;

Thence along the proposed right of way line, North 03 degrees 41 minutes 11 seconds East, a distance of 206.73 feet to an iron pin set on the Grantor's northerly property line and being South 86 degrees 28 minutes 49 seconds East, a distance of 0.24 feet from a found iron pin, and being 30.83 feet left of station 21+40.75 of the proposed centerline of construction of Lockbourne Road;

Thence along the Grantor's northerly property line, South 86 degrees 28 minutes 49 seconds East, a distance of 41.00 feet, passing the existing right of way line at 18.50 feet, to a point on the Grantor's northeast property corner and the centerline of Lockbourne Road, and being 10.17 feet right of station 21+40.88 of the proposed centerline of construction of Lockbourne Road;

Thence along the Grantor's easterly property line and centerline of Lockbourne Road, South 03 degrees

41 minutes 11 seconds West, a distance of 206.73 feet to the Grantor's southeast property corner and being 9.74 feet right of station 19+33.90 of the proposed centerline of construction of Lockbourne Road;

Thence along the Grantor's southerly property line, North 86 degrees 28 minutes 49 seconds West, a distance of 40.00 feet, passing the existing right of way line at 22.50 feet to the TRUE POINT OF BEGINNING and containing 0.195 acres, more or less.

From the above total take, 0.062 acres is taken from Auditor's Parcel No. 010-115963, which contains 0.261 acres and P.R.O. is 0.034 acres; 0.062 acres is taken from Auditor's Parcel No. 010-115962, which contains 0.261 acres and P.R.O. is 0.034 acres; and 0.071 acres is taken from Auditor's Parcel No. 010-115961, which contains 0.296 acres and P.R.O. is 0.039 acres.

The grantor reserves the right of ingress and egress to and from the residual area.

The above description was prepared from a survey conducted by Korda/Nemeth Engineering, Inc. under the direction of Michael D. Weeks, Professional Surveyor No. 7357.

Monuments referred to as iron pins set will be 5/8" inch diameter x 30 inch long capped iron bars set upon construction completion.

The bearings used herein are based on a Centerline Survey Plat of Lockbourne Road by the Franklin County Engineer's Office dated 10/2003, which was based on the Ohio State Plane Coordinate System, South Zone, NAD 83, (1986). As established from a GPS survey performed by the Franklin County Engineer's Survey Department in 1991. Occupying monuments "FCGS 8819" and "FCGS 8820".

Original Lockbourne Road right of way width is referenced from Road Record 7, Page 405, Recorder's Office, Franklin County, Ohio.

Grantor claims title by instrument of record in Deed Book 2683 and Page 538, Recorder's Office, Franklin County, Ohio.

#### PARCEL NO. 39T

Situated in the City of Columbus, County of Franklin, State of Ohio and being a part of the Southeast Quarter of Section 3, Township 4, Range 22, Congress Lands, and being part of a 0.818 acre parcel owned by A.G. and Mary E. Douridas, as referenced in Deed Book 2683 page 538, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Being a parcel of land lying on the left side of the proposed centerline of construction of Lockbourne Road as shown in plans for Lockbourne Road, C.I.P. 937, and being located within the following described points in the boundary thereof:

Commencing for reference at the Grantor's southeast property corner and on the centerline of Lockbourne Road and being 9.74 feet right of station 19+33.90 of the proposed centerline of construction of Lockbourne Road; thence along the Grantor's southerly property line, North 86 degrees 28 minutes 49 seconds West, a distance of 41.00 feet to a point on the proposed right of way line of Lockbourne Road, and being 31.25 feet left of station 19+34.82 of the proposed centerline of construction of Lockbourne Road, and being the TRUE POINT OF BEGINNING of the parcel herein described;

Thence along the Grantor's southerly property line, North 86 degrees 28 minutes 49 seconds West, a distance of 5.00 feet to a point on the proposed temporary right of way line and being 36.25 feet left of station 19+34.95 of the proposed centerline of construction of Lockbourne Road;

