



## Legislation Details (With Text)

**File #:** 1476-2007      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 9/10/2007      **In control:** Development Committee

**On agenda:** 11/5/2007      **Final action:** 11/8/2007

**Title:** To authorize the Director of the Department of Development to execute those documents necessary to grant certain utility easements, severally, to Columbia Gas of Ohio, Inc., and The Columbus Southern Power Company in order to replace those easements relocated during the expansion of The Lincoln Theater, and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit Legal.pdf, 2. AEP Easement.pdf

| Date       | Ver. | Action By             | Action                             | Result |
|------------|------|-----------------------|------------------------------------|--------|
| 11/8/2007  | 1    | CITY CLERK            | Attest                             |        |
| 11/7/2007  | 1    | MAYOR                 | Signed                             |        |
| 11/5/2007  | 1    | Columbus City Council | Approved                           |        |
| 11/5/2007  | 1    | COUNCIL PRESIDENT     | Signed                             |        |
| 10/22/2007 | 1    | DEVELOPMENT DIRECTOR  | Reviewed and Approved              |        |
| 10/22/2007 | 1    | Atty Drafter          | Sent for Approval                  |        |
| 10/22/2007 | 1    | CITY ATTORNEY         | Reviewed and Approved              |        |
| 10/22/2007 | 1    | Atty Drafter          | Sent to Clerk's Office for Council |        |
| 9/10/2007  | 1    | Atty Drafter          | Sent for Approval                  |        |

**Background:** The City of Columbus is in engaged in the renovation of the Lincoln Theater at 771 East Long Street, a historic landmark in the City's King-Lincoln District. The City and Franklin County have jointly contributed \$8 million dollars toward renovating the theater to accommodate more than 500 seats, a state of the art recording environment and separate jazz gallery. An addition will be built onto the rear of the theater in the recently vacated Boone Alley. Certain existing utilities lines must be relocated and therefore it is necessary to grant replacement easements to various utilities companies in order to accommodate the addition and its basement. After investigation, it has been determined that the new utility services will benefit the City and the replacement easements should be granted at no charge. The following legislation authorizes the Director of the Department of Development to grant certain utility easements, severally, to Columbia Gas of Ohio Inc., and The Columbus Southern Power Company in order to replace those easements relocated during the expansion of the Lincoln Theater.

**Fiscal Impact:** N/A

**Emergency Justification:** Emergency action is requested to allow construction on the expansion of the Lincoln Theater to start as scheduled in September 2007 in order to stay on time and within the budget.

To authorize the Director of the Department of Development to execute those documents necessary to grant certain utility easements, severally, to Columbia Gas of Ohio, Inc., and The Columbus Southern Power Company in order to replace those easements relocated during the expansion of The Lincoln Theater, and to declare an emergency.

WHEREAS, The City of Columbus is in engaged in the renovation of the Lincoln Theater at 771 East Long Street, a historic landmark in the City's King-Lincoln District; and

WHEREAS, The City and Franklin County have jointly contributed \$8 million dollars toward renovating the theater to accommodate more than 500 seats, a state of the art recording environment and separate jazz gallery; and

WHEREAS; an addition will be built onto the rear of the theater in the recently vacated Boone Alley; and

WHEREAS, certain existing utility lines must be relocated and therefore it is necessary to grant replacement easements to various utilities companies in order to accommodate the addition and its basement; and

WHEREAS, after investigation, it has been determined that the new utility services will benefit the City and the replacement easement should be granted at no charge; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to authorize the Director of the Department of Development to immediately execute those instruments, as approved by the Real Estate Division, Department of Law, necessary to grant certain utility easements, severally, to, Columbia Gas of Ohio Inc., and The Columbus Southern Power Company in order to replace those easements relocated during the expansion of the Lincoln Theater, thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

Section 1. That the Director of the Department of Development be and hereby is authorized to execute those documents, as prepared and approved by the Real Estate Division, Department of Law, necessary to grant Columbia Gas of Ohio Inc., certain utility easements in, under, over, across, and through the following described real property:

Section 2. That the Director of the Department of Development be and hereby is authorized to execute those documents, as prepared and approved by the Real Estate Division, Department of Law, necessary to grant the Columbus Southern Power Company certain utility easements in, under, over, across, and through the following described real property:

Section 3. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby 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 passage if the Mayor neither approves nor vetoes the same.