



Legislation Details (With Text)

File #: 1805-2008 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 11/5/2008 **In control:** Judiciary And Court Administration Committee
On agenda: 11/24/2008 **Final action:** 11/25/2008

Title: To authorize the Director of the Department of Development to execute those documents necessary to grant Columbia Gas of Ohio, Inc., a utility easement through the former Northland Mall site, in order to provide gas service necessary to the City's redevelopment plan for the area and to the extent they may be applicable, 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
11/25/2008	1	ACTING MAYOR	Signed	
11/25/2008	1	CITY CLERK	Attest	
11/24/2008	1	Columbus City Council	Approved	Pass
11/24/2008	1	COUNCIL PRESIDENT	Signed	
11/12/2008	1	CITY ATTORNEY	Reviewed and Approved	
11/12/2008	1	Atty Drafter	Sent to Clerk's Office for Council	
11/11/2008	1	Atty Drafter	Sent for Approval	
11/7/2008	1	Atty Reviewer	Reviewed and Approved	
11/7/2008	1	Atty Drafter	Sent for Approval	
11/7/2008	1	Dev Drafter	Sent for Approval	
11/7/2008	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
11/7/2008	1	Dev Drafter	Sent for Approval	
11/5/2008	1	Atty Drafter	Sent for Approval	

Background:

The City of Columbus is the owner of certain real property located in the vicinity of Morse Road and Tamarack Boulevard known as the site of the former Northland Mall. The City purchased Northland property in 2003 with the purpose of facilitating the redevelopment of the former mall site into uses which include office space, retail use, educational facilities and park space. As part of the proposed redevelopment the City desires to grant Columbia Gas of Ohio, Inc., a 20' non-exclusive gas pipeline easement in order that natural gas services may be provided to the project area. The Department of Development has investigated this matter and has determined that the granting of the subject utility easement is in the best interest of the City and will not adversely affect the City and should be allowed at no charge. The following legislation authorizes the Director of the Department of Development to execute those documents necessary to grant Columbia Gas of Ohio, Inc. a gas line easement through the former Northland Mall site.

Fiscal Impact: N/A

Emergency Justification: N/A

To authorize the Director of the Department of Development to execute those documents necessary to grant Columbia Gas of Ohio, Inc., a utility easement through the former Northland Mall site, in order to provide gas service necessary to the City's redevelopment plan for the area and to the extent they may be applicable, 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 the owner of certain real property located in the vicinity of Morse Road and Tamarack Boulevard known as the site of the former Northland Mall; and

WHEREAS, the City purchased Northland property in 2003 with the purpose of facilitating the redevelopment of the former mall site into uses which include office space, retail use, educational facilities and park space; and

WHEREAS, as part of the proposed redevelopment the City desires to grant Columbia Gas of Ohio, Inc., a 20' non-exclusive gas pipeline easement in order that natural gas services may be provided to the project area; and

WHEREAS, the Department of Development has investigated this matter and has determined that the granting of the subject utility easement is in the best interest of the City and will not adversely affect the City and should be allowed 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, prepared and approved by the Real Estate Division, Department of Law, necessary to grant a utility easement to Columbia Gas of Ohio, Inc., in order to provide gas service to the former Northland Mall site, 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 Director of the Department of Development be and hereby is authorized to execute those documents, as approved by the Department of Law, Real Estate Division, necessary to grant a gas utility line easement in, over, under, across and through the following described real property:

1.037 acres

Situated in the State of Ohio, County of Franklin, City of Columbus and being a part of Auditors Permanent Parcel Number 010-103735, as conveyed to Columbus Urban Growth of record in Instrument Number 200312290404389 in the record of Deeds, Franklin County Recorders Office, Columbus, Ohio, and being more particularly described as follows:

Beginning for reference at the centerline intersection of Northland Ridge Boulevard and New Northland Crossing, thence in a easterly direction S-86°30'01"-E a distance of 43.00 feet to a point. Thence in a southerly direction S-03°29'59"-W a distance of 13.50 feet to a point, said point also being THE POINT OF BEGINNING of the non-exclusive strip easement further described as follows:

- Thence S-86°30'01"-E through the property a distance of 189.97 feet to a point;
- Thence N-03°29'59"-E a distance of 47.00 feet to a point;
- Thence S-86°30'01"-E a distance of 446.20 feet to a point;
- Thence S-03°30'00"-W a distance of 58.52 feet to a point;
- Thence S-86°30'01"-E a distance of 174.59 feet to a point of curvature;
- Thence with a curve to the right having a radius of 18.00 feet, a delta angle of 90°00'00", together with a chord bearing and distance of S-41°30'01"-E 25.46 feet to a point of tangency;
- Thence S-03°29'59"-W a distance of 2.00 feet to a point;
- Thence N-86°30'01"-W a distance of 212.59 feet to a point;
- Thence N-03°30'00"-E a distance of 58.52 feet to a point;

