

201504170049671  
Pgs: 7 \$68.00 T20150026072  
04/17/2015 3:35PM MLLYNNE FASON  
Terry J. Brown  
Franklin County Recorder

Ordinance: 15-12  
Page: 1 of 2

Passed: March 23, 2015  
Effective: March 23, 2015

**VACATING RIGHT-OF-WAY PREVIOUSLY PLATTED AS FUTURE RIGHT-OF-WAY FOR THE REALIGNMENT OF HAYDEN RUN ROAD AND VACATING EASEMENTS AND RIGHT-OF-WAY PREVIOUSLY DEDICATED FOR A ROUNDABOUT AT THE INTERSECTION OF BRITTON PARKWAY AND THE PROPOSED REALIGNMENT OF HAYDEN RUN ROAD; AND DECLARING AN EMERGENCY.**

**WHEREAS**, in Resolution 05-R-39 passed by City Council on September 26, 2005, owners of property within the Britton Central Planned Unit Development (the "PUD"), by plat of record in Plat Book 108, Pages 28-37 of the Franklin County Recorder's records, dedicated roads, drives, ways, crossings, and easements for public and private utilities, cable television, pedestrian facilities, service connections, storm water drainage, and public parkland along Britton Parkway, Section 3 Phase 1, and along Riggins Court within the PUD (the "Original Plat"); and

**WHEREAS**, the Original Plat contemplated the realignment of Hayden Run Road ("Hayden Road Realignment") to curve south and cross over Britton Parkway and then curve back in a northern direction to its current alignment, shown as Future Hayden Run Road on the Original Plat; and

**WHEREAS**, the Original Plat also dedicated right-of-way for a proposed roundabout at the new intersection of Britton Parkway and the realigned Hayden Run Road (the "Roundabout"); and

**WHEREAS**, the City has been working with a company, Vadata Inc., (the "Company") that desires to locate a data building on parcel number 050-0003869-00 (the "Site") as identified by the Franklin County Auditor's Office which is in the Britton Central PUD (the "Project"); and

**WHEREAS**, the proposed Hayden Road Realignment is not conducive to developing the Site for the Project because a portion of the right-of-way and easements dedicated for the Roundabout and the right-of-way for the proposed road realignment both intersect the Site in a manner that makes it impossible to construct the Project on the Site; and

**WHEREAS**, in Resolution No. 14-R-73 passed by City Council on September 22, 2014, the City approved changes to the PUD which included making the Hayden Road Realignment an option, not a requirement, for development in the PUD; and

**WHEREAS**, the City desires to vacate easements (collectively, the "Easements") and rights-of-way (collectively, "Rights-of-Way") as identified in Exhibit "A" attached hereto and incorporated herein, at no cost to the Company, in order that the Company construct its Project on the Site, which action includes vacating right-of-way shown on the Original Plat for what is identified as Future Hayden Run Road and vacating right-of-way and easements for the proposed Roundabout Intersection (approximately 0.756 acres for this right-of-way); and

**WHEREAS**, in support of the Project, the Company has offered, at no cost to the City, to dedicate 1.544 ± acres of land on the north side of the Site identified in Exhibit "B" attached hereto and incorporated herein, for public right-of-way on, and adjacent to, Hayden Run Road; and

**WHEREAS**, the City Engineer has reviewed the request and Exhibits and has determined that there is good cause for the vacations as the City has abandoned plans for the future Hayden Road Realignment as proposed on the Original Plat; and

**WHEREAS**, the City requests that this Ordinance be passed by emergency at the third reading to avoid unnecessary delays in issuing building permits and site approvals to the Company in order to advance the Project to the construction.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Hilliard, Ohio that:

**SECTION 1.** This Council finds that vacating the Rights-of-Way and Easements as identified in Exhibit "A" attached hereto and incorporated herein, and accepting the land as identified in ~~in~~ Exhibit "B" attached hereto and incorporated herein, for public right-of-way on the north side of the Site, is in the City's best interest and ought to be made. No utilities will be affected by the vacations authorized herein.

**SECTION 2.** The Clerk of Council is directed to record this Ordinance and Exhibits in the Office of the Recorder of Franklin County, Ohio and to notify the Auditor of Franklin County (the "Auditor") of the vacations and dedication by sending the Auditor a copy of the same.

**SECTION 3.** This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of this City and for the other reasons set forth in the preamble hereof, this Ordinance is required to be immediately effective to avoid unnecessary delays in the Company securing building permits and site approvals in order for the Project to proceed to construction.

