

**ORDINANCE NO. 124 -07**

By: John Rohyans

An Ordinance to approve lots splits for acreage along Alum Creek as described in legal descriptions (Exhibits A1-2), attached to and made a part of this ordinance and as further shown on a map of the area, (Exhibit B), which is attached to and made a part of this ordinance and to declare an emergency.

*Whereas*, the City of Bexley has a desire to preserve and protect open space along Alum Creek; and,

*Whereas*, as part of a Clean Ohio Grant, certain properties were identified as important to stream protection; and,

*Whereas*, certain landowners within the stream protection area have agreed to donate and/or sell to the City of Bexley those parts of their parcels that lie within the floodway and/or flood plain of Alum Creek to foster stream protections; and,

*Whereas*, it is necessary to split off those portions of the parcels that are to be sold and/or donated from the larger parcels; and,


*Whereas*, the portions being split off are not able to be developed due to their locations in the floodway and/or flood plain. **NOW, THEREFORE,**

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

Section 1. That the lot splits for acreage along Alum Creek as described in legal descriptions (Exhibits A1-2) attached to and made a part of this ordinance and as further shown on a map of the area, (Exhibit B), which is attached to and made a part of this ordinance should be and hereby are approved.

Section 2. That this Ordinance is an emergency ordinance necessary for immediate preservation of the public health, safety and welfare, said emergency being the need to complete the splits to comply with the requirements of the Clean Ohio Grant, and shall go into effect upon its passage and approval by the Mayor.

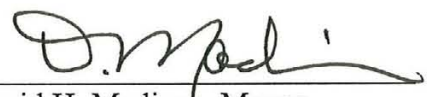
Passed: 12-18, 2007

  
\_\_\_\_\_  
President of Council

Attest:   
Clerk of Council

Approved: 12/18, 2007

12-11-07 First Reading  
12-18-07 Second Reading  
Three Reading rule  
Suspended -  
Passed

  
David H. Madison, Mayor

APPLICATION NUMBER \_\_\_\_\_  
FILING FEE: \$ EXEMPT

**CITY OF BEXLEY, OHIO**

**APPLICATION TO APPEAR BEFORE  
BEXLEY CITY COUNCIL**

1. This application is submitted for: (please check)

( ) Rezoning     Lot Split    ( ) Plat Approval     Variance

2. APPLICATION SUBMITTED FOR PROPERTY LOCATED:

SHERIDAN AVE (CAPITAL UNIVERSITY)

3. NAME OF APPLICANT:

BRUCE LANGNER  
CITY OF BEXLEY

ADDRESS: 2242 E. MAIN STREET, BEXLEY, OHIO 43209

TELEPHONE NUMBER (614) 559-4255

4. NAME OF OWNER:

CAPITAL UNIVERSITY

ADDRESS: 2199 E. MAIN STREET

TELEPHONE NUMBER: \_\_\_\_\_

5. Narrative description of project (attached additional sheets, if necessary.)

SPLITS OFF 5 PARCELS ALONG ALUM CREEK  
FOR DONATION TO CITY 0.414 A TOTAL

6. IF THIS APPLICATION INVOLVES A VARIANCE, PLEASE EXPLAIN WHY THE VARIANCE IS NECESSARY. (Attach additional sheets, if necessary.)

LOTS WILL NOT MEET ZONING CODE  
REQUIREMENTS FOR MINIMUM LOT SIZE AND  
PUBLIC STREET FRONTAGE

APPLICANT: Bruce A. Langner DATE 12-5-07  
(Signature)

(NOTE: If the applicant is not the owner, a letter from the owner stating his or her approval of the application must be submitted with the application.)