Thence N-86°30'01"-W a distance of 406.20 feet to a point;
Thence S-03°29'59"-W a distance of 47.00 feet to a point;
Thence N-86°30'01"-W a distance of 189.97 feet to a point;
Thence S-03°29'59"-W a distance of 17.50 feet to a point;
Thence N-86°30'01"-W a distance of 18.00 feet to a point;
Thence S-03°29'59"-W a distance of 37.36 feet to a point of curvature;
Thence with a curve to the left having a radius of 255.00 feet, a delta angle of 06°10'41", together with a chord bearing and distance of S-00°24'38"-W 27.48 feet to a point;
Thence S-86°30'01"-E a distance of 5.03 feet to a point on a curve to the left;
Thence with a curve to the left having a radius of 250.00 feet, a delta angle of 25°17'53", together with a chord bearing and distance of S-15°27'05"-E 109.49 feet to a point of reverse curvature;
Thence with a curve to the right having a radius of 350.00 feet, a delta angle of 63°12'00", together with a chord bearing and distance of S-03°29'57"-W 366.79 feet to a point of reverse curvature;
Thence with a curve to the left having a radius of 250.00 feet, a delta angle of 06°03'03", together with a chord bearing and distance of S-32°05'39"-W 26.39 feet to a point;
Thence S-84°33'33"-E a distance of 87.45 feet to a point of curvature;
Thence with a curve to the left having a radius of 275.00 feet, a delta angle of 08°11'18", together with a chord bearing and distance of N-89°20'10"-E 39.27 feet to a point of tangency;
Thence N-85°14'31"-E a distance of 13.97 feet to a point of curvature;
Thence with a curve to the right having a radius of 375.00 feet, a delta angle of 08°15'28", together with a chord bearing and distance of N-89°22'15"-E 54.00 feet to a point;
Thence S-86°30'01"-E a distance of 484.39 feet to a point on the west right of way of Tamarack Boulevard;
Thence S-03°31'08"-W a distance of 2.01 feet to a point of curvature;
Thence with a curve to the right having a radius of 18.00 feet, a delta angle of 89°58'51", together with a chord bearing and distance of S-48°30'34"-W 25.45 feet to a point on the northerly right of way of Northland Park Avenue;
Thence with said northerly right of way, N-86°30'01"-W a distance of 466.39 feet to a point of curvature;
Thence with a curve to the left having a radius of 355.00 feet, a delta angle of 08°15'28", together with a chord bearing and distance of S-89°22'15"-W 51.12 feet to a point of tangency;
Thence S-85°14'31"-W a distance of 13.97 feet to a point of curvature;
Thence with a curve to the right having a radius of 295.00 feet, a delta angle of 08°15'28", together with a chord bearing and distance of S-89°22'15"-W 42.48 feet to a point of tangency;
Thence N-84°33'33"-W continuing along said northerly right of way, a distance of 108.28 feet to a point of curvature;
Thence with a curve to the right having a radius of 6.00 feet, a delta angle of 109°01'50", together with a chord bearing and distance of N-30°02'38"-W 9.77 feet to a point on a curve;
Thence with a curve to the right having a radius of 270.00 feet, a delta angle of 10°37'14", together with a chord bearing and distance of N-29°48'27"-E 49.98 feet to a point of reverse curvature;
Thence with a curve to the left having a radius of 330.00 feet, a delta angle of 63°12'00", together with a chord bearing and distance of N-03°29'57"-E 345.83 feet to a point of reverse curvature;
Thence with a curve to the right having a radius of 270.00 feet, a delta angle of 21°28'48", together with a chord bearing and distance of N-17°21'38"-W 100.63 feet to a point;
Thence N-86°30'01"-W a distance of 5.08 feet to a point on a curve;
Thence with a curve to the right having a radius of 275.00 feet, a delta angle of 09°56'04", together with a chord bearing and distance of N-01°28'03"-W 47.62 feet to a point of tangency;
Thence N-03°29'59"-E a distance of 45.36 feet to point of curvature;
Thence with a curve to the right having a radius of 12.00 feet, a delta angle of 90°00'00", together with a chord bearing and distance of N-48°29'59"-E 16.97 feet to a point;
Thence S-86°30'01"-E a distance of 6.00 feet to point;
Thence N-03°29'59"-E a distance of 17.50 feet to the POINT OF BEGINNING of the herein described non-exclusive strip easement. Said easement containing 45,160.22± square feet of land.

Franklin County Tax Parcel Number 010-103735.

Prior Instrument Reference: 200312290404389, 200301300030439,
200301300030458 & 200304210115043
Recorder's Office, Franklin County, Ohio.

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 329.29 (*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, 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.