Thence North 03 degrees 41 minutes 11 seconds East 132.06 feet to a point being 35.81 feet left of station 20+66.08 of the proposed centerline of construction of Lockbourne Road;

Thence North 86 degrees 28 minutes 49 seconds West, 5.00 feet to a point being 40.81 feet left of station 20+66.07 of the proposed centerline of construction of Lockbourne Road;

Thence North 03 degrees 41 minutes 11 seconds East 20.00 feet to a point being 40.81 feet left of station 20+86.07 of the proposed centerline of construction of Lockbourne Road;

Thence South 86 degrees 28 minutes 49 seconds East, 5.00 feet to a point being 35.81 feet left of station 20+86.08 of the proposed centerline of construction of Lockbourne Road;

Thence North 03 degrees 41 minutes 11 seconds East, a distance of 54.65 feet to a point on the Grantor's northerly property line and being 35.83 feet left of station 21+40.73 of the proposed centerline of construction of Lockbourne Road;

Thence along the Grantor's northerly property line, South 86 degrees 28 minutes 49 seconds East, a distance of 5.00 feet to a point on the proposed westerly right of way line of Lockbourne Road and being 30.83 feet left of station 21+40.75 of the proposed centerline of construction of Lockbourne Road;

Thence along the proposed westerly right of way line of Lockbourne Road, South 03 degrees 41 minutes

11 seconds West, a distance of 206.73 feet to the TRUE POINT OF BEGINNING and containing 0.026 acres, more or less.

The above take is from Auditor's Parcel Numbers 010-115963, which contains 0.261 acres, 010-115962, which contains 0.261 acres, and 010-115961, which contains 0.296 acres, which present road occupies (P.R.O.) 0.107 acres more or less.

The grantor reserves the right of ingress and egress to and from the residual area.

The above description was prepared from a survey conducted by Korda/Nemeth Engineering, Inc. under the direction of Michael D. Weeks, Professional Surveyor No. 7357.

The bearings used herein are based on a Centerline Survey Plat of Lockbourne Road by the Franklin County Engineer's Office dated 10/2003, which was based on the Ohio State Plane Coordinate System, South Zone, NAD 83, (1986). As established from a GPS survey performed by the Franklin County Engineer's Survey Department in 1991. Occupying monuments "FCGS 8819" and "FCGS 8820".

Grantor claims title by instrument of record in Deed Book 2683 and Page 538, Recorder's Office, Franklin County, Ohio.

Section 2. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Lockbourne Road Roadway Improvement Project, # 530103, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

**PARCEL NO. 47T**

Situated in the City of Columbus, County of Franklin, State of Ohio and being a part of the Southwest Quarter of Section 2, Township 4, Range 22, Congress Lands, and being part of a 0.858 acre tract owned by Paul W. Leithart, as referenced in Deed Book 1301, Page 41, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Being a parcel of land lying on the right side of the proposed centerline of construction of Lockbourne Road as shown in plans for Lockbourne Road, C.I.P. 937, and being located within the following described points in the boundary thereof:

Commencing for reference at a point at the Grantor's southwest property corner and on the existing centerline of Lockbourne Road and being 10.03 feet right of station 25+38.85; thence along the Grantor's southerly property line, South 85 degrees 45 minutes 49 seconds East, a distance of 22.50 feet to a point on the easterly right of way line of Lockbourne Road and being 32.53 feet right of station 25+38.64 of the proposed centerline of construction of Lockbourne, and being the TRUE POINT OF BEGINNING of the parcel herein described;

Thence along said easterly right of way line, North 03 degrees 41 minutes 11 seconds East, a distance of 75.00 feet to a point on the Grantor's northerly property line and being 32.51 feet right of station 26+13.64 of the proposed centerline of construction of Lockbourne Road;

