



Legislation Details (With Text)

File #: 1264-2005 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/30/2005 **In control:** Utilities Committee

On agenda: 7/18/2005 **Final action:** 7/20/2005

Title: To authorize the Director of the Department of Public Utilities to execute a State of Ohio Easement and any ancillary documents necessary to accept certain sanitary sewers rights in and to certain real property under the jurisdiction of OSU, necessary to the relocation of certain portions of the Franklin Main Interceptor Sewer, and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
7/20/2005	1	MAYOR	Signed	
7/20/2005	1	ACTING CITY CLERK	Attest	
7/18/2005	1	Columbus City Council	Approved	Pass
7/18/2005	1	COUNCIL PRESIDENT	Signed	
7/6/2005	1	CITY ATTORNEY	Reviewed and Approved	
7/6/2005	1	Atty Drafter	Sent to Clerk's Office for Council	
7/5/2005	1	UTILITIES DIRECTOR	Reviewed and Approved	
7/5/2005	1	Atty Drafter	Sent for Approval	
6/30/2005	1	Atty Drafter	Sent for Approval	
6/30/2005	1	Atty Reviewer	Reviewed and Approved	
6/30/2005	1	Atty Drafter	Sent for Approval	
6/30/2005	1	Utilities Reviewer	Sent for Approval	

Background: The City of Columbus, Ohio owns and maintains a 30" diameter sanitary sewer trunk line commonly known as the Franklin Main Interceptor Sewer ("Franklin Main Sewer"). The Franklin Main Sewer crosses under certain portions of land under the jurisdiction and control of OSU, who plans to construct improvements on certain portions of such land. This necessitates the relocation of a portion of the Franklin Main Sewer. The City requested that OSU relocate other portions of the Franklin Main Sewer during construction of the OSU improvements. Ordinance 0852-2004, passed on June 14, 2004, authorizing the Director of Public Utilities to enter in a certain Capital Improvements Project Reimbursement Agreement, by and between the City and OSU ("Reimbursement Agreement"), pursuant to which, the City agreed to reimburse OSU for certain costs of the Franklin Main Sewer relocation, contingent in part upon receipt of this easement. The City has therefore applied to the State of Ohio for an easement in, over, under, across, and through said land under the jurisdiction of OSU for sewer utility lines and appurtenances thereto. The following Legislation authorizes the Director of the Department of Public Utilities to execute a State of Ohio Easement and any ancillary documents necessary to accept the subject real property interests, as granted from the State of Ohio.

Fiscal Impact: N/A

Emergency Justification: Emergency action is requested to in order to allow for the immediately acceptance of the subject easement, as not to delay the aforementioned relocation of the subject sewer.

To authorize the Director of the Department of Public Utilities to execute a State of Ohio Easement and any ancillary documents necessary to accept certain sanitary sewers rights in and to certain real property under the jurisdiction of OSU, necessary to the relocation of certain portions of the Franklin Main Interceptor Sewer, and to declare an emergency.

WHEREAS, the City of Columbus, owns and maintains a 30" diameter sanitary sewer trunk line commonly known as the Franklin Main Interceptor Sewer ("Franklin Main Sewer"); and

WHEREAS, said Franklin Main Sewer crosses under certain portions of land under the jurisdiction and control of OSU; and

WHEREAS, OSU plans to construct improvements on certain portions of such land that necessitates the relocation of a portion of the Franklin Main Sewer; and

WHEREAS, the City requested that OSU relocate other portions of the Franklin Main Sewer during construction of the OSU improvements; and

WHEREAS, Ordinance 0852-2004, passed on June 14, 2004, authorizing the Director of Public Utilities to enter in a certain Capital Improvements Project Reimbursement Agreement, by and between the City and OSU ("Reimbursement Agreement"), pursuant to which, the City agreed to reimburse OSU for certain costs of the Franklin Main Sewer relocation, contingent in part upon receipt of this easement; and

WHEREAS, the City has therefore applied to the State for an easement in, over, under, across, and through said land under the jurisdiction of OSU for constructing, installing, reconstructing, replacing, removing, repairing, maintaining and operating sewer utility lines and appurtenances thereto; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, that it is immediately necessary to authorize the Director of the Department of Public Utilities to execute a State of Ohio Easement and any ancillary documents necessary to accept certain sanitary sewers rights in and to real property under the jurisdiction of OSU, necessary to the relocation of certain portions of the Franklin Main Interceptor Sewer, for the immediate preservation of the public health, peace, property and safety; now, therefore:

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

Section 1. That the Director of the Department of Public Utilities be and hereby is authorized to execute a State of Ohio Easement and any ancillary documents, as approved by the Department of Law, Real Estate Division, necessary to accept certain sanitary sewers rights as granted by the State of Ohio over the following described real property:

**DESCRIPTION OF A SANITARY SEWER EASEMENT FOR
THE CITY OF COLUMBUS, FRANKLIN MAIN SANITARY SEWER RELOCATION**

Situated in the State of Ohio, County of Franklin, City of Columbus; and being a 20 foot wide sanitary sewer easement across a tract of land owned by the Ohio State University (Auditors Parcel No. 010-067007) and being within the right-of-way of Cannon Drive as established by the plat entitled "Dedication of 7.411 Acres of Cannon Drive and John Herrick Drive to Public Use", as recorded in Plat Book 83, Page 73, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at a point on the easterly right-of-way line of Cannon Drive, said point also being 44.50 feet right of Station 72+36.73 in the centerline of Cannon Drive as dedicated in the above referenced Plat Book 83, Page 73, and being the *True Point Of Beginning* of the sanitary sewer easement herein conveyed;

Thence along said right-of-way line and east line of the proposed easement, S 18°58'16" E a distance of 21.25 feet to a point;

Thence along a south line of the proposed easement, S 51°17'08" W a distance of 4.13 feet to a point;

Thence along the east line of the proposed easement, S 18°48'50" E a distance of 209.26 feet to a point;

Thence along the east line of the proposed easement, S 19°03'33" E a distance of 230.06 feet to a point;

Thence along the east line of the proposed easement, S 17°54'19" E a distance of 181.26 feet to a point;

Thence along the east line of the proposed easement, S 10°27'41" E a distance of 143.84 feet to a point;
Thence along the east line of the proposed easement, S 05°10'13" E a distance of 141.35 feet to a point;
Thence along the east line of the proposed easement, S 26°55'40" E a distance of 7.29 feet to a point on the easterly right-of-way of Cannon Drive;

Thence along said right-of-way line and the east line of the proposed easement, along the arc of a curve to the right having a radius of 1469.78 feet, a central angle of 00°26'27", a chord of which bears S 01°31'12" E a distance of 11.31 feet to a point;

Thence continuing along said right-of-way line and east line of the proposed easement, along the arc of a curve to the right having a radius of 1464.89 feet, a central angle of 01°26'59", a chord of which bears S 02°48'23" E a distance of 37.06 feet to a point;

Thence along the south line of the proposed easement, N 26°55'40" W a distance of 55.18 feet to a point;

Thence along the W line of the proposed easement, N 05°10'13" W a distance of 144.27 feet to a point;

Thence along the W line of the proposed easement, N 10°27'41" W a distance of 141.61 feet to a point;

Thence along the W line of the proposed easement, N 17°54'19" W a distance of 179.76 feet to a point;

Thence along the W line of the proposed easement, N 19°03'33" W a distance of 229.89 feet to a point;

Thence along the W line of the proposed easement, N 18°48'50" W a distance of 223.34 feet to a point;

Thence along the north line of the proposed easement, N 51°17'08" E a distance of 25.34 feet to the True Point Of Beginning and **containing 0.440 acres**, more or less;

The above take is from Auditors Parcel No. 010-067007 (324.26 acres), being owned by The Ohio State University.

The above description was prepared under the direction of Michael D. Weeks, Professional Surveyor No. 7357.

The Basis of Bearing for this description is the centerline of Cannon Drive being N 18°58'16" W as shown on the plat entitled "Dedication of 7.411 Acres of Cannon Drive and John Herrick Drive to Public Use" as recorded in Plat Book 83, Page 73, Recorder's Office, Franklin County, Ohio.

Michael D. Weeks, Registered Surveyor No. 7357.

