



## CITY OF PATASKALA

### RESOLUTION 2017-054

Passed August 7, 2017

**A RESOLUTION OF INTENT TO APPROPRIATE A 0.021 ACRE TEMPORARY CONSTRUCTION EASEMENT ON 6164 MINK STREET (PARCEL NO. 063-142410-00.000), LOCATED IN THE CITY OF PATASKALA, LICKING COUNTY, OHIO, FOR RECONSTRUCTION OF MINK STREET.**

*WHEREAS*, the City of Pataskala is preparing to reconstruct 1.6 miles of Mink Street, from a point 500' north of State Route 16, to the bridge 1,000' north of Havens Corner Road ("the Project"). The Project consists of widening the roadway to two 12' lanes with a 4' paved shoulder, and will include an intersection realignment, drainage improvements, relocation of utilities, and a railroad crossing; and

*WHEREAS*, the Project will require the City of Pataskala to obtain a temporary construction easement for the purpose of work site access and to complete grading and drive connection from 6164 Mink Street, currently owned by Brenda J. Myers and Nathan P. Myers (Parcel No. 063-142410-00.000), located in the City of Pataskala, Licking County, Ohio, as more fully described in Exhibit A ("the Property"); and

*WHEREAS*, R.C. Chapter 163 authorizes a public agency to appropriate property or a portion thereof for public use; and

*WHEREAS*, R.C. Chapter 719 authorizes a municipal corporation to appropriate property for opening, widening, straightening, changing the grade of, and extending streets, and all other public places, where such appropriation will not unnecessarily interfere with the reasonable use of such property; and

*WHEREAS*, R.C. 719.04 requires the legislative authority of a municipal corporation to, whenever it is deemed necessary to appropriate property, pass a resolution declaring such intent, defining the purpose of the appropriation, and setting forth a pertinent description of the land and the estate or interest therein desired to be appropriated; and

**WHEREAS**, R.C. 719.05 requires only one reading of the resolution set forth in R.C. 719.04; and

**WHEREAS**, R.C. 719.05 also requires the mayor of a municipal corporation to, immediately upon the passage of a resolution under R.C. 719.04, cause written notice to be given to the owner of, person in possession of, or person having an interest of record in, every piece of property sought to be appropriated, or to the authorized agent of the owner or other such person. Such notice shall be served by a person designated for the purpose and return made in the manner provided for the service and return of summons in civil actions. If such owner, person, or agent cannot be found, notice shall be given by publication once a week for three consecutive weeks in a newspaper of general circulation in the municipal corporation or as provided in R.C. 7.16; and

**WHEREAS**, Council for the City of Pataskala believe it is necessary to appropriate the property set forth in Exhibit A.

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF MEMBERS PRESENT CONCURRING THAT:**

Section 1: Council for the City of Pataskala hereby deems it necessary and declares its intent to appropriate, for the purpose of reconstructing 1.6 miles of Mink Street, from a point 500' north of State Route 16, to the bridge 1,000' north of Havens Corner Road, a temporary construction easement in and on the property located at 6164 Mink Street (Parcel No. 063-142410-00.000), located in the City of Pataskala, Licking County, Ohio, as more fully described in description attached hereto as Exhibit A and incorporated herein by reference.

Section 2: The Mayor, or his designee, is hereby authorized and directed to cause written notice of the passage of this Resolution to be served upon the owners and persons in possession or having an interest of record in the Property. The notice shall be served according to law.

Section 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the City of Pataskala which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

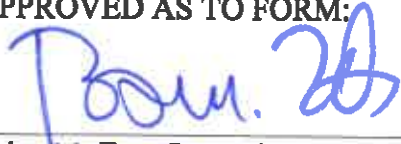
Section 4: This Resolution shall become effective from and after the earliest period allowed by the Charter of the City of Pataskala.

ATTEST:

  
Kathy M. Hoskinson, Clerk of Council

  
Michael W. Compton, Mayor

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to read "Brian M. Zets", written over a horizontal line.

Brian M. Zets, Law Director



**EXHIBIT A**

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VE  
Ver. Date 01/28/14

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FID 93223

**PARCEL 20-T  
LIC-CR41-7.47  
TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY TO  
REGRADE & DRIVE CONNECTION  
FOR 18 MONTHS FROM DATE OF ENTRY BY THE  
STATE OF OHIO, DEPARTMENT OF TRANSPORTATION**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Licking, City of Pataskala, being a part of Lot 30 of that subdivision entitled, "Summit Station East Subdivision", as recorded in Plat Book 5, Page 112, as conveyed to Brenda J. Myers and Nathan P. Myers by deed of record as recorded in Instrument Number 201109300018432, (Parcel No. 063-142410-00.000), all references being to those of record in the Recorder's Office, Licking County, Ohio and being more particularly bounded and described as follows:

Being a parcel of land lying on the left of the centerline survey of LIC-CR41-7.47 made by Jobs Henderson & Associates, Inc., as recorded in Instrument Number \_\_\_\_\_ and being located within the described points in the boundary thereof;

Beginning at the point where the southerly line of Lot 30 intersects the existing westerly right-of-way line of Mink Street, said point being 30.00 feet left of centerline station 45+21.18;

Thence leaving said westerly right-of-way line, along the southerly line of Lot 30, North 86 degrees, 26 minutes, 16 seconds West, 12.00 feet to a point, said point being 42.00 feet left of centerline station 45+21.16;

Thence leaving the southerly line of Lot 30, North 3 degrees, 39 minutes, 31 seconds East, 74.98 feet to a point in the northerly line of Lot 30, said point being 42.00 feet left of centerline station 45+96.14;

Thence along the northerly line of Lot 30, South 86 degrees, 24 minutes, 39 seconds East, 12.00 feet to a point in the existing westerly right-of-way of Mink Street, said point being 30.00 feet left of centerline station 45+96.15;

Thence, along said westerly right-of-way line, South 3 degrees, 39 minutes, 31 seconds West, 74.97 feet to the Point of Beginning and containing 0.021 acres, more or less, which is located

**EXHIBIT A**

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in Licking County Auditor's Permanent Parcel Number 063-142410-00.000, according to a survey made by Jobes Henderson & Associates, Inc., during February 2013.

Grantor claims title by instrument as recorded in Instrument Number 201109300018432, Licking County Recorder's Office, Licking County, Ohio.

The bearings in the above description are based on State Plane Coordinates System, Ohio South Zone.

All iron pins set are 5/8" in diameter rebar by 30" in length with red identification caps marked "J&H, PS 8283".

Subject to all valid and existing easements, restrictions, and conditions of record.

This description is based on a survey made under the direction and supervision of Jeremy L. Van Ostran, Registered Surveyor Number 8283.

January 8, 2015

PA13320700102007-11007



*Jeremy L. Van Ostran*  
Jeremy L. Van Ostran, P.S.  
Reg. S Surveyor # 8283