**ATTEST:**

Lynne M. Fasone  
Lynne M. Fasone  
Clerk of Council

**SIGNED:**

Nathan D. Painter  
Nathan D. Painter  
President of Council

**APPROVED AS TO FORM:**

Tracy L. Bradford  
Tracy L. Bradford  
Director of Law

**APPROVED:**

Donald J. Schonhardt  
Donald J. Schonhardt  
Mayor  
I, Lynne M. Fasone Clerk of Council

Ordinance 15-12

| VOTE         | Yea      | Nay      | Abstain  |
|--------------|----------|----------|----------|
| Baker        | ✓        |          |          |
| Carrier      | ✓        |          |          |
| Erb          | ✓        |          |          |
| Iosue        | ✓        |          |          |
| McGivern     | ✓        |          |          |
| Painter      | ✓        |          |          |
| Uttley       | ✓        |          |          |
| <b>TALLY</b> | <b>5</b> | <b>0</b> | <b>0</b> |

heroby certify that the foregoing is a true copy  
of Ordinance 15-12 duly adopted

by the Council of the City of Hilliard  
the 23<sup>rd</sup> day of March, 2015.

Lynne M. Fasone  
Clerk of Council  
City of Hilliard

Exhibit A  
Ordinance 15-12

**Legal Description**  
**Right-of-Way Description ~ 0.756 Ac. Tract**  
**South of Hayden Run Road**  
**East Side of Britton Parkway**

Situated in the State of Ohio, County of Franklin, City of Hilliard, Virginia Military Survey No. 2418, and being part of the Right-of-Way of Britton Road as dedicated in the Dedication Plat of Britton Parkway, Hayden Run Road & Riggins Court of record in Plat Book 108, Page 28 and described as follows:

**Beginning for Reference** at Franklin County Geodetic Survey monument number 9907 found at the centerline intersection of Britton Road and Hayden Run Road (60'), said monument being N 12°43'20" W, 1979.97 feet from Franklin County Geodetic Survey monument number 5530 along Britton Road;

Thence with the centerline of right-of-way of Britton Road, **S 12° 43' 20" E, 254.62 feet** to a point in said centerline;

Thence leaving said centerline, **N 77° 16' 40" E, 40.00 feet** to a point of curvature in the easterly right-of-way line of said Britton Road and the westerly line of a 58.205 acre tract as conveyed to Vadata Inc., of record in Instrument No. 201502250023314;

Thence with said easterly right-of-way line and westerly line of said 58.205 acre tract, with a curve to the left, having a central angle of **32° 51' 39"** and a radius of **125.00 feet**, an arc length of **71.69 feet**, a chord bearing and chord distance of **S29° 09' 06" E, 70.71 feet** to an iron pin set at the **True Point of Beginning**;

Thence with said easterly right-of-way line and westerly line of said 58.205 acre tract, the following five (5) courses and distances:

with a curve to the left, having a central angle of **34° 23' 44"** and a radius of **125.00 feet**, an arc length of **75.04 feet**, a chord bearing and chord distance of **S62° 46' 47" E, 73.92 feet** to an iron pin set;

**S 79° 58' 37" E, 63.57 feet** to an iron pin set;

**S 18° 21' 15" E, 215.40 feet** to an iron pin set;

with a curve to the left, having a central angle of **13° 54' 26"** and a radius of **375.00 feet**, an arc length of **91.02 feet**, a chord bearing and chord distance of **S46° 19' 38" W, 90.80 feet** to an iron pin set;

with a curve to the left, having a central angle of **52° 05' 35"** and a radius of **100.00 feet**, an arc length of **90.92 feet**, a chord bearing and chord distance of **S13° 19' 33" W, 87.82 feet** to an iron pin set;

Thence across said right-of-way, **N 15° 30' 06" W, 412.48 feet** to the **True Point of Beginning**. Containing **0.756 acres**, more or less.

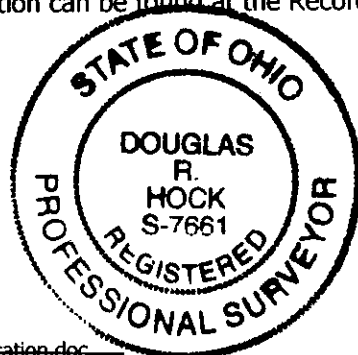
This description is based on existing records of the Franklin County Auditor's and Recorder's Offices, and an actual field survey made by Advanced Civil Design, Inc. in April 2015. A drawing of the above description has been prepared and made a part hereof.