# EXHIBIT A-1

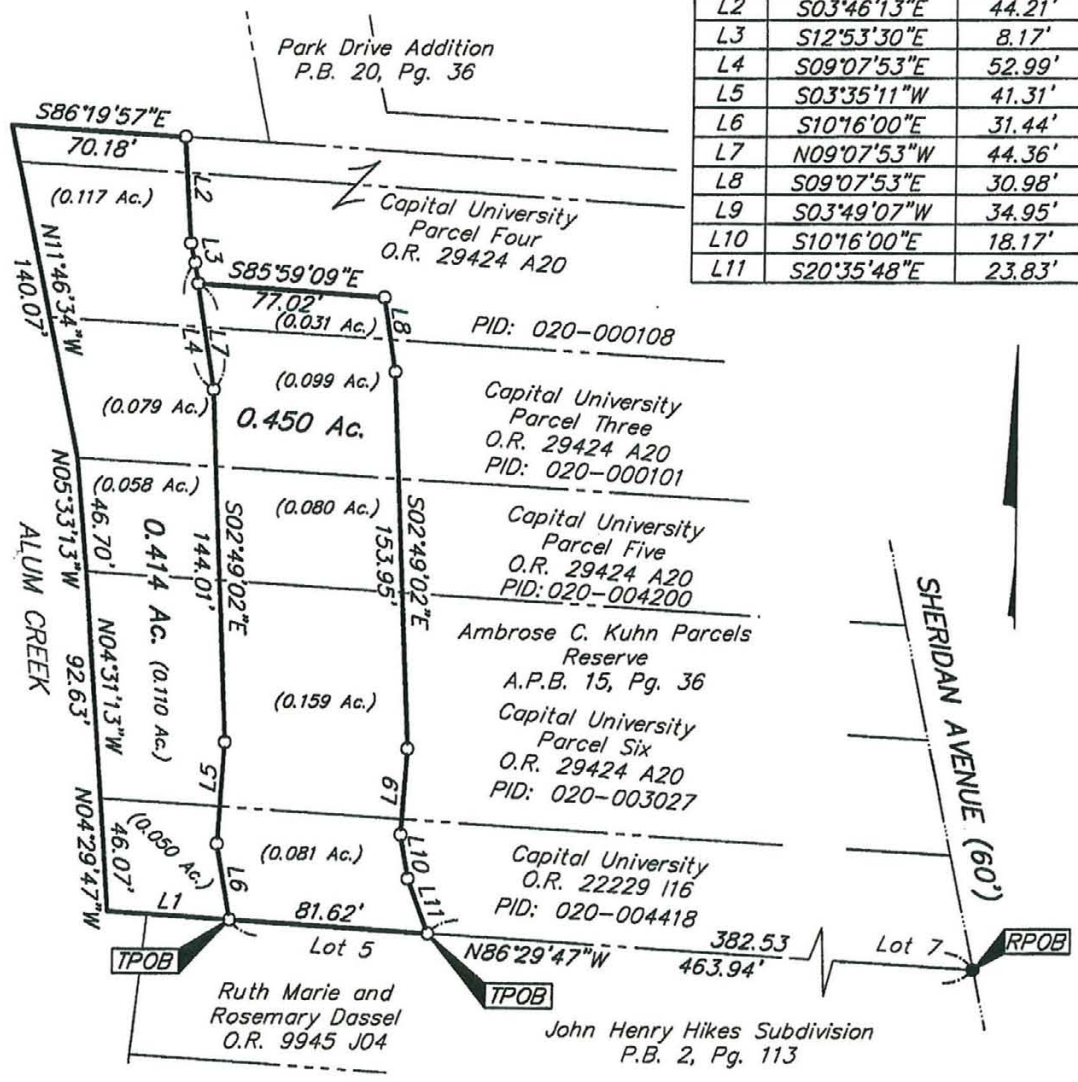
**EMHT**  
 Evans, Mechwart, Hambleton & Tilton, Inc.  
 Engineers • Surveyors • Planners • Scientists  
 5500 New Albany Road, Columbus, OH 43054  
 Phone: 614.775.4500 Fax: 614.775.4800

**SURVEY OF ACREAGE PARCEL**  
**HALF-SECTION 20, TOWNSHIP 5, RANGE 22**  
**REFUGEE LANDS**  
**CITY OF BEXLEY, FRANKLIN COUNTY, OHIO**

Date: January 17, 2007      Job No. 2006-0898      Scale: 1" = 60'

