



Legislation Details (With Text)

File #: 1893-2004 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 10/19/2004 **In control:** Health, Housing & Human Services Committee

On agenda: 11/8/2004 **Final action:** 11/10/2004

Title: To authorize the Columbus Health Commissioner to execute those documents necessary to grant certain perpetual utility easements to the Columbus Southern Power Company, in order to provide electrical service to that City owned real property located in the vicinity of East Main Street and Champion Avenue, commonly known as the Central Community Center House to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959) Revised, and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
11/10/2004	2	CITY CLERK	Attest	
11/9/2004	2	MAYOR	Signed	
11/8/2004	1	Columbus City Council	Approved as Amended	Pass
11/8/2004	1	Columbus City Council	Amended as submitted to the Clerk	Pass
11/8/2004	2	COUNCIL PRESIDENT	Signed	
10/27/2004	1	Atty Drafter	Sent to Clerk's Office for Council	
10/26/2004	1	Atty Drafter	Sent for Approval	
10/26/2004	1	CITY ATTORNEY	Reviewed and Approved	
10/25/2004	1	HEALTH DIRECTOR	Reviewed and Approved	
10/20/2004	1	Atty Reviewer	Reviewed and Approved	
10/20/2004	1	Atty Drafter	Sent for Approval	
10/19/2004	1	Atty Drafter	Sent for Approval	

Background: The City of Columbus is owner of certain real property located in the vicinity of East Main Street and Champion Avenue, which includes that 1166 East Main Street address commonly known as the Central Community House. The Columbus Southern Power Company has requested that the City grant certain easements over and across the aforementioned City owned real property to install underground electric transmission cables and a concrete electric transformer pad and necessary appurtenances. These cables will supply electricity to the Central Community House, which currently leases its real property from the City. The electrical service provided by the underground lines will improve the subject real property and be a benefit to the City. After investigation, it has been determined that the granting of the requested easement will not adversely affect the City and should be granted at no charge. The following legislation authorizes the Columbus Health Commissioner to execute those documents necessary to grant the requested easement.

Fiscal Impact: N/A

Emergency Justification: Emergency action is requested as not to delay the construction and installation of the subject electric power line, which will benefit the City.

To authorize the Columbus Health Commissioner to execute those documents necessary to grant certain perpetual utility easements to the Columbus Southern Power

Company, in order to provide electrical service to that City owned real property located in the vicinity of East Main Street and Champion Avenue, commonly known as the Central Community Center House to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959) Revised, and to declare an emergency.

WHEREAS, the City of Columbus is owner of certain real property located in the vicinity of East Main Street and Champion Avenue, which includes that 1166 East Main Street address commonly known as the Central Community House; and

WHEREAS, the Columbus Southern Power Company has requested that the City grant certain easements over and across the aforementioned City owned real property to install underground electric transmission cables and a concrete electric transformer pad and necessary appurtenances; and

WHEREAS, these cables will supply electricity to the Central Community House, which currently leases its real property from the City; and

WHEREAS, after investigation, it has been determined that the electrical service provided by the underground lines will improve the subject real property and be a benefit to the City; and should be granted at no charge; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Health in that it is immediately necessary to authorize the Health Commissioner to execute those documents, as approved by the Real Estate Division, Department of Law, necessary to grant certain easements to the Columbus Southern Power Company so as not to delay the resulting benefit to the City, 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 Columbus City Health Commissioner be and hereby is authorized to execute those documents, as approved by the Real Estate Division, Department of Law, necessary to grant certain perpetual non-exclusive electrical easements to Columbus Southern Power Company in, over, under, across, and through the following described real property, to-wit:

PARCEL NO. 1

Perpetual Non-Exclusive Sub-Surface Easement

(for Underground Electric Case Pipe, Conduit, Cables, Lines, and Wires)

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Parcel 1 of a tract of land conveyed to the City of Columbus, as recorded in Instrument Number 199803130058910, all references contained herein are to Franklin County Recorder's records, Franklin County, Ohio, and being more particularly described as follows:

Beginning for a point of reference at a PK nail found in the northerly line of East Main Street (80'), said PK nail also being the southwesterly corner of a tract of land conveyed to the City of Columbus, as recorded in Instrument Number 199906070144158, also being the southwesterly corner of Lot 20 of Hoffman and McGrew's Second Amended Addition to the City of Columbus, as recorded in Plat Book 2, Page 200;