Bearings are based on the Ohio State Plane Coordinate System NAD83, NSRS 2007. A bearing of S 12° 43' 20" E was established by GPS for the centerline of Britton Road between Franklin County Geodetic Survey monument number 9907 and Franklin County Geodetic Survey monument number 5530.

All iron pins set are 3/4" diameter, 30" long iron pipe with plastic cap inscribed Advanced 7661.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio, unless otherwise noted.

0-61-A  
New Entry  
0.756 acre  
Adj to  
(050)  
3869



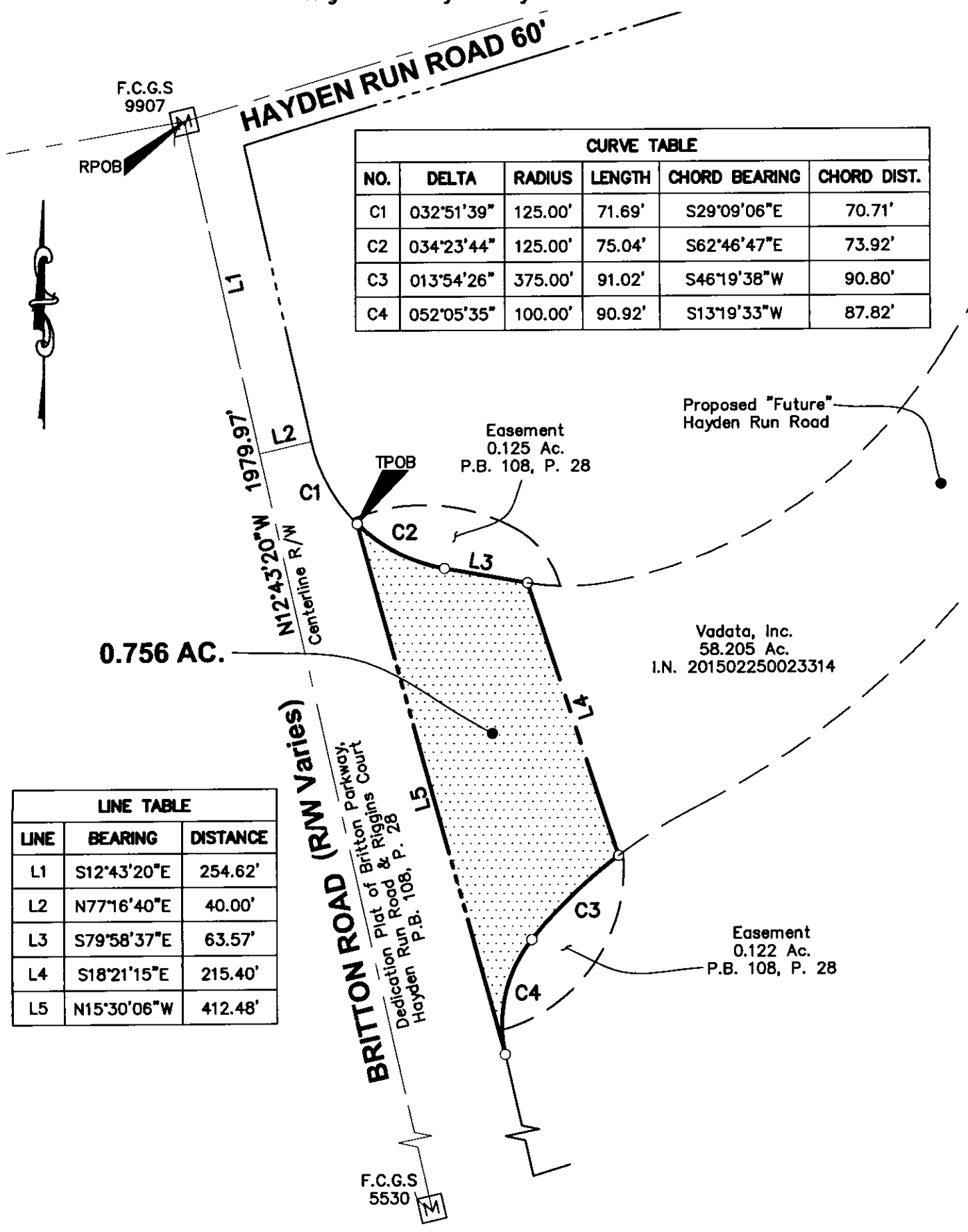
ADVANCED CIVIL DESIGN, INC.

