



Legislation Details (With Text)

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Title: To authorize the City's Director of the Department of Public Utilities to execute a Quitclaim Deed of Easement and any other ancillary instruments necessary to grant the Ohio Power Company, an Ohio corporation, a perpetual, nonexclusive easement for the purpose of installing electric utilities to service the City's new water collector well, CW-106; and to declare an emergency.

Sponsors:

Indexes:

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Date	Ver.	Action By	Action	Result
2/6/2013	1	CITY CLERK	Attest	
2/5/2013	1	MAYOR	Signed	
2/4/2013	1	COUNCIL PRESIDENT	Signed	
2/4/2013	1	Columbus City Council	Approved	Pass

BACKGROUND: The City of Columbus, Ohio ("City"), desires to grant the Ohio Power Company ("OPC"), an Ohio corporation, another perpetual, nonexclusive easement in, on, over, under, across, and through City-owned real property located at 0000 London-Groveport Road Columbus, Ohio 43137, Franklin County Tax Parcel № 150-000414. OPC will use the easement area, which is more fully described within the body of this legislation, for the purpose of installing electric utilities to service the City's new water collector well, CW-106. Columbus City Ordinance № 2383-2012 formerly granted OPC an easement associated with the installation of the electric utilities, but the easement area described in that ordinance was insufficient. After further investigation by the City's Department of Public Utilities, it was determined that the additional easement area requested by OPC to install its electrical utilities will benefit the City and should be granted at no charge. Therefore, the following legislation authorizes the City's Director of the Department of Public Utilities to execute a Quitclaim Deed of Easement and any other ancillary instruments necessary to grant this easement to OPC.

FISCAL IMPACT: N/A

EMERGENCY JUSTIFICATION: Emergency action is requested so to not delay the benefit to the City resulting from the installation of electric utilities by OPC to service the City's new water collector well, CW-106, which will preserve the public peace, health, property, safety, and welfare.

To authorize the City's Director of the Department of Public Utilities to execute a Quitclaim Deed of Easement and any other ancillary instruments necessary to grant the Ohio Power Company, an Ohio corporation, a perpetual, nonexclusive easement for the purpose of installing electric utilities to service the City's new water collector well, CW-106; and to declare an emergency.

WHEREAS, the City of Columbus, Ohio ("City"), desires to grant the Ohio Power Company ("OPC"), an Ohio corporation, another perpetual, nonexclusive easement in, on, over, under, across, and through City-owned real property located at 0000 London-Groveport Road Columbus, Ohio 43137, Franklin County Tax Parcel № 150-000414; and

WHEREAS, Columbus City Ordinance № 2383-2012 formerly granted OPC the necessary easement associated with the installation of the electric utilities, but the easement area described in that ordinance was insufficient; and

WHEREAS, OPC is using the additional easement area, which is more fully described within the body of this legislation, for the purpose of installing electric utilities to service the City's new water collector well, CW-106; and

WHEREAS, after investigation by the City's Department of Public Utilities, it was determined the additional easement area requested by OPC to install its electrical utilities will benefit the City and should be granted at no charge; and

WHEREAS, the following legislation authorizes the City's Director of the Department of Public Utilities to execute a Quitclaim Deed of Easement and any other ancillary instruments necessary to grant this easement; and

WHEREAS, an emergency exists in the usual daily operation of the City, because it is immediately necessary to authorize the City's Director of the Department of Public Utilities to execute a Quitclaim Deed of Easement and any other ancillary instruments, as approved by the Columbus City Attorney's Office, Real Estate Division, to grant another perpetual, nonexclusive easement to OPC to install electric utilities on City-owned real property located at 0000 London-Groveport Road Columbus, Ohio 43137, Franklin County Tax Parcel № 150-000414, to service the City's new water collector well, CW-106, which preserves 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 City's Director of the Department of Public Utilities is authorized to execute a Quitclaim Deed of Easement and all ancillary instruments, as approved by the City Attorney's Office, Real Estate Division, necessary to grant the Ohio Power Company, an Ohio corporation, another perpetual, nonexclusive easement in, on, over, under, across, and through the following described City-owned real property for the purpose of installing electric utilities to service the City's new water collector well, CW-106:

0.067 ACRE EASEMENT AREA

Situate in the State of Ohio, County of Franklin, Township of Hamilton lying in Section 4, Township 3 North, Range 22 West, Matthews Survey of the Congress Lands East of the Scioto River, and part of Lot 6 of "Mordecai Cloud Farm" of record in Plat Book 3, Page 382, being an easement on, over, and across the 8.469 acre tract conveyed to the City of Columbus, Ohio by deed of record in Instrument Number 200912220184534, (all records herein are from the Recorder's Office, Franklin County, Ohio) and being further described as follows:

Begin for reference at a point on the southerly right-of-way line State Route 665 (London - Groveport Road) 60 feet in width, marking the intersection with the easterly line of the 8.469 acre tract, being located South 03°09'51" West, a distance of 30.00 feet from the northeasterly corner of the 8.469 acre tract;

Thence North 86°50'09" West, a distance of 62.39 feet, along the southerly right-of-way line of State Route 665 (London - Groveport Road) to the **Point of True Beginning** for the herein described easement;

Thence the following four (4) courses and distances across the 8.469 acre tract:

1. **South 36°38'40" West**, a distance of **151.44 feet**, to a point;
2. **North 53°21'20" West**, a distance of **20.00 feet**, to a point;
3. **North 36°38'40" East**, a distance of **138.21 feet**, to a point on the southerly right-of-way line of State Route 665;
4. **South 86°50'09" East**, a distance of **23.98 feet**, along the southerly right-of-way line to the

Point of True Beginning having an area of 2896.53 square feet, or **0.067 acres**, more or less.

The bearings shown hereon are based on the Bearing of South 86°50'09" East for the centerline of State Route 665 (London - Groveport Road) as shown of record in Instrument Number 200912220184534.

STANTEC CONSULTING SERVICES INC.

Tim Baker, Professional Surveyor № S-7818

SECTION 2. For the reasons stated in this ordinance's 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 (10) days after its passage if the Mayor neither approves nor vetoes the same.