



Legislation Details (With Text)

File #: 1442-2009 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 10/21/2009 **In control:** Recreation & Parks Committee

On agenda: 11/2/2009 **Final action:** 11/4/2009

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 certain easements to the Columbus Southern Power Company for the purpose of providing electrical services to the Zoo's Polar Frontier Exhibit, and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
11/4/2009	1	CITY CLERK	Attest	
11/3/2009	1	MAYOR	Signed	
11/2/2009	1	Columbus City Council	Approved	Pass
11/2/2009	1	COUNCIL PRESIDENT	Signed	
10/29/2009	1	City Clerk's Office	Sent back for Clarification/Correction	
10/29/2009	1	Atty Drafter	Sent to Clerk's Office for Council	
10/22/2009	1	REC & PARKS DIRECTOR	Reviewed and Approved	
10/22/2009	1	Rec & Parks Drafter	Sent for Approval	
10/22/2009	1	Atty Drafter	Sent for Approval	
10/22/2009	1	CITY ATTORNEY	Reviewed and Approved	
10/22/2009	1	Atty Drafter	Sent to Clerk's Office for Council	
10/21/2009	1	Atty Drafter	Sent for Approval	
10/21/2009	1	Atty Reviewer	Reviewed and Approved	
10/21/2009	1	Atty Drafter	Sent for Approval	

The City of Columbus ("City"), and the Franklin County Commissioners ("County") desire to grant The Columbus Southern Power Company certain perpetual easements for the purpose of extending electrical service to that jointly owned City and County property commonly known as the Columbus Zoo. The easements will allow the Columbus Southern Power Company to provide electricity to the Zoo's Polar Frontier Exhibit, which will bring together all of the Columbus Zoo's current bears while re-introducing Polar bears to the viewing public. The Zoo desires to increase awareness of polar bear survival issues with regards to climate change, and to initiate empathy and concern for the polar environment in general. After investigation, the Department of Recreation and Parks has determined that the electrical service provided to Zoo 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 to the Columbus Southern Power Company the subject easements.

Fiscal Impact: N/A

Emergency Justification: Emergency action is requested as not to delay the benefit to the City, which will result from the proposed electric services provided to the Columbus Zoo.

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 certain easements to the Columbus Southern Power Company for the purpose of providing electrical services to the Zoo's Polar Frontier Exhibit, and to declare an emergency.

WHEREAS, the City of Columbus ("City"), and the Franklin County Commissioners ("County") desire to grant the Columbus Southern Power Company certain perpetual easements for the purpose of extending electrical service to that jointly owned City and County property commonly known as the Columbus Zoo; and

WHEREAS, the easements will allow the Columbus Southern Power Company to provide electricity to the Zoo's Polar Frontier Exhibit, which will bring together all of the Columbus Zoo's current bears while re-introducing Polar bears to the viewing public; and

WHEREAS, the Zoo desires to increase awareness of polar bear survival issues with regards to climate change, and to initiate empathy and concern for the polar environment in general; and

WHEREAS, after investigation, the Department of Recreation and Parks has determined that the electrical service provided to Zoo will benefit the City and 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 Department of Recreation and Parks to immediately execute those instruments, prepared and approved by the Real Estate Division, Department of Law, necessary to grant certain utility easements to the Columbus Southern Power Company in order to provide electricity to the Zoo's Polar Frontier Exhibit, 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, as prepared and approved by the Real Estate Division, Department of Law, necessary to grant certain utility easements to the Columbus Southern Power Company through the following described real property in order to provide electricity to the Zoo's Polar Frontier Exhibit:

10.00 FEET WIDE ELECTRIC
EASEMENT #1

Lying in Farm Lot 13, Section 3, Township 3, Range 19, United States Military Lands, Liberty Township, Delaware County, Ohio.

Being a 10.00 feet wide easement within the City of Columbus and Franklin County Commissioners, Franklin County, Ohio, 5.010 acre tract as deeded and described in Official Record 336, Page 2538, Parcel Two of the Delaware County Records of Deeds and being more particularly described as follows:

Commencing on a railroad spike found on the center-line of Ohio Route 750 (West Powell Road) at the intersection of the west line of Farm Lot 13.

THENCE, with the center-line of Ohio Route 750 (60 feet wide), S 87°-19'-57"E, a distance of 191.96 feet to a point.

THENCE, S 02°-40'-03"W, a distance of 316.70 feet to a point on the center of a transformer pad and the center of said easement at the TRUE POINT OF BEGINNING.

THENCE, S 05°-01'-21"E, a distance of 5.00 feet to a point.

THENCE, S 84°-58'-39"W, a distance of 25.13 feet to a point.

THENCE, S 68°-04'-53"W, a distance of 31.63 feet to a point.

THENCE, S 18°-49'-14"W, a distance of 25.22 feet to a point.

THENCE, S 02°-24'-15"W, a distance of 29.57 feet to a point.

THENCE, S 18°-15'-20"E, a distance of 2.44 feet to a point.

THENCE, S 65°-53'-45"E, a distance of 7.49 feet to a point.

THENCE, S 71°-22'-27"E, a distance of 30.17 feet to a point.