Thence along the Grantor's northerly property line, South 85 degrees 45 minutes 49 seconds East, a distance of 25.00 feet to a point on the proposed temporary right of way line and being 57.51 feet right of station 26+13.41 of the proposed centerline of construction of Lockbourne Road;

Thence along the proposed temporary right of way line, South 03 degrees 41 minutes 11 seconds West, a distance of 75.00 feet, to a point on the Grantor's southerly property line and being 57.53 feet right of station 25+38.41 of the proposed centerline of construction of Lockbourne Road;

Thence along the Grantor's southerly property line, North 85 degrees 45 minutes 49 seconds West, a distance of 25.00 feet to the TRUE POINT OF BEGINNING and containing 0.043 acres, more or less.

The above take is from Auditor's Parcel Number 010-113463, which contains 0.858 acres, which present road occupies (P.R.O.) 0.039 acres more or less.

The grantor reserves the right of ingress and egress to and from the residual area.

The above description was prepared from a survey conducted by Korda/Nemeth Engineering, Inc. under the direction of Michael D. Weeks, Professional Surveyor No. 7357.

The bearings used herein are based on a Centerline Survey Plat of Lockbourne Road by the Franklin County Engineer's Office dated 10/2003, which was based on the Ohio State Plane Coordinate System, South Zone, NAD 83, (1986). As established from a GPS survey performed by the Franklin County Engineer's Survey Department in 1991. Occupying monuments "FCGS 8819" and "FCGS 8820".

Original Lockbourne Road right of way width is referenced from Road Record 7, Page 405, Recorder's Office, Franklin County, Ohio.

Grantor claims title by instrument of record in Deed Book 1301, Page 41, Recorder's Office, Franklin County, Ohio.

Section 3. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Lockbourne Road Roadway Improvement Project, # 530103, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

**PARCEL NO. 52T**

Situated in the City of Columbus, County of Franklin, State of Ohio and being a part of the Southwest Quarter of Section 2, Township 4, Range 22, Congress Lands, and being part of a 1.145 acre parcel owned by Paul W. Leithart Tr. as referenced in Deed Book 3657, Page 882, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Being a parcel of land lying on the right side of the proposed centerline of construction of Lockbourne Road as shown in plans for Lockbourne Road, C.I.P. 937, and being located within the following described points in the boundary thereof:

Commencing for reference at the Grantor's northwest property corner and on the centerline of Lockbourne Road and being 9.97 feet right of station 27+38.85 of the proposed centerline of construction of Lockbourne Road; thence along the Grantor's northerly property line, South 85 degrees 45 minutes 49 seconds East, a distance of 22.50 feet to a point on the easterly right of way line of Lockbourne Road and being 32.47 feet right of station 27+38.64 of the proposed centerline of construction of Lockbourne Road and being the TRUE POINT OF BEGINNING of the parcel herein conveyed;

Thence continuing along the Grantor's northerly property line, South 85 degrees 45 minutes 49 seconds East, a distance of 20.00 feet to a point on the proposed temporary right of way line and being 52.47 feet right of station 27+38.46 of the proposed centerline of construction of Lockbourne Road;

Thence along said temporary right of way line, South 03 degrees 41 minutes 11 seconds West, a distance of 25.00 feet to a point on the Grantor's southerly property line and being 52.47 feet right of station 27+13.46 of the proposed centerline of construction of Lockbourne Road;

Thence along said property line, North 85 degrees 45 minutes 49 seconds West, a distance of 20.00 feet to a point on the easterly right of way line of Lockbourne Road and being 32.47 feet right of station 27+13.64 of the proposed centerline of construction of Lockbourne Road;

Thence along said right of way line, North 03 degrees 41 minutes 11 seconds East, a distance of 25.00 feet to the TRUE POINT OF BEGINNING and containing 0.012 acres, more or less.

The above take area is from Auditor's Parcel Number 010-114017, which contains 1.15 acres, which present road occupies (P.R.O.) 0.013 acres more or less.

