



Legislation Details (With Text)

File #: 0494-2005 **Version:** 1
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On agenda: 3/21/2005 **Final action:** 3/23/2005
Title: To authorize the Director of the Department of Public Utilities to execute those documents, necessary to grant Columbia Gas of Ohio, Inc. a subterranean easement for the installation of a gas pipeline underneath the Hoover Reservoir and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
3/23/2005	1	ACTING CITY CLERK	Attest	
3/22/2005	1	MAYOR	Signed	
3/21/2005	1	Columbus City Council	Approved	Pass
3/21/2005	1	COUNCIL PRESIDENT	Signed	
3/8/2005	1	Atty Drafter	Sent for Approval	
3/8/2005	1	CITY ATTORNEY	Reviewed and Approved	
3/8/2005	1	Atty Drafter	Sent to Clerk's Office for Council	
3/3/2005	1	Atty Drafter	Sent for Approval	
3/3/2005	1	Utilities Reviewer	Reviewed and Approved	
3/3/2005	1	UTILITIES DIRECTOR	Reviewed and Approved	
3/2/2005	1	Atty Drafter	Sent for Approval	
3/2/2005	1	Atty Reviewer	Reviewed and Approved	

Background: The City of Columbus is the owner of certain real property located in the vicinity of Sunbury Road and Harlem Road, known as Hoover Reservoir. Columbus Gas of Ohio, Inc. desires to install a subterranean gas pipeline underneath the Hoover Reservoir to address growing utility needs in southern Delaware County. After investigation, by the Division of Water and the Department of Recreation and Parks, it has been determined that the granting of a subject easement will not adversely affect the City and should be granted. The Department of Law, Real Estate Division, has determined a value of \$46,000.00 for the aforementioned easement. The following legislation authorizes the Director of the Department of Public Utilities to execute those instruments necessary to grant the subject easement, more fully described within the body of this ordinance.

Fiscal Impact: The City shall receive \$46,000.00 as consideration for the granting of the subject easement, which shall be deposited into the Recreation and Parks Department Waterways-Nature Preservation Fund.

Emergency Justification: Emergency action is requested by the Division of Real Estate to allow the construction schedule to proceed without delay for the immediate preservation of the public health, peace, property and safety.

To authorize the Director of the Department of Public Utilities to execute those documents, necessary to grant **Columbia Gas of Ohio, Inc.** a subterranean easement for the installation of a gas pipeline underneath the Hoover Reservoir and to declare an emergency.

WHEREAS, the City of Columbus is the owner of certain real property located in the vicinity of Sunbury Road and Harlem Road, known as Hoover Reservoir; and

WHEREAS, Columbus Gas of Ohio, Inc. desires a subsurface easement from the City to install a subterranean gas pipeline underneath the Hoover Reservoir to address growing utility needs in southern Delaware County; and

WHEREAS, the Department of Law, Real Estate Division, has determined a value of \$46,000.00 for the aforementioned easement; and

WHEREAS, after investigation, by the Division of Water and the Department of Recreation and Parks, it has been determined that the granting of a subject easement will not adversely affect the City and should be granted; 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 Public Utilities to execute those instruments as prepared by the Real Estate Division, Department of Law, to grant Columbus Gas of Ohio, Inc. a subterranean easement under that City owned real property known as Hoover Reservoir 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 those documents as prepared by the Department of Law, Real Estate Division, necessary to grant Columbia Gas of Ohio, Inc. a perpetual sub-Surface (Subterranean) easement under the following described real property, to wit:

Perpetual Sub-Surface (Subterranean) Easement

(Extending vertically down from a point being 30' below existing ground level surface and the existing earthen bed of Hoover Reservoir)

Situated in the State of Ohio, County of Delaware, Township of Genoa, Farm Lots 4 and 7 (Tier 2), Quarter 1, Township 3, Range 17, United States Military Lands, being located in the lands of the City of Columbus, Ohio, Hoover Reservoir, and being a fifty foot wide subterranean strip of land more particularly described as follows:

Beginning at a concrete survey monument found in the northerly line of that tract of land as described in a deed to Thelma Millhon of record in Official Record 0436, Page 435 (all records referenced herein being to the records of the Delaware County Recorder's Office, Delaware, Ohio) and Judson S. and Bette A. Millhon, Trustees, of record in Official Record 0058, Page 945, and Official Record 0058, Page 953, and at the southeast corner of Lot Number 1298 of West Shore Subdivision, Plat II, a subdivision of record in Plat Volume 16, Page 95, and in the westerly line of said City of Columbus, Ohio, Hoover Reservoir property;

Thence through said City of Columbus, Ohio, Hoover Reservoir property the following courses:

1. With a non-tangent curve to the left having a radius of 2875.00 feet, an arc length of 208.57 feet, a central angle of 4° 09' 23", and a chord bearing S 89° 40' 56" E a chord distance of 208.52 feet to a point;

2. N 88° 14' 23" E, a distance of 4355.19 feet to a point;

3. With a tangent curve to the right having a radius of 2925.00 feet, an arc length of 189.27 feet, a central angle of 3° 42' 27", and a chord bearing S 89° 54' 24" E, a chord distance of 189.24 feet to a point in the westerly right-of-way line of relocated Sunbury Road (100 feet wide);

Thence along said right-of-way line with a non-tangent curve to the left having a radius of 1482.40 feet, an arc length of 52.38 feet, a central angle of 2° 01' 28", and a chord bearing S 15° 13' 45" E, a chord distance of 52.38 feet to a point;

Thence leaving said right-of-way line again through said Reservoir property the following courses:

1. With a non-tangent curve to the left having a radius of 2875.00 feet, an arc length of 201.50 feet, a central angle of 4° 00' 57", and a chord bearing of N 89° 45' 09" W, a chord distance of 201.46 feet to a point;

2. S 88° 14' 23" W, a distance of 4355.19 feet to a point;

3. With a tangent curve to the right having a radius of 2925.00 feet, an arc length of 221.64 feet, a

central angle of 4° 20' 30", and a chord bearing N 89° 35' 23" W, a chord distance of 221.59 feet to a point in the common line between said Reservoir property and said Millhon tract;

Thence along said common line the following courses:

1. N 01° 05' 21" E, a distance of 13.48 feet to a point;
2. N 17° 21' 21" E, a distance of 37.79 feet to the *Point Of Beginning*, containing **5.472 acres** of land.

Bearings herein are referenced to State Plane Grid System, Ohio North Zone, per a GPS survey.

This description was prepared by M-E Companies, Inc. based on an actual field survey of the premises in September 2004.

Michael P. Lomano, Registered Surveyor No. 7711.

Delaware County Tax Parcel Number 31713004001000.

Prior Instrument Reference: D.B. Vol. 252, Pg. 416; D.B. Vol. 254, Pg. 216;
D.B. Vol. 256, Pg. 324; D.B. Vol. 256, Pg. 354;
D.B. Vol. 258, Pg. 316;

Recorder's Office, Delaware County, Ohio.

Section 2. The Forty Six Thousand Dollars (\$46,000.00) to be received by the City of Columbus, as consideration for the granting of the subject easement shall be deposited into the Recreation and Parks Department, Waterways-Nature Preservation Fund/ O.C.A: 065664/ Object Level Three: 0833.

Section 3. That for the 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 passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.