



Legislation Details (With Text)

File #: 1494-2010 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 10/7/2010 **In control:** Recreation & Parks Committee

On agenda: 10/18/2010 **Final action:** 10/20/2010

Title: To authorize the Director of the Department of Recreation and Parks to execute those instruments necessary for the granting of a perpetual non-exclusive easement to the Columbus Southern Power Company, for the purposes of providing electrical services to certain City owned property, located in the vicinity of Perry Street and Quality Place, commonly known as Harrison Park and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
10/20/2010	1	CITY CLERK	Attest	
10/19/2010	1	MAYOR	Signed	
10/18/2010	1	Columbus City Council	Approved	Pass
10/18/2010	1	COUNCIL PRESIDENT	Signed	
10/8/2010	1	Atty Reviewer	Reviewed and Approved	
10/8/2010	1	Atty Drafter	Sent for Approval	
10/8/2010	1	Rec & Parks Drafter	Sent for Approval	
10/8/2010	1	REC & PARKS DIRECTOR	Reviewed and Approved	
10/8/2010	1	Atty Drafter	Sent for Approval	
10/8/2010	1	CITY ATTORNEY	Reviewed and Approved	
10/8/2010	1	Atty Drafter	Sent to Clerk's Office for Council	
10/7/2010	1	Atty Drafter	Sent for Approval	

Background: The City of Columbus desires to grant the Columbus Southern Power Company a perpetual non-exclusive easement for an underground utility line through certain City owned real property, located in the vicinity of Perry Street and Quality Place, more fully described within the body of this legislation. The Columbus Southern Power Company is to use the easement for the purpose of providing electricity to that City owned property commonly known as Harrison Park. After investigation by the Department of Recreation and Parks it has been determined that the electrical service provided by the underground power line will benefit the City and 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 so as not to delay the benefit to the City, which will result from the installation of the electric power line.

To authorize the Director of the Department of Recreation and Parks to execute those instruments necessary for the granting of a perpetual non-exclusive easement to the Columbus Southern Power Company, for the purposes of providing electrical services to certain City owned property, located in the vicinity of Perry Street and Quality Place, commonly known as Harrison Park and to declare an emergency.

WHEREAS, the City of Columbus desires to grant the Columbus Southern Power Company a perpetual non-exclusive easement through certain City owned real property, located in the vicinity of Perry Street and Quality Place, more fully described within the body of this legislation; and

WHEREAS, the Columbus Southern Power Company is to use the easement for the sole purpose of providing electricity to that City owned property commonly known as Harrison Park; and

WHEREAS, after investigation by the Department of Recreation and Parks it has been determined that the electrical service provided by the underground power line will benefit the City and should be granted at no charge; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Recreation and Parks in that it is immediately necessary to authorize the Director to execute those instruments, prepared and approved by the Real Estate Division, Department of Law, necessary to grant an easement 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 Director of the Department of Recreation and Parks be and hereby is authorized to execute those documents, prepared by the Real Estate Division, Department of Law, necessary to grant a perpetual non-exclusive easement through the following described real property:

Permanent Easement
Description of 0.198 Acre Tract (8,614 S.F.)

Situated in the State of Ohio, County of Franklin, City of Columbus, in Section 6, Township 5, Range 22, Refugee Lands, being part of Reserves "B" of Harrison Park as described in Plat Book 108 Page 56 conveyed to City of Columbus as described in Instrument Number 200712310221600, all references being those of record in the Franklin County, Ohio Recorder's Office and being more particularly described as follows:

Beginning at the southeast corner of said Reserve "B", the southwest corner of Lot No. 2 of said Harrison Park conveyed to Royal Tallow Holdings, Ltd as described in Instrument Number 200404260093262, and on the north line a 7.027 acre tract conveyed to Barley Equities III, LLC as described in Instrument Number 200701160008976;

thence westerly, along the south line of said Reserve "B" and the north line of said 7.027 acre tract, North 86° 44' 51" West, 60.52 feet;

thence northwesterly, crossing said Reserve "B", North 47° 40' 19" West, 18.01 feet;

thence continuing across said Reserve "B", the following five (5) courses;

1. North 09° 16' 03" West, 514.21 feet;
2. North 80° 43' 57" East, 15.00 feet;
3. South 09° 16' 03" East, 508.98 feet;
4. South 47° 40' 19" East, 10.45 feet;
5. South 86° 04' 34" East, 52.77 feet to the east line of said Reserve "B" and the west line of said Lot No. 2; thence southerly, along the east line of said Reserve "B" and the west line of said Lot No. 2, South 02° 43' 27" West, 12.50 feet to the POINT OF BEGINNING, containing 0.198 acres (8,614 S.F.) more or less.

Subject to all legal rights-of-way and/or easements, if any of previous record.

The bearings are based upon Harrison Park as recorded in Plat Book 108 Page 56, the Westerly right-of-way of Perry Street, having a bearing of South 02° 43' 27" West, and all other bearings upon this meridian.

This description was prepared by Matthew E. Ferris, Registered Surveyor No. 8230, of E.P. Ferris & Associates, Inc. on August 24, 2010.

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 ten days after its passage if the Mayor neither approves nor vetoes the same.