

ORDINANCE NO. 81 -54

TO ACCEPT THE DEDICATION OF THE RIGHT-OF-WAY OF HEATHERDOWN DRIVE EXTENDING FROM THE INTERSECTION OF HEATHERDOWN DRIVE AND GREENCREST DRIVE EASTERLY TO THE INTERSECTION OF HUBER VILLAGE BOULEVARD AND STATE ROUTE 3, AS SAID RIGHT-OF-WAY IS DESCRIBED IN WARRANTY DEEDS FROM PARTNERS AT BROOKSEGE, JAMES R. TAYLOR AND HENRY H. AND CAROLYN S. BENNETT, AND TO DEDICATE THE 0.398 ACRES OF LAND DESCRIBED AS PARCEL III-A IN THE DESCRIPTION EXHIBIT ATTACHED HERETO FOR PUBLIC STREET PURPOSES.

WHEREAS, Warranty Deeds from Partners at Brooksedge, James R. Taylor and Henry H. and Carolyn S. Bennett have been executed and delivered to the City of Westerville conveying tracts of land dedicated for public street purposes to provide for the construction of Heatherdown Drive (formerly referred to as Huber Village Boulevard, West) from the intersection of Heatherdown Drive and Greencrest Drive easterly to the intersection of State Route 3 and Huber Village Boulevard, and

WHEREAS, a part of the right-of-way necessary to the project is a 0.398 acre tract of land extending from the Consolidated Rail Corporation right-of-way between Station 7067 plus 37.19 to 87.86 northeasterly to the lands of James R. Taylor at a point 247.44 feet east of the Consolidated Rail Corporation right-of-way, said tract being a part of Parcels I and III conveyed to the City of Westerville by a Deed of record in Deed Book 3247, Page 521, Recorder's Office, Franklin County, Ohio.

NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WESTERVILLE, OHIO:

Section 1. That the Warranty Deeds from Partners at Brooksedge (dated June 4, 1981 and conveying 0.356 acres and 0.189 acres of land), from James R. Taylor (dated June 4, 1981 and conveying 0.707 acres and 0.002 acres of land), and from Henry H. and Carolyn S. Bennett (dated June 2, 1981 and conveying 0.105 acres of land) to the City of Westerville for public street purposes to provide for the construction of a public road from Heatherdown Drive and Greencrest Drive easterly to State Route 3 at Huber Village Boulevard, be accepted by the City of Westerville and dedicated for public street purposes.

Section 2. That the 0.398 acre tract of land described as Parcel III-A in the description Exhibit attached to this Ordinance and made a part hereof, said tract having been conveyed to the City of Westerville as a part of Parcels I and III in the Deed of record in Deed Book 3247, Page 521, Recorder's Office, Franklin County, Ohio, be and the same is dedicated hereby for public street purposes.

Section 3. That the public street to be constructed, formerly referred to as Huber Village Boulevard, West, shall be and is designated and named Heather-down Drive.

Section 4. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: June 16, 1981

Richard H. Korsch
Chairman of Council

APPROVED: *[Signature]*
Director of Law

Sharon L. Hahn
Clerk of Council

April 3, 1981

PARCEL III-A

DESCRIPTION OF 0.398 ACRES OF LAND
WEST OF STATE STREET (STATE ROUTE 3) AT
HUBER VILLAGE BOULEVARD AND NORTH OF INTERSTATE
ROUTE 270, IN THE CITY OF WESTERVILLE,
COUNTY OF FRANKLIN, STATE OF OHIO

(PART OF CITY OF WESTERVILLE, OHIO,
LAND TO BE A PORTION OF THE RIGHT-OF-WAY FOR
HUBER VILLAGE BOULEVARD WEST)

Situated in the State of Ohio, County of Franklin, City of Westerville, being in Section 2, Township 2, Range 17, United States Military Lands, containing 0.398 acres of land, more or less, said 0.398 acres being parts of those tracts of land designated as PARCEL I and PARCEL III and conveyed to the City of Westerville by deed of record in Deed Book 3247, Page 521, Recorder's Office, Franklin County, Ohio, said 0.398 acres of land being more particularly described as follows:

Beginning, for reference at Station 168+10.77 in the centerline of State Street (State Route 3) as the same is shown on State of Ohio Department of Transportation Plan FRA-3-(26.00-27.12), said reference point of beginning being the centerline intersection of said State Street with Huber Village Boulevard, said reference point of beginning being located S 3° 36' 15" E, a distance of 188.30 feet from a monument (1" Dia. solid iron rod in concrete) in a box found; thence, from said reference point of beginning, S 89° 48' 10" W, a distance of 14.98 feet to a point in the easterly line of that 0.780 acre tract of land described in the deed to Texaco Inc., of record in Deed Book 2744, Page 308, Recorder's Office, Franklin County, Ohio, the same being in the centerline of old State Street; thence S 00° 43' 26" E, with the easterly line of said 0.780 acre tract and with said centerline of old State Street, a distance of 132.85 feet to the southeasterly corner of said 0.780 acre tract; thence S 89° 43' 41" W, with the southerly line of said 0.780 acre tract, with the northerly line of said PARCEL I and with the southernmost line of that tract of land designated as Parcel 1 and conveyed to James R. Taylor by deed of record in Deed Book 3726, Page 96, Recorder's Office, Franklin County, Ohio, a distance of 552.34 feet to the true point of beginning;

Thence, from said true point of beginning, southwestwardly, with the arc of a curve to the right having a radius of 222.96 feet, a central angle of 61° 06' 51" and a chord that bears S 49° 27' 57" W, a chord distance of 226.70 feet to a point of tangency;

Thence S 80° 01' 23" W, a distance of 89.26 feet to a point in the southerly line of said PARCEL III, the same being in a northerly line of that tract of land designated as PARCEL II and conveyed to the City of Westerville by said deed of record in Deed Book 3247, Page 521;

Thence S 89° 44' 31" W, with the southerly line of said PARCEL III and a northerly line of said PARCEL II, a distance of 36.93 feet to the southwesterly corner of said PARCEL III, the same being the northwesterly corner of said PARCEL II and in an easterly line of the Consolidated Rail Corporation right-of-way (66.00 feet in width);

Thence N 5° 13' 27" W, with the westerly line of said PARCEL III and with an easterly line of said Consolidated Rail Corporation right-of-way, a distance of 44.92 feet to a point;

Thence N 80° 01' 23" E, a distance of 108.80 feet to a point of curvature;

Thence northeastwardly, with the arc of a curve to the left

April 3, 1981

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DESCRIPTION OF 0.398 ACRES OF LAND (Cont'd.)

having a radius of 177.04 feet, a central angle of $54^{\circ} 51' 18''$ and a chord that bears $N 52^{\circ} 35' 44'' E$, a chord distance of 163.10 feet to a point in the northerly line of said Westerville PARCEL I, the same being in the southernmost line of said Taylor Parcel I, said point being located $N 89^{\circ} 43' 41'' E$, a distance of 11.76 feet from the southwesterly corner of said Taylor Parcel 1;

Thence $N 89^{\circ} 43' 41'' E$, with the northerly line of said Westerville PARCEL I and with the southernmost line of said Taylor Parcel 1, a distance of 64.51 feet to the true point of beginning and containing 0.398 acres of land, more or less.

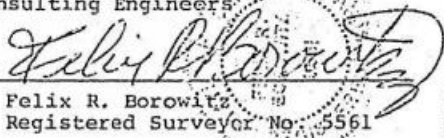
Subject to all rights-of-ways, easements and restrictions, if any, of previous record.

We hereby certify that the above description was prepared using information obtained from an actual field survey conducted, at various times, during the period between November 30, 1980 and April 1, 1981 by Bauer, Borowitz & Merchant, Inc. and that said description is correct.

The bearings shown in the above description correspond to the bearings shown on the plat of the Resubdivision of Lot No. 2 and Lot No. 3 of Brooksedge Meadows, of record in Plat Book 48, Pages 29 and 30, Recorder's Office, Franklin County, Ohio, which bearings are based on an assumed meridian.

BAUER, BOROWITZ & MERCHANT, INC.
Consulting Engineers

By


Felix R. Borowitz
Registered Surveyor No. 5561

ORDINANCE NO. 31-54

TO ACCEPT THE DEDICATION OF THE RIGHT-OF-WAY OF HEATHERDOWN DRIVE EXTENDING FROM THE INTERSECTION OF HEATHERDOWN DRIVE AND GREENCREST DRIVE EASTERLY TO THE INTERSECTION OF HUBER VILLAGE BOULEVARD AND STATE ROUTE 3, AS SAID RIGHT-OF-WAY IS DESCRIBED IN WARRANTY DEEDS FROM PARTNERS AT BROOKSEGE, JAMES R. TAYLOR AND HENRY H. AND CAROLYN S. BENNETT, AND TO DEDICATE THE 0.398 ACRES OF LAND DESCRIBED AS PARCEL III-A IN THE DESCRIPTION EXHIBIT ATTACHED HERETO FOR PUBLIC STREET PURPOSE:

Passed: June 16, 1981