*Douglas R. Hock* 4/2/15  
Douglas R. Hock, P.S. 7661

Z:\14-0001-657\SURVEY\0.756 Ac. rw vacation.doc  
DESCRIPTION VERIFIED  
DEAN C. RINGLE, P.E., P.S.  
BY: *[Signature]*  
DATE: *03 April 2015*  
*17 April 2015*

# 0.756 Ac. Right-of-Way Exhibit

City of Hilliard, Franklin County, Ohio  
Virginia Military Survey No. 2418



| CURVE TABLE |            |         |        |               |             |
|-------------|------------|---------|--------|---------------|-------------|
| NO.         | DELTA      | RADIUS  | LENGTH | CHORD BEARING | CHORD DIST. |
| C1          | 032°51'39" | 125.00' | 71.69' | S29°09'06"E   | 70.71'      |
| C2          | 034°23'44" | 125.00' | 75.04' | S62°46'47"E   | 73.92'      |
| C3          | 013°54'26" | 375.00' | 91.02' | S46°19'38"W   | 90.80'      |
| C4          | 052°05'35" | 100.00' | 90.92' | S13°19'33"W   | 87.82'      |

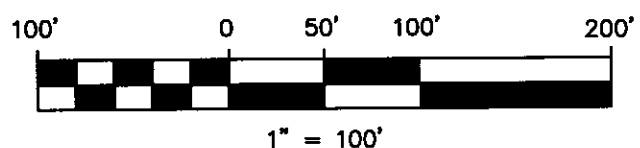
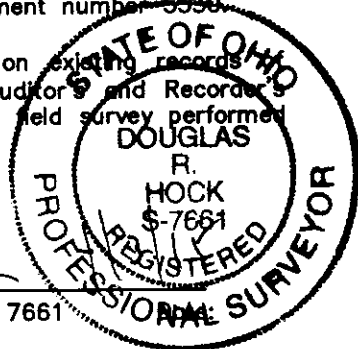
| LINE TABLE |             |          |
|------------|-------------|----------|
| LINE       | BEARING     | DISTANCE |
| L1         | S12°43'20"E | 254.62'  |
| L2         | N77°16'40"E | 40.00'   |
| L3         | S79°58'37"E | 63.57'   |
| L4         | S18°21'15"E | 215.40'  |
| L5         | N15°30'06"W | 412.48'  |

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Bearings are based on the Ohio State Plane Coordinate System NAD83, NSRS 2007. A bearing of S 12° 43' 20" E was established by GPS for the centerline of Britton Road between Franklin County Geodetic Survey monument number 9907 and Franklin County Geodetic Survey monument number 5530.

This survey is based on existing records, the Franklin County Auditor's and Recorder's Offices, and an actual field survey performed in January 2015.

*[Signature]*  
Douglas R. Hock, P.S. 7661



DRAWN BY: *BCK*      JOB NO.: 14-0001-657  
DATE: 4/2/2015      CHECKED BY: *DRB*

**ADVANCED**  
CIVIL DESIGN  
ENGINEERS SURVEYORS

422 Beecher Road  
Gahanna, Ohio 43230  
ph 614.428.7750  
fax 614.428.7755

Exhibit A  
Ordinance 15-12

**Legal Description  
Easement Description ~ 0.122 Ac.  
South of Hayden Run Road  
East Side of Britton Parkway**

Situated in the State of Ohio, County of Franklin, City of Hilliard, Virginia Military Survey No. 2418, being a 0.122 acre easement as created in the Dedication Plat of Britton Parkway, Hayden Run Road & Riggins Court of record in Plat Book 108, Page 28, located southeast of the intersection of Britton Parkway and the proposed "future" road as shown on sheet 4 of said Plat and described as follows:

**Beginning** at an angle point in the westerly property line of that 58.205 acre tract of land conveyed to Vadata, Inc. of record in Instrument No. 201502250023314 and the in the easterly right-of-way line of Britton Parkway as dedicated upon said Plat;