Revised: February 5, 2007  
 Revised: February 9, 2007

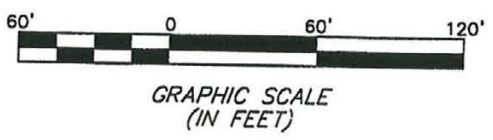
LINE TABLE		
LINE	BEARING	DISTANCE
L1	N86°29'47"W	49.35'
L2	S03°46'13"E	44.21'
L3	S12°53'30"E	8.17'
L4	S09°07'53"E	52.99'
L5	S03°35'11"W	41.31'
L6	S10°16'00"E	31.44'
L7	N09°07'53"W	44.36'
L8	S09°07'53"E	30.98'
L9	S03°49'07"W	34.95'
L10	S10°16'00"E	18.17'
L11	S20°35'48"E	23.83'



A.P.B. = Auditor's Plat Book

Basis of Bearing: Bearings are based on South 04' 02' East for the easterly line of Park Drive Addition, a subdivision of record in Plat Book 20, Page 36, Recorder's Office, Franklin County, Ohio.

- = I.P. FND.
- = I.P. SET
- I.P. Set are 13/16" I.D. iron pipe with cap inscribed EMHT INC



By *Heather L. King* 2/16/07  
 Professional Surveyor No. 8307

EXHIBIT A-2

0.414 ACRE

Situate in the State of Ohio, County of Franklin, City of Bexley, lying in Half Section 20, Township 5, Range 22, Refugee Lands, being part of the tracts conveyed as Parcels Three, Four, Five and Six to Capital University by deed of record in Official Record 29424 A20 and part of Reserve of "Ambrose C. Kuhn's Parcels", a subdivision of record in Auditor's Plat Book 15, Page 36, as conveyed to Capital University by deed of record in Official Record 22229 I16, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) being more particularly described as follows:

Beginning, for Reference, in the westerly right-of-way line of Sheridan Avenue (60 feet wide) at the common corner of Lot 5 of "John Henry Hikes Subdivision", a subdivision of record in Plat Book 17, Page 243, as conveyed to Ruth Marie and Rosemary Dassel by deed of record in Official Record 9945 J04, and Lot 7 of said "Ambrose C. Kuhn's Parcels", as conveyed to Capital University by deed of record in Official Record 22229 I16;

Thence North 86° 29' 47" West, a distance of 463.94 feet, with the northerly line of said Lot 5 and the southerly of said Lot 7 and Reserve, to an iron pin set, the TRUE POINT OF BEGINNING;

Thence North 86° 29' 47" West, a distance of 49.35 feet, continuing with the line common to said Reserve and Lot 5, to a point in the center of Alum Creek;

Thence with the center of said Alum Creek and the westerly lines of said Capital University tracts, the following courses and distances:

North 04° 29' 47" West, a distance of 46.07 feet, to a point;

North 04° 31' 13" West, a distance of 92.63 feet, to a point;

North 05° 33' 13" West, a distance of 46.70 feet, to a point;

North 11° 46' 34" West, a distance of 140.07 feet, to a point in the southerly line of "Park Drive Addition", a subdivision of record in Plat Book 20, Page 36;

Thence South 86° 19' 57" East, a distance of 70.18 feet, with the line common to said Parcel Four and "Park Drive Addition", to an iron pin set;

Thence across the Capital University tracts, the following courses and distances:

South 03° 46' 13" East, a distance of 44.21 feet, to an iron pin set;

South 12° 53' 30" East, a distance of 8.17 feet, to an iron pin set;

South 09° 07' 53" East, a distance of 52.99 feet, to an iron pin set;

South 02° 49' 02" East, a distance of 144.01 feet, to an iron pin set;

South 03° 35' 11" West, a distance of 41.31 feet, to an iron pin set;

South 10° 16' 00" East, a distance of 31.44 feet, to the TRUE POINT OF BEGINNING, containing 0.414 acre, more or less, of which 0.117 acre is part of said Parcel Four (PID: 020-000108), 0.079 acre is part of said Parcel Three (PID: 020-000101), 0.058 acre is part of said Parcel Five (PID: 020-004200), 0.110 acre is part of said Parcel Six (PID: 020-003027) and 0.050 acre is part of said tract conveyed by Official Record 22229 I16 (PID: 020-004418).

L-57  
Split  
0.117 Acres out of (020) 108  
0.079 Acres out of (020) 101  
0.058 Acres out of (020) 4200  
0.110 Acres out of (020) 3027  
+  
0.050 Acres out of (020) 4418

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

Bearings are based on South 04° 02' East for the easterly line of Park Drive Addition, a subdivision of record in Plat Book 20, Page 36, Recorder's Office, Franklin County, Ohio.