The above description was prepared from a survey conducted by Korda/Nemeth Engineering, Inc. under the direction of Michael D. Weeks, Professional Surveyor No. 7357.

The bearings used herein are based on a Centerline Survey Plat of Lockbourne Road by the Franklin County Engineer's Office dated 10/2003, which was based on the Ohio State Plane Coordinate System, South Zone, NAD 83, (1986). As established from a GPS survey performed by the Franklin County Engineer's Survey Department in 1991. Occupying monuments "FCGS 8819" and "FCGS 8820".

Original Lockbourne Road right of way width is referenced from Road Record 7, Page 405, Recorder's Office, Franklin County, Ohio.

Grantor claims title by instrument of record in Deed Book 3657, Page 882, Franklin County Recorder's Office, Franklin County, Ohio.

**PARCEL NO. 52T-1**

Situated in the City of Columbus, County of Franklin, State of Ohio and being a part of the southwest Quarter of Section 2, Township 4, Range 22, Congress Lands, and being part of a 0.124 acre parcel owned by Paul W. Leithart Tr. as referenced in Deed Book 2934, Page 270, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Being a parcel of land lying on the right side of the proposed centerline of construction of Lockbourne Road as shown in plans for Lockbourne Road, C.I.P. 937, and being located within the following described points in the boundary thereof:

Beginning at the Grantor's northwest property corner and on the easterly right of way line of Lockbourne Road and being 32.41 feet right of station 28+87.34 of the proposed centerline of construction of Lockbourne Road, and being the TRUE POINT OF BEGINNING of the parcel herein conveyed;

Thence along the Grantor's northerly property line, South 85 degrees 49 minutes 53 seconds East, a distance of 5.00 feet to a point on the proposed temporary right of way line and being 37.41 feet right of station

28+87.33 of the proposed centerline of construction of Lockbourne Road;

Thence, South 03 degrees 41 minutes 11 seconds West, a distance of 38.71 feet to a point on the Grantor's southerly property line and being 32.43 feet right of station 28+48.60 of the proposed centerline of construction of Lockbourne Road;

Thence along said property line, North 85 degrees 45 minutes 49 seconds West, a distance of 5.00 feet to a point on the easterly right of way line of Lockbourne Road and being 32.43 feet right of station 28+48.64 of the proposed centerline of construction of Lockbourne Road;

Thence along said right of way line, North 03 degrees 41 minutes 11 seconds East, a distance of 38.70 feet to the TRUE POINT OF BEGINNING and containing 0.004 acres, more or less.

The above take area is from Auditor's Parcel Number 010-112019, which contains 0.10 acres, which present road occupies (P.R.O.) 0.00 acres more or less.

The above description was prepared from a survey conducted by Korda/Nemeth Engineering, Inc. under the direction of Michael D. Weeks, Professional Surveyor No. 7357.

The bearings used herein are based on a Centerline Survey Plat of Lockbourne Road by the Franklin County Engineer's Office dated 10/2003, which was based on the Ohio State Plane Coordinate System, South Zone, NAD 83, (1986). As established from a GPS survey performed by the Franklin County Engineer's Survey Department in 1991. Occupying monuments "FCGS 8819" and "FCGS 8820".

Grantor claims title by instrument of record in Deed Book 2934, Page 270, Franklin County Recorder's Office, Franklin County, Ohio.

#### **PARCEL NO. 52S**

Situated in the City of Columbus, County of Franklin, State of Ohio and being a part of the Southwest Quarter of Section 2, Township 4, Range 22, Congress Lands, and being part of a 0.258 acre parcel owned by Paul W. Leithart as referenced in Deed Book 3657, Page 878, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Being a parcel of land lying on the right side of the proposed centerline of construction of Koebel Road as shown in plans for Lockbourne Road, C.I.P. 937, and being located within the following described points in the boundary thereof:

Beginning at the Grantor's northwest property corner and on the southerly right of way line of Koebel Road and being 17.89 feet right of station 1+69.90 of the proposed centerline of construction of Koebel Road, and being the TRUE POINT OF BEGINNING of the parcel herein conveyed;

Thence along the Grantor's northerly property line and the southerly right of way line of Koebel Road, South 85 degrees 49 minutes 53 seconds East, a distance of 103.26 feet to a point on the Grantor's easterly property line and being 18.15 feet right of station 2+73.16 of the proposed centerline of construction of Koebel Road;

Thence along said property line, South 03 degrees 41 minutes 11 seconds West, a distance of 10.00 feet to a point on the proposed easement line and being 28.15 feet right of station 2+73.22 of the proposed centerline of construction of Koebel Road;

Thence along said easement line, North 85 degrees 49 minutes 53 seconds West, a distance of 103.26 feet to a point on the Grantor's westerly property line and being 27.89 feet right of station 1+69.96 of the proposed centerline of construction of Koebel Road;

Thence along said property line, North 03 degrees 41 minutes 11 seconds East, a distance of 10.00 feet to the TRUE POINT OF BEGINNING and containing 0.024 acres, more or less.

The above take area is from Auditor's Parcel Number 010-112609, which contains 0.258 acres, which present road occupies (P.R.O.) 0.00 acres more or less.

The above description was prepared from a survey conducted by Korda/Nemeth Engineering, Inc. under the direction of Michael D. Weeks, Professional Surveyor No. 7357.

The bearings used herein are based on a Centerline Survey Plat of Lockbourne Road by the Franklin County Engineer's Office dated 10/2003, which was based on the Ohio State Plane Coordinate System, South Zone, NAD 83, (1986). As established from a GPS survey performed by the Franklin County Engineer's Survey Department in 1991. Occupying monuments "FCGS 8819" and "FCGS 8820".

Koebel Road right of way width (30 feet wide) is referenced from Deed Book 54, Page 373, Franklin County Recorder's Office, Franklin County, Ohio.

Grantor claims title by instrument of record in Deed Book 3657, Page 878, Franklin County Recorder's Office, Franklin County, Ohio.

#### **PARCEL NO. 52S-1**

Situated in the City of Columbus, County of Franklin, State of Ohio and being a part of the Southwest

Quarter of Section 2, Township 4, Range 22, Congress Lands, and being part of a 0.328 acre parcel owned by Paul W. Leithart as referenced in Deed Book 3657, Page 878, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Being a parcel of land lying on the right side of the proposed centerline of construction of Koebel Road as shown in plans for Lockbourne Road, C.I.P. 937, and being located within the following described points in the boundary thereof:

Beginning at the Grantor's northwest property corner and on the southerly right of way line of Koebel Road and being 18.41 feet right of station 3+76.42 of the proposed centerline of construction of Koebel Road, and being the TRUE POINT OF BEGINNING of the parcel herein conveyed;

Thence along the Grantor's northerly property line and the southerly right of way line of Koebel Road, South 85 degrees 49 minutes 53 seconds East, a distance of 131.50 feet to a point on the Grantor's northeast property corner and being 18.74 feet right of station 5+08.18 of the proposed centerline of construction of Koebel Road;

Thence along the Grantor's easterly property line, South 03 degrees 41 minutes 11 seconds West, a distance of 10.00 feet to a point on the proposed easement line and being 28.74 feet right of station 5+08.24 of the proposed centerline of construction of Koebel Road;

Thence along said easement line, North 85 degrees 49 minutes 53 seconds West, a distance of 131.50 feet to a point on the Grantor's westerly property line and being 28.41 feet right of station 3+76.48 of the proposed centerline of construction of Koebel Road;

Thence along said property line, North 03 degrees 41 minutes 11 seconds East, a distance of 10.00 feet to the TRUE POINT OF BEGINNING and containing 0.030 acres, more or less.

The above take area is from Auditor's Parcel Number 010-113461, which contains 0.46 acres, which present road occupies (P.R.O.) 0.00 acres more or less.