Thence across said 58.205 acre tract the following two (2) courses and distances:

with a curve to the right, having a central angle of **00° 36' 50"** and a radius of **375.00 feet**, an arc length of **4.02 feet**, a chord bearing and chord distance of **N 53° 35' 15" E, 4.02 feet**;

with a curve to the right, having a central angle of **80° 08' 26"** and a radius of **125.00 feet**, an arc length of **174.84 feet**, a chord bearing and chord distance of **S 34° 39' 49" W, 160.93 feet** to said westerly property line of said 58.205 acre tract and easterly right-of-way line;

Thence with said easterly right-of-way line and said westerly property line the following two (2) courses and distances:

with a curve to the right, having a central angle of **41° 34' 33"** and a radius of **100.00 feet**, an arc length of **72.56 feet**, a chord bearing and chord distance of **N 18° 35' 04" E, 70.98 feet**;

with a curve to the right, having a central angle of **13° 54' 26"** and a radius of **375.00 feet**, an arc length of **91.02 feet**, a chord bearing and chord distance of **N 46° 19' 38" E, 90.80 feet** to the **True Point of Beginning**. Containing **0.122 acres**, more or less.

This description is based on existing records of the Franklin County Auditor's and Recorder's Offices, and an actual field survey made by Advanced Civil Design, Inc. in April 2015. A drawing of the above description has been prepared and made a part hereof.

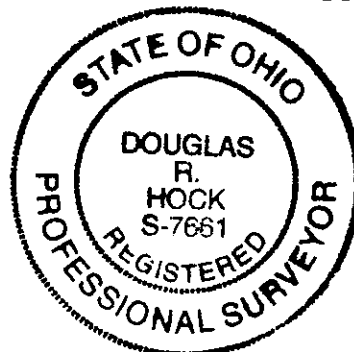
Bearings are based on the Ohio State Plane Coordinate System NAD83, NSRS 2007. A bearing of S 12° 43' 20" E was established by GPS for the centerline of Britton Road between Franklin County Geodetic Survey monument number 9907 and Franklin County Geodetic Survey monument number 5530.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio, unless otherwise noted.

**ADVANCED CIVIL DESIGN, INC.**

*Douglas R. Hock* 4/3/15  
Douglas R. Hock, P.S. 7661

Z:\14-0001-657\SURVEY\0.122 Ac. easement desc.doc



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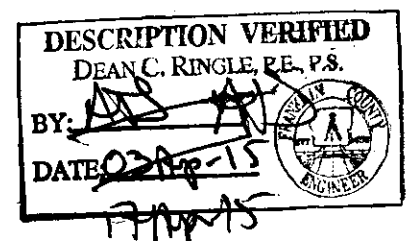


Exhibit A  
Ordinance 15-12

**Legal Description  
Easement Description ~ 0.125 Ac.  
South of Hayden Run Road  
East Side of Britton Parkway**

Situated in the State of Ohio, County of Franklin, City of Hilliard, Virginia Military Survey No. 2418, being a 0.125 acre easement as created in the Dedication Plat of Britton Parkway, Hayden Run Road & Riggins Court of record in Plat Book 108, Page 28, located northeast of the intersection of Britton Parkway and the proposed "future" road as shown on sheet 4 of said Plat and described as follows:

**Beginning** at an angle point in the westerly property line of that 58.205 acre tract of land as conveyed to Vadata, Inc. of record in Instrument No. 201502250023314 and the in the easterly right-of-way line of Britton Parkway as dedicated upon said Plat;

Thence with said easterly right-of-way line and said westerly property line the following two (2) courses and distances:

**N 79° 58' 37" W, 63.57 feet** to a point of curvature;

with a curve to the right, having a central angle of **36° 42' 45"** and a radius of **125.00 feet**, an arc length of **80.09 feet**, a chord bearing and chord distance of **N 61° 37' 17" W, 78.73 feet**;

Thence across said 58.205 acre tract the following three (3) courses and distances:

with a curve to the right, having a central angle of **49° 45' 07"** and a radius of **145.00 feet**, an arc length of **125.91 feet**, a chord bearing and chord distance of **S 86° 40' 59" E, 121.99 feet**;

with a curve to the right, having a central angle of **47° 10' 08"** and a radius of **70.00 feet**, an arc length of **57.63 feet**, a chord bearing and chord distance of **S 38° 13' 33" E, 56.01 feet**;

with a curve to the right, having a central angle of **08° 05' 47"** and a radius of **175.00 feet**, an arc length of **24.73 feet**, a chord bearing and chord distance of **N 84° 01' 30" W, 24.71 feet** to the **True Point of Beginning**. Containing **0.125 acres**, more or less.