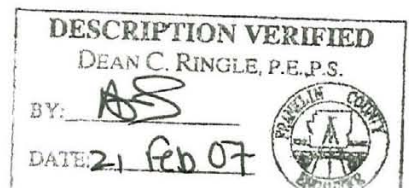


EVANS, MECHWART, HAMBLETON & TILTON, INC.

Heather L. King  
Registered Surveyor No. 8307

2/16/07  
Date

HLK/5Feb07  
0.414 ac 608988



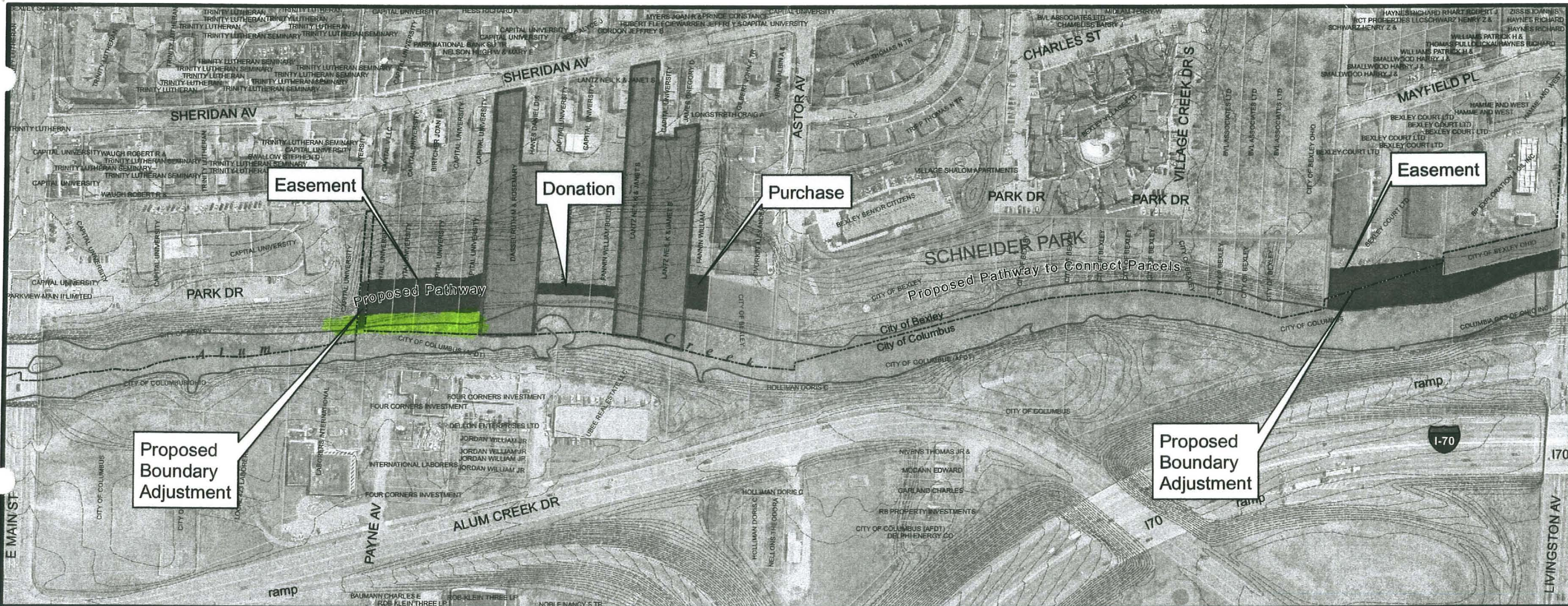







EXHIBIT B

**Legend**

-  Parcel
-  Owner Not Participating
-  Park Boundary
-  Property Under Existing Grant
-  Proposed Additions

CITY OF BEXLEY, OHIO  
**ALUM CREEK GREENWAY AND PARK  
 OPEN SPACE PROJECT PHASE 2**  
 REACH FROM MAIN STREET TO LIVINGSTON AVENUE  
 PROPOSED ACQUISITION EXHIBIT



Date:	SEPTEMBER 1, 2006
Scale:	1" = 200'
Job No:	2006-0898
Sheet:	1 of 1