The above description was prepared from a survey conducted by Korda/Nemeth Engineering, Inc. under the direction of Michael D. Weeks, Professional Surveyor No. 7357.

The bearings used herein are based on a Centerline Survey Plat of Lockbourne Road by the Franklin County Engineer's Office dated 10/2003, which was based on the Ohio State Plane Coordinate System, South Zone, NAD 83, (1986). As established from a GPS survey performed by the Franklin County Engineer's Survey Department in 1991. Occupying monuments "FCGS 8819" and "FCGS 8820".

Koebel Road right of way width (30 feet wide) is referenced from Deed Book 54, Page 373, Franklin County Recorder's Office, Franklin County, Ohio.

Grantor claims title by instrument of record in Deed Book 3657, Page 878, Franklin County Recorder's Office, Franklin County, Ohio.

#### **PARCEL NO. 52S-2**

Situated in the City of Columbus, County of Franklin, State of Ohio and being a part of the Southeast Quarter of Section 3, Township 4, Range 22, Southeast Quarter, Congress Lands, and being part of a 0.931 acre parcel owned by Paul W. Leithart as referenced in Deed Book 3657, Page 878, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Being a parcel of land lying on the right side of the proposed centerline of construction of Koebel Road as shown in plans for Lockbourne Road, C.I.P. 937, and being located within the following described points in the boundary thereof:

Beginning at the Grantor's northwest property corner and on the southerly right of way line of Koebel Road and being 19.36 feet right of station 7+57.89 of the proposed centerline of construction of Koebel Road, and being the TRUE POINT OF BEGINNING of the parcel herein described;

Thence along the Grantor's northerly property line, and the south right of way line of Koebel Road, South 85 degrees 49 minutes 53 seconds East, a distance of 81.33 feet to a point on Grantor's northeast property corner and being 19.56 feet right of station 8+39.22 of the proposed centerline of construction of Koebel Road;

Thence along the Grantor's easterly property line, South 03 degrees 41 minutes 11 seconds West, a distance of 10.00 feet to a point on the proposed easement line and being 29.56 feet right of station 8+39.28 of the proposed centerline of construction of Koebel Road;

Thence along the said easement line, North 85 degrees 49 minutes 53 seconds West, a distance of 81.33 feet, to a point on the Grantor's westerly property line and being 29.36 feet right of station 7+57.95 of the proposed centerline of construction of Koebel Road;

Thence along the said property line, North 03 degrees 41 minutes 11 seconds East, a distance of 10.00 feet to the TRUE POINT OF BEGINNING and containing 0.019 acres, more or less.

The above take is from Auditor's Parcel Nos. 010-113462, which contains 0.93 acres, which present road occupies (P.R.O.) 0.00 acres more or less.

The grantor reserves the right of ingress and egress to and from the residual area.

The above description was prepared from a survey conducted by Korda/Nemeth Engineering, Inc. under the direction of Michael D. Weeks, Professional Surveyor No. 7357

The bearings used herein are based on a Centerline Survey Plat of Lockbourne Road by the Franklin County Engineer's Office dated 10/2003, which was based on the Ohio State Plane Coordinate System, South Zone, NAD 83, (1986). As established from a GPS survey performed by the Franklin County Engineer's Survey Department in 1991. Occupying monuments "FCGS 8819" and "FCGS 8820".

Koebel Road right of way width (30 feet wide) is referenced from Deed Book 54, Page 373, Franklin County Recorder's Office, Franklin County, Ohio.

Grantor claims title by instrument of record in Deed Book Deed Book 3657, Page 878, Recorder's Office, Franklin County, Ohio.

