

ORDINANCE NO. 6 -89By: John H. Henberg

An Ordinance to appropriate real property at 2248 and 2250 East Main Street to provide for rehabilitation or demolition of the building thereon pursuant to Section 719.012 of the Ohio Revised Code and the City's power of local self-government under Article XVIII, Sections 3 and 7, of the Ohio Constitution and the Bexley City Charter, to appropriate funds for such purpose from the unencumbered General Fund and to declare an emergency.

WHEREAS, on the 10th day of November, 1987, the Council of the City of Bexley, Ohio, adopted Resolution No. 11-87, declaring the necessity of and the intent to appropriate the fee simple interest in the land hereinafter described, notice of the adoption of which resolution has been served on the owners, persons in possession or having an interest of record in the land; and

WHEREAS, on the 11th day of January, 1989, the Council of the City of Bexley, Ohio, adopted Resolution No. 2-89, reconfirming and declaring the necessity of and the intent to, appropriate the fee simple interest in the land hereinafter described, notice of the adoption of which resolution has been served on the owners, persons in possession or having an interest of record in the land; therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That the fee simple interest in and to the following described parcel of real estate in the City of Bexley is hereby appropriated for public purposes, to wit, for rehabilitation or demolition of the building thereon pursuant to Section 719.012 of the Ohio Revised Code and the City's powers of local self-government under the Constitution of the State of Ohio and the Bexley City Charter:

Situated in the State of Ohio, in the County of Franklin, and in the City of Bexley, and bounded and described as follows:

Being a part of Lot Number Fifteen (15) of the Welles' Heirs' Subdivision known as their East Columbus Addition, as the said lot is numbered and delineated on the recorded Plat thereof, of record in Plat Book 2, Page 260, in the Recorder's Office, Franklin County, Ohio, and being also a part of Lot Number One (1) of the Capital University Subdivision, as said Lot No. 1 is numbered and delineated upon the recorded Plat of said Subdivision of record in Plat Book 10, Page 297, Recorder's Office, Franklin County, Ohio, and more particularly bounded and described as follows: Beginning at a point in the North line of East Main Street thirty-nine (39) feet East of the Southwest corner of said Lots Nos. 1 and 15; thence Northerly and parallel with the West line of Drexel Avenue ninety-two (92) feet to a point; thence Westerly and parallel with the North line of East Main Street thirty-nine (39) feet, more or less, to a point in the West line of Lots Nos. 1 and 15; thence Southerly and along said West line of said lots, ninety-two (92) feet, more or less, to the Southwest corner of said lots in the North line of East Main Street; thence Easterly along the North line of East Main Street thirty-nine (39) feet to the place of beginning. EXCEPTING therefrom so much of the above described real estate as was conveyed by the Grantor herein to Drexel and Main Corporation by deed dated September 9, 1937, the parcel so conveyed being bounded and described as follows: Beginning at an iron pin in the North line of East Main Street 39 feet East of the

Southwest corner of said Lots Nos. 1 and 15; thence Northerly and parallel with the West line of Drexel Avenue 92 feet to a point; thence Westerly and parallel with the North line of East Main Street 1.26 feet to a point; thence Southerly in a straight line 92 feet, more or less, to the place of beginning.

Being the same premises conveyed to Joseph W. Barker by The Huntington National Bank of Columbus, Executor of the Last Will and Testament of Blanche E. Bugh, deceased, by deed dated September 16, 1937, and recorded in Volume 1071, Page 436, of the Deed Records in the Recorder's Office of Franklin County, Ohio.

See also Certificate for Transfer of Real Estate in the Matter of the Estate of Joseph W. Barker, deceased, dated March 4, 1959, and recorded in Volume 2173, Page 673, of the Deed Records in the Recorder's Office of Franklin County, Ohio.

Section 2. That the Council of the City of Bexley, Ohio hereby determines the value of the real property appropriated pursuant to the foregoing provisions of this ordinance is Twenty-Seven Thousand Dollars (\$27,000.00).

Section 3. That the Council of the City of Bexley, Ohio, finds that the appropriation of property made herein is necessary for said public purposes; and further finds that the City has been unable to agree with the owners of the property appropriated herein, as required by Section 163.04 of the Ohio Revised Code.

Section 4. That the City Solicitor is authorized and directed to file a complaint or complaints for appropriation in a Court of competent jurisdiction to have a jury impaneled to make inquiry and assess the compensation to be paid for the real estate described above.

Section 5. That \$27,000.00 is hereby appropriated from the unencumbered General Fund, and that the expenditure of such portion thereof as may be necessary for this purpose is hereby authorized.

Section 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, said emergency being the radication of a public nuisance, and shall take effect and be in force immediately upon its passage and approval by the Mayor.

Passed: January 24, 1989

Albert Meyer
President of Council

Attest: J. W. Stroh
Clerk of Council

APPROVED: Jan 29, 1989

David H. Madison
David H. Madison, Mayor

Jan. 24, 1989 - 1st reading
Susp. & Adopt.