



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 4/16/2012 **In control:** Recreation & Parks Committee

On agenda: 4/30/2012 **Final action:** 5/2/2012

Title: To authorize the Director of the Department of Recreation and Parks to execute a Quitclaim Deed of Easement and any ancillary documents necessary to grant a replacement gas line easement to Columbia Gas of Ohio, Inc. for the purpose of providing continued gas service to that city-owned property known as the Woodward Park Recreation Center, 5147 Karl Road, Columbus, Ohio 43229; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
5/2/2012	1	CITY CLERK	Attest	
5/1/2012	1	MAYOR	Signed	
4/30/2012	1	COUNCIL PRESIDENT	Signed	
4/30/2012	1	Columbus City Council	Approved	Pass

The City of Columbus ("City") is owner of that property known as Woodward Park Recreation Center, 5147 Karl Road, Columbus, Ohio 43229. Columbia Gas of Ohio, Inc., an Ohio corporation, desires to replace the existing gas line easement located on that city-owned property, which it has surrendered, and now therefore requests the City grant a new gas line easement. After investigation, the Department of Recreation and Parks has determined that the gas service provided to the recreational building is a benefit to the City and the replacement easement should be granted at no charge. The following legislation authorizes the Director of the Department of Recreation and Parks to execute those instruments necessary to grant the requested easement.

Fiscal Impact: N/A

Emergency Justification: Emergency action is requested as not to delay the benefit to the City, which will result from the gas service provided to the city-owned park structure.

To authorize the Director of the Department of Recreation and Parks to execute a Quitclaim Deed of Easement and any ancillary documents necessary to grant a replacement gas line easement to Columbia Gas of Ohio, Inc. for the purpose of providing continued gas service to that city-owned property known as the Woodward Park Recreation Center, 5147 Karl Road, Columbus, Ohio 43229; and to declare an emergency.

WHEREAS, the City of Columbus ("City") is owner of that property known as Woodward Park Recreation Center, 5147 Karl Road, Columbus, Ohio 43229; and

WHEREAS, Columbia Gas of Ohio, Inc., an Ohio corporation, desires to replace the existing service gas line easement located on that city-owned property and has therefore requested the City grant a new gas line easement; and

WHEREAS, Columbia Gas of Ohio, Inc. has surrendered and released the previously granted Quitclaim Deed of Easement granted by the City on April 22, 2011, and recorded in Instrument number 201202030015874, pursuant to the Surrender of Easement recorded as instrument number 201203020029503; and

WHEREAS, after investigation, the Department of Recreation and Parks has determined that the gas service provided to the recreational building is a benefit to the City and the replacement easement should be granted 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 Recreation and Parks Department to execute a Quitclaim Deed of Easement, approved by the Real Estate Division, Department of Law, necessary to grant an easement to Columbia Gas of Ohio Inc. and continue gas service to the Woodward Park Recreation Center, 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 Recreation and Parks Department be and hereby is authorized to execute those documents, as prepared and approved by the Real Estate Division, Department of Law, necessary to grant a perpetual non-exclusive easement in, under, across, over, and through the following described real property:

0.008 Acre

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 4, Township 2, Range 18, United States Military Lands, being in that 1.107 acre tract as described in a deed to the City of Columbus of record in Deed Book 2883, Page 369, all records referenced herein being to those located in the Recorder's Office, Franklin County, Ohio, and being a gas pipelines easement more particularly described as follows:

Beginning For Reference at the northeast corner of Woodward Park, a subdivision, of record in Plat Book 34, Page 24, being the southeast corner of a 12 foot wide strip as conveyed to the City of Columbus, of record in Deed Book 2272 Page 652, thence North 03° 32' 21" East along the east line of said 12 foot wide strip, and the west right-of-way line of Karl road, a distance of 12.00 feet to a point at the northeast corner of said 12 foot wide strip of land, being the southeast corner of that 20 acre tract conveyed to the Board of Education of the City School District of Columbus, Ohio, of record in Deed Book 2248, Page 305, thence North 85° 59' 11" West, along the south line of said 20 acre tract and the north line of said 12 foot wide strip, a distance of 475.00 feet to a point at the southeast corner of said 1.107 acre, thence North 04° 02' 21" East, a distance of 95.31 feet to the **True Point of Beginning** of the herein described gas pipelines easement;

Thence through said 1.107 acre tract with the following four courses;

- 1) **North 86° 02' 42" West**, a distance of **34.71 feet** to a point;
- 2) **North 03° 57' 18" East**, a distance of **10.00 feet** to a point;
- 3) **South 86° 02' 42" East**, a distance of **34.73 feet** to a point;
- 4) **South 04° 02' 21" West**, a distance of **10.00 feet** to the **True Point of Beginning**, containing 0.008 acre of land.

The above described gas pipelines easement is also shown on "Exhibit B" attached hereto and made a part hereof. Bearings are based on North 03°32' 21" East for the west right-of-way line of Karl Road per a GPS survey utilizing the Ohio South Zone.

This description was prepared by Westerville Land Surveying, LLC based on an actual field survey in February, 2011

Section 2. 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 10 days after its passage if the Mayor neither approves nor vetoes the same.