**DESCRIPTION OF A SANITARY SEWER EASEMENT (S1) FOR
THE CITY OF COLUMBUS, FRANKLIN MAIN SANITARY SEWER RELOCATION**

Situated in the State of Ohio, County of Franklin, City of Columbus; and being a 20 foot wide sanitary sewer easement across The Ohio State University (Auditors Parcel No. 010-067007); said easement being more particularly described as follows:

Beginning at a point on the easterly right-of-way line of Cannon Drive, said point also being 44.50 feet right of Station 72+36.73 in the centerline of Cannon Drive as established by the dedication of a portion of Cannon Drive as recorded in Plat Book 83, Page 73, Recorder's Office, Franklin County, Ohio, and being the True Point Of Beginning of the sanitary sewer easement herein conveyed;

Thence along the north line of the proposed easement, N 51°17'08" E a distance of 25.89 feet to a point;

Thence along the north line of the proposed easement, S 87°56'59" E a distance of 316.43 feet to a point;

Thence along the north line of the proposed easement, S 85°11'58" E a distance of 134.11 feet to a point;

Thence along the north line of the proposed easement, N 85°30'35" E a distance of 180.91 feet to a point;

Thence along the north line of the proposed easement, N 48°17'07" E a distance of 66.84 feet to a point;

Thence along the east line of the proposed easement, S 41°42'53" E a distance of 20.00 feet to a point;

Thence along the south line of the proposed easement, S 48°17'07" W a distance of 73.57 feet to a point;

Thence along the south line of the proposed easement, S 85°30'35" W a distance of 189.27 feet to a point;

Thence along the south line of the proposed easement, N 85°11'58" W a distance of 135.26 feet to a point;

Thence along the south line of the proposed easement, N 87°56'59" W a distance of 308.52 feet to a point;

Thence along the south line of the proposed easement, S 51°17'08" W a distance of 25.64 feet to a point on the easterly right-of-way line of Cannon Drive;

Thence along the said right-of-way line and the W line of the proposed easement, N 18°58'16" W a distance of 21.25 feet to the True Point Of Beginning and **containing 0.334 acres**, more or less;

The above take is from Auditors Parcel No. 010-067007 (324.26 acres), being owned by The Ohio State University.

The above description was prepared under the direction of Michael D. Weeks, Professional Surveyor No. 7357.

The Basis of Bearing for this description is the centerline of Cannon Drive being N 18°58'16" W as shown on the plat entitled "Dedication of 7.411 Acres of Cannon Drive and John Herrick Drive to Public Use", as recorded in Plat Book 83, Page 73, Recorder's Office, Franklin County, Ohio.

Michael D. Weeks, Registered Surveyor No. 7357.

**DESCRIPTION OF A SANITARY SEWER EASEMENT (S2) FOR
THE CITY OF COLUMBUS, FRANKLIN MAIN SANITARY SEWER RELOCATION**

Situated in the State of Ohio, County of Franklin, City of Columbus; and being a 20 foot wide sanitary sewer easement across The Ohio State University (Auditors Parcel No. 010-067007); said easement being more particularly described as follows:

Beginning at a point on the easterly right-of-way line of Cannon Drive, said point also being 32.94 feet right of Station 63+11.05 in the centerline of Cannon Drive as established by the dedication of a portion of Cannon Drive as recorded in Plat Book 83, Page 73, Recorder's Office, Franklin County, Ohio, and being the **True Point Of Beginning** of the sanitary sewer easement herein conveyed;

Thence along the east line of the proposed easement, S 26°55'40" E a distance of 62.01 feet to a point;

Thence along the south line of the proposed easement, S 63°04'20" W a distance of 20.00 feet to a point;

Thence along the W line of the proposed easement, N 26°55'40" W a distance of 17.97 feet to a point on the easterly right-of-way of Cannon Drive;

Thence along said right-of-way line and west line of the proposed easement, along the arc of a curve to the left having a radius of 1464.89 feet, a central angle of 01°26'59", a chord of which bears N 02°48'23" W a distance of 37.06 feet to a point;

Thence continuing along said right-of-way line and the west line of the proposed easement, along the arc of a curve to the left having a radius of 1469.78 feet, a central angle of 00°26'27", a chord of which bears N 01°31'12" W a distance of 11.31 feet to the True Point Of Beginning and **containing 0.018 acres**, more or less;

The above take is from Auditors Parcel No. 010-067007 (324.26 acres), being owned by The Ohio State University.

The above description was prepared under the direction of Michael D. Weeks, Professional Surveyor No. 7357.

The Basis of Bearing for this description is the centerline of Cannon Drive being N 18°58'16" W as shown on the plat entitled "Dedication of 7.411 Acres of Cannon Drive and John Herrick Drive to Public Use", as recorded in Plat Book 83, Page 73, Recorder's Office, Franklin County, Ohio.

Michael D. Weeks, Registered Surveyor No. 7357.

Section 2. That for the reasons state 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 its passage if the Mayor neither approves nor vetoes the same.