



## Legislation Details (With Text)

**File #:** 2410-2012      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 10/29/2012      **In control:** Finance Committee  
**On agenda:** 12/3/2012      **Final action:** 12/5/2012

**Title:** To authorize the Director of the Department of Finance and Management to execute those documents necessary to grant certain easements to Columbia Gas of Ohio, Inc., for the installation of an underground natural gas pipeline through City owned real property at 743 W. Third Ave, Columbus, Ohio 43212; and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
12/5/2012	1	CITY CLERK	Attest	
12/4/2012	1	MAYOR	Signed	
12/3/2012	1	COUNCIL PRESIDENT	Signed	
12/3/2012	1	Columbus City Council	Approved	Pass

**BACKGROUND:** The City of Columbus, Ohio ("City"), desires to grant Columbia Gas of Ohio, Inc. ("CGO") a temporary construction easement and a perpetual, non-exclusive, subsurface easement in, on, under, and through City-owned real property at 743 W. Third Ave, Columbus, Ohio 43212, Franklin County Tax Parcel No 010-288226. CGO will use the easement areas, which are more fully described within the body of this legislation, for the purpose of installing an underground natural gas pipeline utility. After investigation, the Department of Finance and Management determined the installation of the underground natural gas pipeline utility should be allowed, and CGO will pay consideration in the total amount of Six Thousand Seven Hundred Forty-Eight and 68/100 U.S. Dollars (\$6,748.68) for both easements. The following legislation authorizes the Director of the Department of Finance and Management to execute those instruments necessary to grant the requested easements.

**FISCAL IMPACT:** N/A

**EMERGENCY JUSTIFICATION:** Emergency action is requested in order to not delay CGO's installation of the underground natural gas pipeline utility, which will preserve the public peace, health, property, safety, and welfare.

To authorize the Director of the Department of Finance and Management to execute those documents necessary to grant certain easements to Columbia Gas of Ohio, Inc., for the installation of an underground natural gas pipeline through City owned real property at 743 W. Third Ave, Columbus, Ohio 43212; and to declare an emergency.

**WHEREAS,** Columbia Gas of Ohio, Inc. ("CGO") desires easements to install an underground natural gas pipeline through City of Columbus, Ohio ("City"), owned real property at 743 W. Third Ave, Columbus, Ohio 43212, Franklin County Tax Parcel No 010-288226; and

**WHEREAS**, after investigation, the City's Department of Finance and Management determined that granting both easements to CGO should be allowed; and

**WHEREAS**, the Columbus City Attorney, Real Estate Division, determined that consideration in the total amount of Six Thousand Seven Hundred Forty-Eight and 68/100 U.S. Dollars (\$6,748.68) is appropriate for both easements; and

**WHEREAS**, an emergency exists in the usual daily operation of the City, because it is immediately necessary to authorize the Director of the Department of Finance and Management to execute those documents, as approved by the Columbus City Attorney, Real Estate Division, necessary to grant certain easements to Columbia Gas of Ohio, Inc., for the installation of an underground natural gas pipeline through City-owned real property for the immediate preservation of the public health, peace, property, safety, and welfare; and now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:**

**SECTION 1.** The Director of the Department of Finance and Management is authorized to execute a Quitclaim Temporary Construction Easement, as approved by the Columbus City Attorney, Real Estate Division, necessary to grant Columbia Gas of Ohio Inc., a temporary construction easement in, on, under, and through the following described real property to construct an underground natural gas pipeline utility:

**0.015 ACRE TEMPORARY EASEMENT AREA**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 6, Township 5, Range 22 of the Refugee Lands, part of Lot 7 of William Neil's Heirs Land of record in Plat Book 3, Page 168, being on, over and across that 2.292 acre tract conveyed to the City of Columbus, Ohio of record in Instrument Number 200908060115199, and described as follows:

Beginning, for reference, at the northwesterly corner of Grantor's tract, being an easterly line of that tract conveyed to The Chesapeake and Ohio Railway Company, nka CSX Transportation Inc. of record in Deed Book 924, Page 338, being the southerly right-of-way line of 3<sup>rd</sup> Avenue;

Thence South 11°25'11" East, with grantor's west line, a distance of 28.12 feet to the proposed southerly right-of-way line of 3<sup>rd</sup> Avenue;

Thence across Grantor's tract, the following courses and distances:

- South 89°03'44" East, with said proposed southerly right-of-way line, a distance of 20.47 feet to the **TRUE POINT OF BEGINNING**;
- South 89°03'44" East, with said proposed southerly right-of-way line, a distance of 43.42 feet to a point;
- South 00°56'16" West, a distance of 15.62 feet to a point;
- North 89°03'44" West, a distance of 40.00 feet to a point; and
- North 11°25'11" West, a distance of 15.99 feet to the **TRUE POINT OF BEGINNING**, containing 0.015 acre, more or less.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Heather L. King, Professional Surveyor № 8307

**SECTION 2.** The Director of the Department of Finance and Management is authorized to execute a Quitclaim Deed of Easement, as approved by the Columbus City Attorney, Real Estate Division, necessary to grant Columbia Gas of Ohio Inc., a perpetual, non-exclusive, subsurface easement in, on, under, and through the following described real property for an underground natural gas pipeline utility:

**0.008 ACRE EASEMENT AREA**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 6, Township 5, Range 22 of the Refugee Lands, part of Lot 7 of William Neil's Heirs Land of record in Plat Book 3, Page 168, being on, over and across that 2.292 acre tract conveyed to the City of Columbus, Ohio of record in Instrument Number 200908060115199, and described as follows:

Beginning, for reference, at the northwesterly corner of Grantor's tract, being an easterly line of that tract

conveyed to The Chesapeake and Ohio Railway Company, nka CSX Transportation Inc. of record in Deed Book 924, Page 338, being the southerly right-of-way line of 3<sup>rd</sup> Avenue;

Thence South 11°25'11" East, with grantor's west line, a distance of 28.12 feet to the proposed southerly right-of-way line of 3<sup>rd</sup> Avenue, being the **TRUE POINT OF BEGINNING**,

Thence across Grantor's tract, the following courses and distances:

- South 89°03'44" East, with said proposed southerly right-of-way line, a distance of 20.47 feet to a point;
- South 11°25'11" East, a distance of 15.99 feet to a point; and
- South 78°34'44" West, a distance of 20.00 feet to a point on Grantor's west line;

Thence North 11°25'11" West, with said west line, a distance of 20.37 feet to the **TRUE POINT OF BEGINNING**, containing 0.008 acre, more or less.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Heather L. King, Professional Surveyor № 8307

**SECTION 3.** The total consideration of Six Thousand Seven Hundred Forty-Eight and 68/100 U.S. Dollars (\$6,748.68) received by the City for granting the easement rights to CGO shall be deposited to the unallocated balance of Dept. 45-01, Fund 748, Project 748999-100000.

**SECTION 4.** For the reasons stated in the preamble, which is made a part of this ordinance, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes this ordinance.