

ORDINANCE C-40-02

AN ORDINANCE DIRECTING THE APPROPRIATION OF A FEE SIMPLE INTEREST IN CERTAIN DESCRIBED REAL PROPERTY FOR THE IMPROVEMENT AND WIDENING OF STRINGTOWN ROAD AND THE CONSTRUCTION OF ITS INTERSECTION WITH BUCKEYE PARKWAY, AND DECLARING AN EMERGENCY

WHEREAS, the City of Grove City is undertaking a project to improve and widen Stringtown Road and the construction of its intersection with Buckeye Parkway (the Project), which shall be open to the public without charge; and

WHEREAS, that project includes, as necessary parts thereof, the acquisition by the City of the fee simple interest in the real property described in Section 1;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. For the purpose of the Project, this Council hereby directs the appropriation of the fee simple interest, subject to the abutting property owner's rights to ingress and egress, in and to the properties described in Exhibit A to this Ordinance (the Fee Simple Parcel).

SECTION 2. In order to acquire the land necessary to construct the Project, the City Administrator is authorized and directed to hire appraisers, title attorneys and negotiators, to negotiate for the acquisition of fee simple title to property identified in Section 1 which is necessary in connection with the Project.

SECTION 3. In the event that negotiations with the property owner of the property described in Section 1 are unsuccessful, this Council hereby fixes the value of the fee simple interest as \$388,200, which sum shall be deposited with the Court of Common Pleas, Franklin County, Ohio, for the use and benefit of the owners of the property appropriated. Upon such deposit, the City of Grove City shall take possession of and enter upon the property pursuant to law.

SECTION 4. This Council finds that the appropriation is necessary for the stated public purposes, that the City has been unable to agree with the owner of the property, and that the City intends to obtain immediate possession of the property, which immediate possession is necessary for the stated public purposes.

SECTION 5. The Law Director is hereby authorized and directed to commence proceedings in the Court of Common Pleas of the County of Franklin by directing Squire, Sanders & Dempsey L.L.P., retained as special counsel to the City, to file a Petition of Appropriation of the interest in the property described in Section 1 and to take all necessary steps in connection therewith.

SECTION 6. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the adoption of this Ordinance were taken, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were held, in meetings open to the public in compliance with the law.

SECTION 7. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety, and shall go into immediate effect. The reason for such necessity is to accommodate the construction schedule of the owners of real property subject to the Stringtown Road Tax Increment Financing, which accommodation is necessary to induce the owners of such property to complete or cause to be completed the infrastructure improvements in connection with the Stringtown Road Tax Increment Financing at the earliest possible time, thereby enhancing traffic safety and protecting the financial needs of the City by preventing the loss of an opportunity to bring additional jobs and revenue to the City.



Maria C. Klemack, President of Council

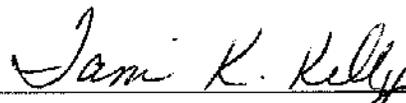
Passed: 4-1-02



Cheryl E. Grossman, Mayor

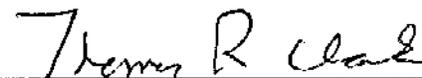
Effective: 4-1-02

Attest:



Tami K. Kelly, CMC/AAE, Clerk of Council

I Certify that this ordinance is correct as to form.



Thomas Clark, Director of Law

Exhibit "A"

Situated in the State of Ohio, County of Franklin, City of Grove City, Virginia Military Survey Number 469 and being all of that 5.000 acre tract conveyed to Dimche Veljanovski of record in Instrument Number 199911170287679 and Instrument Number 199911170287681 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and described as follows:

Beginning at a mag nail set in the centerline of Stringtown Road, said mag nail marking the northeasterly corner of said Veljanovski tract, the northwesterly corner of that 5.000 acre tract conveyed to Stanley Wray of record in Instrument Number 199904120090741;

thence South $14^{\circ} 15' 15''$ West, with the easterly line of said Veljanovski tract, the westerly line of said Wray tract, a distance of 1098.81 feet to an iron pin set marking a common corner thereof, in the northerly line of that 48.150 acre tract conveyed to The Greenlawn Realty Company of record in Deed Book 2960, Page 561;

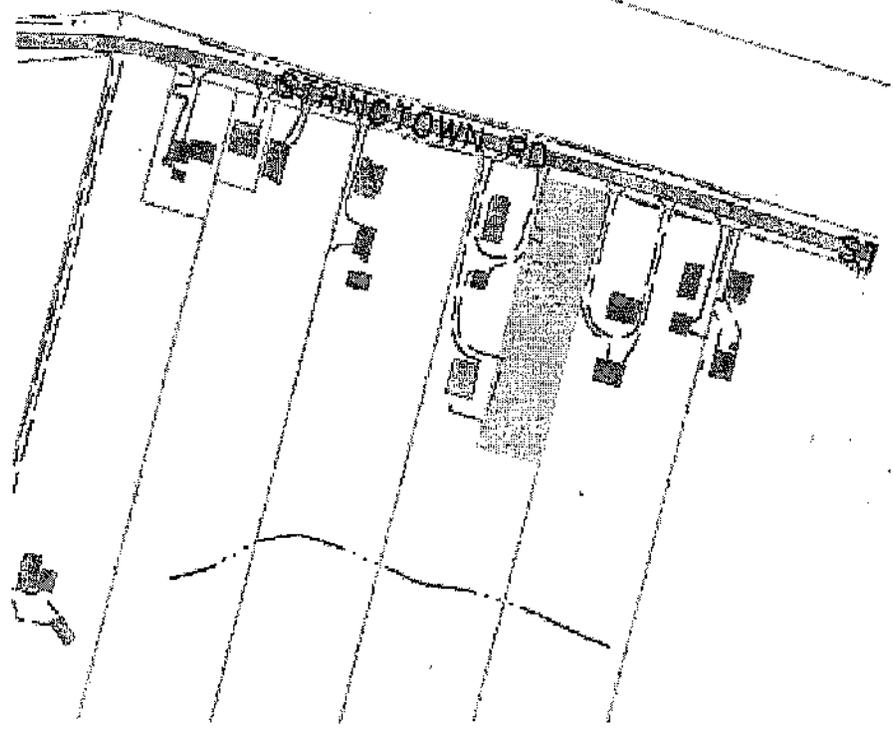
thence North $74^{\circ} 47' 29''$ West, with the southerly line of said Veljanovski tract, the northerly line of said 48.150 tract, a distance of 199.46 feet to the southwestly corner of said Veljanovski tract, the southeasterly corner of that 5.000 acre tract conveyed to The Greenlawn Realty Company of record in Instrument Number 200001180010820;

thence North $14^{\circ} 20' 11''$ East, with the westerly line of said Veljanovski tract, the easterly line of said The Greenlawn Realty Company 5.000 acre tract, a distance of 1099.09 feet to a mag nail found marking a common corner thereof, in the centerline of said Stringtown Road;

thence South $74^{\circ} 42' 12''$ East, with the northerly line of said Veljanovski tract, the centerline of said Stringtown Road, a distance of 197.88 feet to the Point of Beginning and containing 5.012 acres, inclusive of the present right-of-way which occupies 0.136 acre, more or less.

C-40-02

PID: 040-009240
Veljanovski Dimche
Stringtown Rd
Columbus, OH 43123



PID: 040-009242
Veljanovski Dimche
1615 Stringtown Rd
Grove City, OH 43123-9125

