

ORDINANCE NO. C-43-68

AN ORDINANCE TO APPROPRIATE PROPERTY AND TO
DECLARE AN EMERGENCY.

WHEREAS, Philip A. Wright, Sr. and Georgia T. Wright are the owners of certain property; and

WHEREAS, it is necessary to acquire an easement over said lands for the Republican Run Trunk Sewer Project; and

WHEREAS, negotiations for said easement have failed and the owner has been given written notice of the Resolution of intent to appropriate and said easement is necessary to complete said trunk sewer project which is necessary for the health, safety and welfare of the citizens of the City of Grove City.

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

SECTION 1. A permanent and construction easement in, over and through the following described parcel of real estate be, and the same hereby is appropriated for the public purpose of the Republican Run Trunk Sewer Project, pursuant to and in accordance with the Code of Ordinances of the City of Grove City, the Charter of the City of Grove City, Ohio and the Constitution and laws of the State of Ohio, to wit:

Being a permanent easement, in, over and through a tract of land situated in Jackson Township, Franklin County, and State of Ohio; a part of Survey No. 8231, Virginia Military District, being a 28.654 acres tract conveyed to Philip A., Sr. and Georgia T. Wright and described in Deed recorded in Deed Book 1915, Page 173, Franklin County Recorder's Office; said permanent easement being more fully described as follows:

Being a strip of land fifteen (15) feet in width, lying seven and one half (7.5) feet on each side of the following described center-line, extending or shortening the side lines so as to terminate at the property lines.

Beginning at a point on the north property line, said point being N. 86° 18' W. 312.0 $\frac{1}{2}$ feet from an angle point in the north property line, said angle point also being the southwest corner of a tract of land now or formerly owned by the Marathon Oil Company; thence S. 1° 34' W. 475.0 $\frac{1}{2}$ feet to a point and there terminate; said point being in the center of Republican Run.

Construction Easement:

Also, a construction easement for and during the period of construction only, ten (10) feet abutting on the east side and ten (10) feet abutting on the west side of said permanent easement as described above.

SECTION 2. The Council of the City of Grove City hereby fixes the value of said permanent and construction easement as follows:

FIFTEEN DOLLARS (\$15.00)

SECTION 3. The sum of Fifteen Dollars (\$15.00) being the total amount set forth in Section 2, herein, and disbursed as set forth in Section 2, herein, be deposited with the Court of Common Pleas, Franklin County, Ohio, for the use and benefit with said court, the City of Grove City, Ohio shall take possession of and enter upon such property pursuant to and in accordance with the Code of Ordinances of the City of Grove City, Ohio, the Charter of the City of Grove City, Ohio and the Constitution and laws of the State of Ohio.

SECTION 4. The Council of the City of Grove City, Ohio finds that the appropriation of property made herein is necessary for said public purposes; and, that the City has been unable to agree with the owner of the property appropriated herein; and the City intendsto obtain immediate possession of the above-described property, which immediate possession is necessary for said public purposes.

SECTION 5. The City Attorney be, and he hereby is, authorized and directed to file a petition for appropriation in a court of competent jurisdiction to have a jury impaneled to make inquiry into and assess the compensation to be paid for the aforesaid permanent and construction easement.

SECTION 6. The sum of Fifteen Dollars (\$15.00), or so much thereof as may be needed be, and the same hereby is appropriated from the Sewer Fund, Code 440.

SECTION 7. That for reasons stated in the preamble hereto and made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval of the Mayor.

SUBMITTED: *Oct. 7, 1968*
PASSED: *Oct. 7, 1968*
EFFECTIVE: *Oct 7, 1968*

I Certify that this Ordinance is Correct as to Form.

Kent F. Ozmun
Kent F. Ozmun, Director of Law

George A. Yates
George A. Yates, President of Council

George M. Haughn
George M. Haughn, Mayor

Maria T. Kochensparger
Maria T. Kochensparger, Clerk of Council