Thence S 88° 14' 09" E, 145.00 feet, running with the northerly line of said East Main Street and the southerly line of said City of Columbus parcels and passing the southwesterly corner of said Parcel 1 at 130.56 feet, said southwesterly corner of Parcel 1 also being the southwesterly corner of Samuel Hankin's Addition, as recorded in Plat Book 2, Page 340, to a point, also being the True Point Of Beginning of the herein described easement;

Thence running within said City of Columbus lands, the following eleven (11) consecutive courses:

1. N 06° 08' 15" W, 22.70 feet to a point;
2. N 02° 45' 13" W, 40.55 feet to a point;
3. N 00° 30' 44" W, 36.17 feet to a point;
4. N 02° 44' 32" E, 40.41 feet to a point;
5. N 11° 09' 07" E, 72.97 feet to a point;
6. S 78° 50' 53" E, 10.00 feet to a point;
7. S 11° 09'; 07" W, 72.23 feet to a point;
8. S 02° 44' 32" W, 39.39 feet to a point;
9. S 00° 30' 44" E, 35.69 feet to a point;
10. S 02° 45' 13" E, 40.06 feet to a point;
11. S 06° 08' 15" E, 23.80 feet to a point in the northerly line of said East Main Street and the southerly line of said City of Columbus lands;

Thence N 88° 14' 09" W, 10.10 feet running the northerly line of said East Main Street and the southerly line of said City of Columbus lands to the True Point Of Beginning, and **containing 0.049 acres** of land, more or less.

Bearings are based on an assumed bearing of S 88° 14' 09" E, for the northerly line of said East Main Street.

PARCEL NO. 2

Perpetual Non-Exclusive Easement
(for Concrete Electric Transformer Pad)

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Parcel 1 of a tract of land conveyed to the City of Columbus, as recorded in Instrument Number 199803130058910, all references contained herein are to Franklin County Recorder's records, Franklin County, Ohio, and being more particularly described as follows:

Beginning for a point of reference at a PK nail found in the northerly line of East Main Street (80'), said PK nail also being the southwesterly corner of a tract of land conveyed to the City of Columbus, as recorded in Instrument Number 199906070144158, also being the southwesterly corner of Lot 20 of Hoffman and McGrew's Second Amended Addition to the City of Columbus, as recorded in Plat Book 2, Page 200;

Thence S 88° 14' 09" E, running with the northerly line of said East Main Street and the southerly line of said City of Columbus parcels, 130.56 feet to the southwesterly corner of said Parcel 1, said southwesterly corner of Parcel 1 also being the southwesterly corner of Samuel Hankin's Addition, as recorded in Plat Book 2, Page 340;

Thence N 03° 44' 37" E, 211.25 feet along the westerly line of said Parcel 1 and the easterly line of a vacated ten foot (10') alley (Columbus City Ordinance 1444-74), passing the northeasterly corner of said vacated alley at 175.26 feet, to a point;

Thence S 86° 15' 23" E, 11.14 feet running within said Parcel 1 to the True Point Of Beginning of the herein described easement;

Thence running within said City of Columbus lands, the following four (4) consecutive courses:

1. S 87° 39' 36" E, 10.00 feet to a point;
2. S 02° 20' 24" W, 10.00 feet to a point;
3. N 87° 39' 36" W, 10.00 feet to a point;
4. N 02° 20' 24" E, 10.00 feet to the True Point Of Beginning, and **containing 0.002 acres** of land, more or less.

Bearings are based on an assumed bearing of S 88° 14' 09" E, for the northerly line of said East Main Street.

Prior Instrument Reference: Instrument Number 199803130058910,
Recorder's Office, Franklin County, Ohio.
Franklin County Tax Parcel Number 010-066847.

Section 2. That this Council has determined that it is in the best interest of the City of Columbus to waive and does hereby waive the requirements of Columbus City Codes (1959) Revised, Chapter 328 (*Land Review Commission*) and Section 329.25 (*competitive bidding*) to the extent that they may apply to this transaction with regards to this ordinance only.

Section 3. That for the reasons stated in the preamble hereto, 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.