

VILLAGE OF JOHNSTOWN, OHIO



ORDINANCE 12-2016

AN ORDINANCE TO APPROPRIATE .003 ACRE, MORE OR LESS, PERMANENT EASEMENT, AND .005 ACRE, MORE OR LESS TEMPORARY CONSTRUCTION EASEMENT FROM NEIBARGERS, FROM THE PROPERTY LOCATED AT 175 WEST JERSEY STREET FOR THE JERSEY STREET IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY

WHEREAS, the Village of Johnstown is preparing to perform improvements on Jersey Street including drainage, intersection, signal, sidewalk and water works along with full depth road reconstruction (the "Project");

WHEREAS, the Project requires that the Village obtain a permanent easement and a temporary easement from John E. Neibarger, Shirley A. Neibarger, David E. Neibarger and Denise Ann Neibarger, as described in the Exhibits labeled "A" and "B," attached hereto, said property interests being located in the Village of Johnstown, County of Licking, State of Ohio;

BE IT ORDAINED by the Council of the Village of Johnstown, State of Ohio:

Section 1. Council considers it necessary and declares its authorization to appropriate, for the appraised value of 800.00, for the public purpose of constructing roadway improvements on Jersey Street including drainage, intersection, signal, sidewalk and water works along with full depth road construction, a permanent easement and a temporary easement as described in Exhibits labeled "A" and "B," attached hereto and incorporated herein by reference.

Section 2. The Village Law Director's office is hereby authorized to file a petition for appropriation in the county Court of Common Pleas should it become necessary, and to utilize the quick-take procedures in Chapter 163 of the Ohio Revised Code.

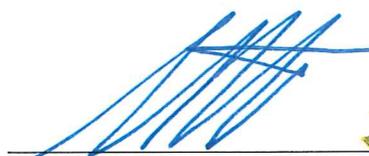
Section 3. Council further authorizes and directs the Village Manager, the Director of Law, Finance Director, Clerk of Council or other appropriate officers of the Village to take any other actions as may be appropriate to implement this Ordinance.

Section 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that meetings of any of its committees resulted in such formal action where meetings open to the public in compliance with all legal requirements including Section 121.11 of the Ohio Revised Code and the Charter for the VILLAGE OF JOHNSTOWN.

Section 5. This Ordinance is declared to be an emergency necessary for the immediate preservation of the public peace, health, safety or welfare, and for the further reason that obtaining the property interest is necessary for the advancement of this Project. The Ordinance shall therefore take effect immediately upon passage.

Date of Introduction: March 1, 2016
Public Hearing/Passage: March 15, 2016
Effective Date: March 15, 2016

By: Ma'in



Mayor Sean Staneart



ATTEST TO:



Teresa Monroe, Clerk of Council

APPROVED AS TO FORM:



Jennifer Croghan, Law Director

Q 12 12 - 2016

PRE-APPROVAL	
LICKING COUNTY ENGINEER	
APPROVED <input checked="" type="checkbox"/>	CONDITIONAL <input type="checkbox"/>
APPROVED BY:	<i>[Signature]</i>
DATE:	8/14/16

5E

Easement for The Village of Johnstown

Situate in the State of Ohio, Licking County, the Village of Johnstown, Bellview Addition recorded in Plat Book 3, Page 315 and being part of Lots numbered 135 and 136 conveyed to John E., Shirley A., David E., and Denise Ann Neibarger recorded in Instrument Number 200810240023357 in the Licking County Recorder's office and being more particularly described as follows:

Beginning at the northeast corner of Lot No. 137 and the south right of way of West Jersey Street at centerline station 11+66.75, 16.50 feet right, said point being the Point of Beginning for the parcel herein described;

Thence from the Point of Beginning along the south right of way of West Jersey Street North 53 Degrees 26 Minutes 47 Seconds East 49.36 feet to a point on the northwest corner of Lot No. 134 of Bellview Addition at centerline station 12+16.10, 16.50 feet right;

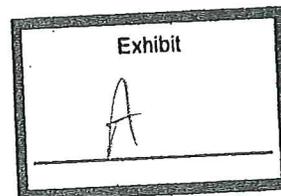
Thence South 35 Degrees 36 Minutes 21 Seconds East 3.00 feet along the west line of said Lot No. 134 to a point at centerline station 12+16.05, 19.50 feet right;

Thence South 53 Degrees 26 Minutes 47 Seconds West 49.38 feet across the grantor to a point on the east line of Lot No. 137 of Bellview Addition at centerline station 11+66.68, 19.50 feet right;

Thence North 35 Degrees 13 Minutes 49 Seconds West 3.00 feet along the east line of said Lot No. 137 to the Point of Beginning.

The above described contains 0.003 acres more or less and is contained in Auditors parcel number 053-180738-00.000.

Subject to all legal easements and rights of way.



Plan of survey is attached hereto and made a part thereof.

All iron pins set are 3/4 inch x 30 inch rebar with cap stamped "Canter S-7226".

All stations and offsets are referenced to the centerline of right of way of West Jersey Street.

This description was prepared under the direction and supervision of Robert C. Canter, Registered Surveyor No. 7226 and is based on a field survey made by Canter Surveying/GPS Services, Inc., completed October 2014.

All bearings, coordinates and distances are expressed as NAD 83(2011), Ohio State Plane South Zone, Grid. Reference the centerline of West Jersey Street being North 53 Degrees 26 Minutes 47 Seconds East.