THENCE, S 70°-25'-28"E, a distance of 44.77 feet to a point.
THENCE, S 19°-34'-32"W, a distance of 5.00 feet to a point on the center of a transformer pad and the center of said easement.
THENCE, S 19°-34'-32"W, a distance of 5.00 feet to a point.
THENCE, N 70°-25'-28"W, a distance of 44.69 feet to a point.
THENCE, N 71°-22'-27"W, a distance of 30.57 feet to a point.
THENCE, N 65°-53'-45"W, a distance of 12.38 feet to a point.
THENCE, N 18°-15'-20"W, a distance of 8.67 feet to a point.
THENCE, N 02°-24'-15"E, a distance of 32.84 feet to a point.
THENCE, N 18°-49'-14"E, a distance of 31.24 feet to a point.
THENCE, N 68°-04'-53"E, a distance of 37.70 feet to a point.
THENCE, N 84°-58'-39"E, a distance of 26.61 feet to a point.
THENCE, S 05°-01'-21"E, a distance of 5.00 feet to the point of beginning.
The basis for bearings is the center-line of Ohio Route 750, being S 87°-19'-57"E, and all other bearings are from angles and distances measured in a field survey by Lee Surveying and Mapping Co., Inc. on August 31, 2009.
Description prepared by: William K. Bruce
Professional Surveyor 7437 September 4, 2009

10.00 FEET WIDE ELECTRIC EASEMENT #2

Lying in Farm Lot 13, Section 3, Township 3, Range 19, United States Military Lands, Liberty Township, Delaware County, Ohio.
Being a 10.00 feet wide easement within the City of Columbus and the Franklin County Commissioners, Franklin County, Ohio, 14.620 acre tract as deeded and described in Official Record 336, Page 2538, Parcel One of the Delaware County Records of Deeds and being more particularly described as follows:
Commencing on a railroad spike found on the center-line of Ohio Route 750 (West Powell Road) at the intersection of the west line of Farm Lot 13.
THENCE, with the center-line of Ohio Route 750 (60 feet wide), S 87°-19'-57"E, a distance of 468.16 feet to a point.
THENCE, S 02°-40'-03"W, a distance of 19.23 feet to a utility pole at the center-line of the said easement at the TRUE POINT OF BEGINNING.
THENCE, S 67°-10'-32"E, a distance of 5.00 feet to a point.
THENCE, S 22°-49'-28"W, a distance of 61.37 feet to a point.
THENCE, S 28°-01'-58"W, a distance of 23.52 feet to a point.
THENCE, S 39°-38'-00"W, a distance of 15.29 feet to a point.
THENCE, N 50°-22'-00"W, a distance of 5.00 feet to a point on the center of a transformer pad and the center of said easement.
THENCE, N 50°-22'-00"W, a distance of 5.00 feet to a point.
THENCE, N 39°-38'-00"E, a distance of 14.27 feet to a point.
THENCE, N 28°-01'-58"E, a distance of 22.05 feet to a point.
THENCE, N 22°-49'-28"E, a distance of 60.91 feet to a point.
THENCE, S 67°-10'-32"E, a distance of 5.00 feet to the point of beginning.
The basis for bearings is the center-line of Ohio Route 750, being S 87°-19'-57"E, and all other bearings are from angles and distances measured in a field survey by Lee Surveying and Mapping Co., Inc. on August 31, 2009.
Description prepared by: William K. Bruce
Professional Surveyor 7437 September 4, 2009

10.00 FEET WIDE ELECTRIC EASEMENT#3

Lying in Farm Lot 14, Section 3, Township 3, Range 19, United States Military Lands, Liberty Township, Delaware County, Ohio.
Being a 10.00 feet wide easement within the City of Columbus, original 70.30 acre tract as deeded and described in Volume 248, Page 110 of the Delaware County Records of Deeds and being more particularly described as follows:
Commencing on a railroad spike found on the center-line of Ohio Route 750 (West Powell Road) at the intersection of the west line of Farm Lot 13.

THENCE, with the center-line of Ohio Route 750 (60 feet wide),
N 87°-19'-57"W, a distance of 141.27 feet to a point.

THENCE, N 02°-40'-03"E, a distance of 26.38 feet to a utility pole at the center-line of the said easement at the
TRUE POINT OF BEGINNING.

THENCE, N 89°-36'-40"W, a distance of 5.00 feet to a point.

THENCE, N 00°-23'-20"E, a distance of 73.64 feet to a point.

THENCE, N 03°-04'-00"E, a distance of 51.55 feet to a point.

THENCE, N 06°-38'-10"E, a distance of 55.11 feet to a point.

THENCE, N 01°-06'-17"E, a distance of 81.87 feet to a point.

THENCE, N 36°-37'-00"E, a distance of 44.89 feet to a point.

THENCE, N 56°-18'-09"E, a distance of 20.02 feet to a point.

THENCE, S 33°-41'-51"E, a distance of 5.00 feet to a point on the center of a transformer pad and the center of said
easement.

THENCE, S 33°-41'-51"E, a distance of 5.00 feet to a point.

THENCE, S 56°-18'-09"W, a distance of 18.28 feet to a point.

THENCE, S 36°-37'-00"W, a distance of 39.96 feet to a point.

THENCE, S 01°-06'-17"W, a distance of 79.15 feet to a point.

THENCE, S 06°-38'-10"W, a distance of 55.28 feet to a point.

THENCE, S 03°-04'-00"W, a distance of 51.00 feet to a point.

THENCE, S 00°-23'-20"W, a distance of 73.41 feet to a point.

THENCE, N 89°-36'-40"W, a distance of 5.00 feet to the point of beginning.

The basis for bearings is the center-line of Ohio Route 750, being S 87°-19'-57"E, and all other bearings
are from angles and

distances measured in a field survey by Lee Surveying and Mapping Co., Inc. on August 31, 2009.

Description prepared by: William K. Bruce

Professional Surveyor 7437, September 4, 2009

Delaware County Tax Parcel Numbers: 319-331-01-001-000, 319-331-01-002-000, 319-331-01-003-000, Prior
Instrument Reference:

D. B. 336, Pg. 2538, Vol. 248, Pg. 110, Recorder's Office, Delaware County, Ohio.

For reference only, the foregoing described easements are granted through real property owned by the Grantors and
commonly known as the Columbus Zoo property.

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.