

ORDINANCE 11-09

By: Mark Masser

An Ordinance to authorize the Mayor of the City of Bexley, Ohio or his designated representative to execute all documents required to sell the property commonly known as the "Bexley Tree Nursery" and to allow the City of Bexley to vacate a portion of North Parkview Avenue, which represents a public right-of-way, as set forth in the attached Exhibit "A".

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

Section 1. That the Mayor of the City of Bexley, Ohio is authorized by this Council to execute Deeds and other incidental instruments prepared for the transfer of the property as described on the attached Exhibit "A".

To the
Grantee
Suble Brice LLC

Section 2. That the above referenced real property shall be considered excess road right-of-way and the public rights therein shall terminate upon the Mayor's execution and delivery of said Deed to the Grantee thereof.

Section 3. That this City Council has determined that it is in the best interest of the City of Bexley to allow this right-of-way to be sold.

Section 4. That ^{this} Ordinance is hereby declared an emergency.

Passed Feb. 10, 2009

Attest:

[Signature]
Clerk of Council

[Signature]
President of Council

[Signature]
John M. Brennan, Mayor

First Reading 2-10-09

EXHIBIT "A"

Situated in the State of Ohio, County of Franklin, City of Bexley, being all the lands shown as Park View Boulevard (100 feet wide) and adjoining parks as delineated upon the recorded plat of Bexley Heights Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 11, page 15, Recorder's Office, Franklin County, Ohio (all references made are of said Recorder's Office, unless otherwise noted) and being more particularly described as follows:

Beginning at an iron pipe set at the intersection of the centerline of Caroline Avenue (60 feet wide) produced westerly with the west Right of Way of North Parkview Avenue (no specific width), in the south line of said Bexley Heights Addition and in the north line of Lot 5 of the Plat of Subdivision of the Estate of Anton Ruhl (Plat Book 8, page 7-A);

Thence, along part of the south line of said Bexley Heights Addition, the south line of said Park View Boulevard and part of the north line of said Lot 5, WEST, 321.62 feet to a point in the centerline of Alum Creek (passing an one inch hollow iron pipe found at 234.71 feet), the west line of said Bexley Heights Addition, the west Corporation Line of the City of Bexley and an easterly Corporation Line of the City of Columbus;

Thence, along the centerline of said Alum Creek, part of said Corporation Line and the west line of said Bexley Heights Addition, the following two (2) courses:

1. North 36 deg. 34' 43" East, 307.93 feet to a point;
2. North 23 deg. 18' 28" East, 160.62 feet to a point in the south line of the Caprail I Inc. and The Columbus & Ohio River Railroad Company (Official Record Volume 19183 E-09 and Instrument Number 200601090004340, respectively; as shown on Franklin County Railroad Valuation Map, Roll 12, Image 7);

Thence, along part of the north line of said Bexley Heights Addition, part of the south line of said Railroad tract, part of the north line of said City of Bexley Corporation Line, part of a southerly line of said City of Columbus Corporation Line and along the north line of said Park View Boulevard, North 81 deg. 21' 52" East, 231.70 feet to an iron pipe set at the northwest corner of Lot 10 of said Bexley Heights Addition (passing an iron pipe set at 121.70 feet);

Thence, along the west line of said Lot 10 and the east line of said Park View Boulevard, South 29 deg. 19' 30" West, 82.87 feet to an iron pipe set at a point of curvature;

Thence, along the west line of said Lot 10, the west line of Lots 11, 12 and part of Lot 13 of said Bexley Heights Addition, along the arc of a curve to the left, having a radius of 431.21 feet, an arc length of 295.90 feet and delta angle of 39 deg. 19' 00", with a chord bearing and distance of South 09 deg. 40' 00" West, 290.13 feet to an iron pipe found;

Thence, continuing along the west line of said Lot 13, along an arc of a curve to the left, having a radius of 50.00 feet, an arc length of 69.82 feet and delta angle of 80 deg. 00' 30", with a chord bearing and distance of South 49 deg. 59' 45" East, 64.28 feet to an iron pipe found;

Thence, across North Parkview Avenue (80 feet wide), South 75 deg. 18' 42" West, 118.31 feet to the place of beginning CONTAINING 2.444 ACRES, subject however to all legal highways, leases, agreements, easements, restrictions of record and of records in the respective utility offices. The following description was prepared from an actual survey made by Myers Surveying Co., Inc. in January 2009 in accordance with Chapter 4733-37

**Ohio Administrative Code. Iron pipes set are 30" x 1" O.D. with an orange plastic cap inscribed "P.S. 6579".
Basis of bearings is the south line Bexley Heights Addition assumed as WEST.**

Parcel No.: To be determined

And known as: Acreage on the corner of Parkview Avenue and Caroline Avenue, Bexley, Ohio