This description is based on existing records of the Franklin County Auditor's and Recorder's Offices, and an actual field survey made by Advanced Civil Design, Inc. in April 2015. A drawing of the above description has been prepared and made a part hereof.

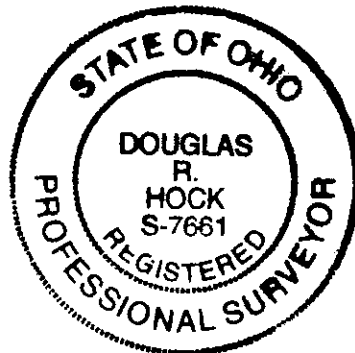
Bearings are based on the Ohio State Plane Coordinate System NAD83, NSRS 2007. A bearing of S 12° 43' 20" E was established by GPS for the centerline of Britton Road between Franklin County Geodetic Survey monument number 9907 and Franklin County Geodetic Survey monument number 5530.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio, unless otherwise noted.

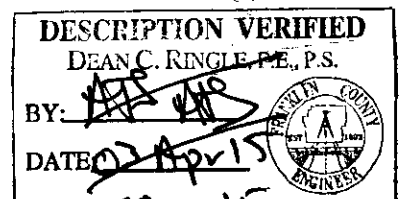
**ADVANCED CIVIL DESIGN, INC.**

*D. Hock* 4/3/15  
Douglas R. Hock, P.S. 7661

Z:\14-0001-657\SURVEY\0.125 Ac. easement desc.doc



6-61-A  
TNN  
Contained in  
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# 0.125 Ac. and 0.122 Ac. Easement Exhibit

City of Hilliard, Franklin County, Ohio  
Virginia Military Survey No. 2418

F.C.G.S  
9907

**HAYDEN RUN ROAD 60'**

| CURVE TABLE |            |         |         |               |             |
|-------------|------------|---------|---------|---------------|-------------|
| NO.         | DELTA      | RADIUS  | LENGTH  | CHORD BEARING | CHORD DIST. |
| C1          | 036°42'45" | 125.00' | 80.09'  | N61°37'17"W   | 78.73'      |
| C2          | 049°45'07" | 145.00' | 125.91' | S86°40'59"E   | 121.99'     |
| C3          | 047°10'08" | 70.00'  | 57.63'  | S38°13'33"E   | 56.01'      |
| C4          | 008°05'47" | 175.00' | 24.73'  | N84°01'30"W   | 24.71'      |
| C5          | 000°36'50" | 375.00' | 4.02'   | N53°35'15"E   | 4.02'       |
| C6          | 080°08'26" | 125.00' | 174.84' | S34°39'49"W   | 160.93'     |
| C7          | 041°34'33" | 100.00' | 72.56'  | N18°35'04"E   | 70.98'      |
| C8          | 013°54'26" | 375.00' | 91.02'  | N46°19'38"E   | 90.80'      |

**BRITTON ROAD (RW Varies)**

Centerline R/W

Dedication Plat of Britton Parkway,  
Hayden Run Road & Riggins Court  
P.B. 108, P. 28

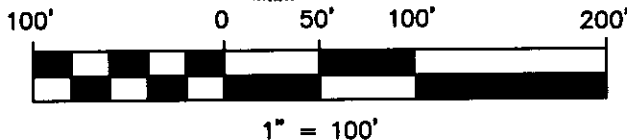
F.C.G.S  
5530

Easement  
0.125 Ac.  
P.B. 108, P. 28

Proposed "Future"  
Hayden Run Road

Vadata, Inc.  
58.205 Ac.  
I.N. 201502250023314

Easement  
0.122 Ac.  
P.B. 108, P. 28



Bearings are based on the Ohio State Plane Coordinate System NAD83, NSRS 2007. A bearing of S 12° 43' 20" E was established by GPS for the centerline of Britton Road between Franklin County Geodetic Survey monument number 9907 and Franklin County Geodetic Survey monument number 5530.

This survey is based on existing records of the Franklin County Auditor's and Recorder's Offices, and an actual field survey performed in January 2015.

*Douglas R. Hock* 4/13/15  
Date:

Douglas R. Hock, P.S. 7661

DRAWN BY: *BCK* JOB NO.: 14-0001-657  
DATE: 4/2/2015 CHECKED BY: *DRB*



422 Beecher Road  
Gahanna, Ohio 43230  
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