Robert C. Canter, P.S. 7226

04/07/15
Date

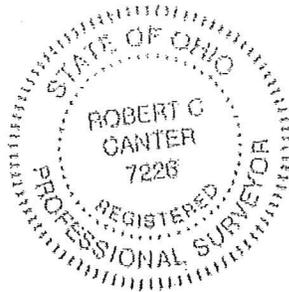
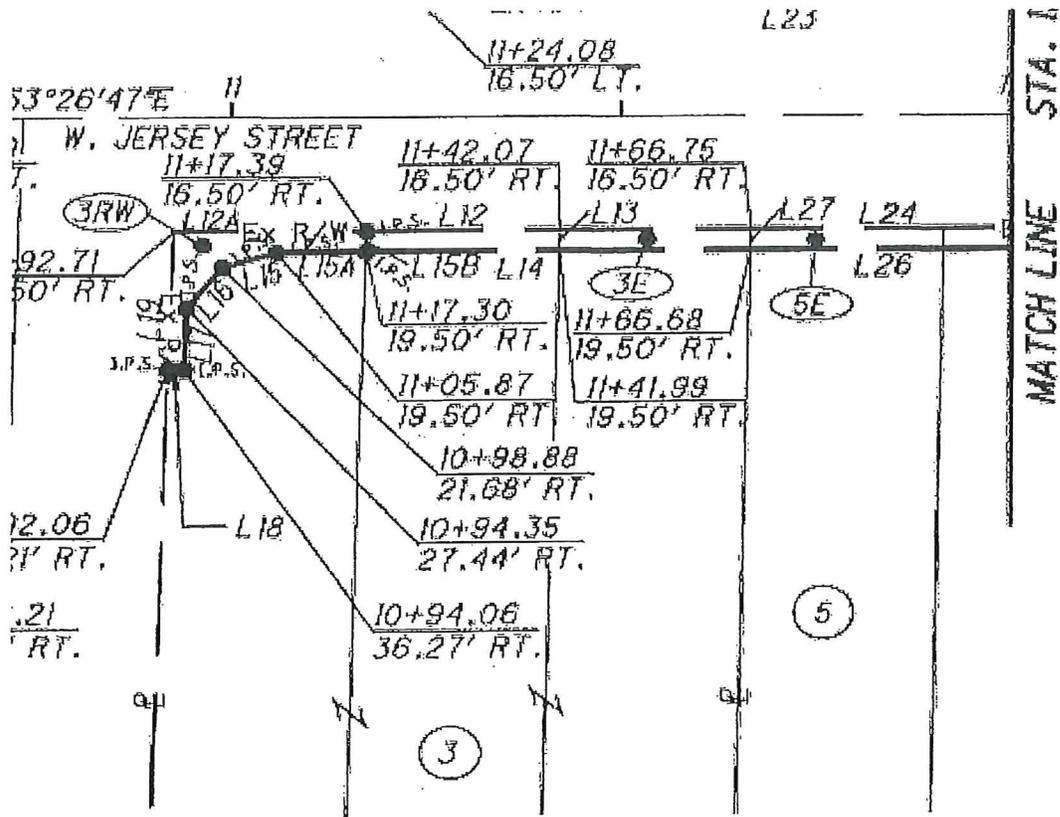


EXHIBIT B



5T

Temporary Easement for The Village of Johnstown

Situate in the State of Ohio, Licking County, the Village of Johnstown, Bellview Addition recorded in Plat Book 3, Page 315 and being part of Lots numbered 135 and 136 conveyed to John E., Shirley A., David E., and Denise Ann Neibarger recorded in Instrument Number 200810240023357 in the Licking County Recorder's office and being more particularly described as follows:

Commencing at the northwest corner of Lot No. 136, northeast corner of Lot No. 137 and the south right of way of West Jersey Street at centerline station 11+66.75, 16.50 feet right;

Thence South 35 Degrees 13 Minutes 49 Seconds East 3.00 feet along the west line of said Lot No. 136 and the east line of said Lot No. 137 to a point on the proposed right of way of West Jersey Street at centerline station 11+66.68, 19.50 feet right, said point being the **Point of Beginning** for the parcel herein described;

Thence from the **Point of Beginning** along the proposed right of way of West Jersey Street North 53 Degrees 26 Minutes 47 Seconds East 49.38 feet to a point on the east line of Lot No. 135 and the west line of Lot No. 134 of Bellview Addition at centerline station 12+16.10, 19.50 feet right;

Thence South 35 Degrees 36 Minutes 21 Seconds East 4.00 feet along the east line of said Lot No. 135 and the west line of said Lot No. 134 to a point at centerline station 12+15.99, 23.50 feet right;

Thence South 53 Degrees 26 Minutes 47 Seconds West 49.40 feet across the grantor to a point on the west line of said Lot No. 136 and the east line of said Lot No. 137 at centerline station 11+66.58, 23.50 feet right;

Thence North 35 Degrees 13 Minutes 49 Seconds West 4.00 feet along the west line of said Lot No. 136 and the east line of said Lot No. 137 to the **Point of Beginning**.

The above described contains 0.005 acres more or less and is contained in Auditors parcel number 053-180738-00.000.

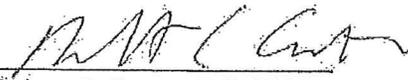
Subject to all legal easements and rights of way.

All iron pins set are $\frac{3}{4}$ inch x 30 inch rebar with cap stamped "Canter S-7226".

All stations and offsets are referenced to the centerline of right of way of West Jersey Street.

This description was prepared under the direction and supervision of Robert C. Canter, Registered Surveyor No. 7226 and is based on a field survey made by Canter Surveying/GPS Services, Inc., completed October 2014.

All bearings, coordinates and distances are expressed as NAD 83(2011), Ohio State Plane South Zone, Grid. Reference the centerline of West Jersey Street being North 53 Degrees 26 Minutes 47 Seconds East.


Robert C. Canter, P.S. 7226

12/18/15

Date