Section 4. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Lockbourne Road Radway Improvement Project, # 530103, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

#### **PARCEL NO. 56S**

Situated in the City of Columbus Count of Franklin, State of Ohio and being a part of the Southwest Quarter of Section 2, Township 4, Range 22, Southeast Quarter, Congress Lands, and being part of a 0.258 acre parcel owned by PTP Real Estate Company, LLC as referenced in Instrument Number 200301220021370, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Being a parcel of land lying on the right side of the proposed centerline of construction of Koebel Road as shown in plans for Lockbourne Road, C.I.P. 937, and being located within the following described points in the boundary thereof:

Beginning at a point at the Grantor's northwest property corner and being on the south right of way line of Koebel Road and being 18.15 feet right of station 2+73.16 of the proposed centerline of construction of Koebel Road, and being the TRUE POINT OF BEGINNING of the parcel herein described;

Thence along the Grantor's northerly property line, South 85 degrees 49 minutes 53 seconds East, a distance of 103.26 feet to a point on Grantor's northeast property corner and being 18.41 feet right of station 3+76.42 of the proposed centerline of construction of Koebel Road;

Thence along the Grantor's easterly property line, South 03 degrees 41 minutes 11 seconds West, a distance of 10.00 feet to a point on the proposed easement line and being 28.41 feet right of station 3+76.48 of the proposed centerline of construction of Koebel Road;

Thence along said easement line, North 85 degrees 49 minutes 53 seconds West, a distance of 103.26 feet, to a point on the Grantor's westerly property line and being 28.15 feet right of station 2+73.22 of the proposed centerline of construction of Koebel Road;

Thence along said property line, North 03 degrees 41 minutes 11 seconds East, a distance of 10.00 feet to the TRUE POINT OF BEGINNING and containing 0.024 acres, more or less.

The above take is from Auditor's Parcel No. 010-112617, which contains 0.23 acres, which present road occupies (P.R.O.) 0.00 acres more or less.

The grantor reserves the right of ingress and egress to and from the residual area.

The above description was prepared from a survey conducted by Korda/Nemeth Engineering, Inc. under the direction of Michael D. Weeks, Professional Surveyor No. 7357.

The bearings used herein are based on a Centerline Survey Plat of Lockbourne Road by the Franklin County Engineer's Office dated 10/2003, which was based on the Ohio State Plane Coordinate System, South Zone, NAD 83, (1986). As established from a GPS survey performed by the Franklin County Engineer's Survey Department in 1991. Occupying monuments "FCGS 8819" and "FCGS 8820".

Koebel Road right of way width (30 feet wide) is referenced from Deed Book 54, Page 373, Franklin County Recorder's Office, Franklin County, Ohio.

Grantor claims title by instrument of record in Instrument Number 200301220021370, Recorder's Office, Franklin County, Ohio.



Section 5. That the Council of the City of Columbus, Ohio, declares that the appropriation of said real property interests is necessary for the stated public purpose, and that the City of Columbus, Ohio, has been unable to agree with the owner(s) as to the just compensation to be paid by the City of Columbus, Ohio.

Section 6. That the Council of the City of Columbus hereby declares its intention to obtain immediate possession of the real property interests described herein.

Section 7. That the Council of the City of Columbus hereby fixes the value of said fee simple title and lesser interests as follows:

1.	39WD, T	\$5,296.00
2.	47T	\$190.00
3.	52T, 52S, S-1, S-2, T-1	<del>\$955.00</del> <b>\$1,315.00</b>
4.	56S	\$265.00

Section 8. That the City Attorney be and hereby is authorized to file a complaint for appropriation of real property, in a Court of competent jurisdiction, and to have a jury impaneled to make inquiry into and assess the just compensation to be paid for the foregoing described real property interests.

Section 9. That for the purpose of paying for said costs the sum of \$7,066.00, or so much thereof as may be necessary, be and hereby is authorized to be expended from Fund 704, the 1995, 1999 Voted Streets and Highways Fund, Department No. 59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6601, OCA Code 644385, AC # AC022711 and Project 530103.

Section 10. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby 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 days after its passage if the Mayor neither approves nor vetoes the same.