



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 2/14/2005 **In control:** Recreation & Parks Committee

On agenda: 2/28/2005 **Final action:** 3/2/2005

Title: To authorize the Director of the Recreation and Parks Department to execute those documents, necessary to grant an perpetual easement for relocation of Columbia's existing gas line in exchange for Columbia releasing the previously granted easement located in the vicinity of Sancus Boulevard and Brockwell Drive and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
3/2/2005	1	MAYOR	Signed	
3/2/2005	1	CITY CLERK	Attest	
2/28/2005	1	Columbus City Council	Approved	Pass
2/28/2005	1	COUNCIL PRESIDENT	Signed	
2/17/2005	1	Atty Reviewer	Reviewed and Approved	
2/17/2005	1	Atty Drafter	Sent for Approval	
2/17/2005	1	REC & PARKS DIRECTOR	Reviewed and Approved	
2/17/2005	1	Rec & Parks Drafter	Sent for Approval	
2/17/2005	1	Atty Drafter	Sent for Approval	
2/17/2005	1	CITY ATTORNEY	Reviewed and Approved	
2/17/2005	1	Atty Drafter	Sent to Clerk's Office for Council	
2/14/2005	1	Atty Drafter	Sent for Approval	

Background: The City of Columbus is the owner of certain real property located in the vicinity east of Sancus Boulevard and Brockwell Drive, more fully describe in the body of this legislation. Columbia Gas of Ohio, Inc., desires to relocate its existing gas main within Worthington Glen Condominiums to provide service to the Lazelle Community Center. At the request of Columbia, it will release said easement previously granted in exchange for a new easement. After investigation, it has been determined that the granting of a new easement for relocation of Columbia's gas line in exchange for Columbia releasing the previously granted easement will not be detrimental to the Department of Recreation & Park, City of Columbus, Ohio and should be granted at no charge. The following legislation authorizes the Director of the Recreation and Parks Department to execute those instruments necessary to grant the subject easement.

Fiscal Impact: N/A

Emergency Justification: Emergency action is requested to allow the immediate granting of the aforementioned utility easement and the subsequent benefit of future Gas service to certain City owned property to proceed without delay.

To authorize the Director of the Recreation and Parks Department to execute those documents, necessary to grant an perpetual easement for relocation of Columbia's existing gas line in exchange for Columbia releasing the previously granted easement located in the vicinity of Sancus Boulevard and Brockwell Drive and to declare an emergency.

WHEREAS, the City of Columbus is the owner of certain real property located in the vicinity east of Sancus Boulevard and Brockwell Drive, more fully describe in the body of this legislation.; and

WHEREAS, Columbia Gas of Ohio, Inc., desires to relocate its existing gas main within Worthington Glen Condominiums to provide service to the Lazelle Community; and

WHEREAS, at the request of Columbia, it will release certain easements previously granted by the City in exchange for a new easement

WHEREAS, after investigation, it has been determined that the granting of a new easement for relocation of Columbia's gas line in exchange for Columbia releasing the previously granted easement will not be detrimental to the Department of Recreation & Park, City of Columbus, Ohio and should be granted at no charge; 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 the Recreation and Parks Department to execute those instruments prepared by the Real Estate Division, Department of Law, necessary to grant a perpetual non-exclusive easement in, under, across, over and through certain real property located in the vicinity of Sancus Boulevard and Brockwell Drive in exchange for Columbia releasing the previously granted easement 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 Recreation and Parks Department be and hereby is authorized to execute those documents prepared by the Department of Law, Real Estate Division necessary to grant a perpetual non-exclusive easement in, under, across, and through the following described real property, for so long as said easement is used for the purposes herein mentioned, to install, construct, reconstruct, operate, maintain, repair and remove a gas pipeline and appurtenance thereto (the "improvement"), for relocation of Columbia's gas line in exchange for Columbia releasing certain previously granted easements:

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Farm Lot 9 of Section 1, Township 2, and Range 18, and being 5081.95 square feet (0.116 acres) out of a 29.338 acre tract as conveyed to the City of Columbus by deed of record in Official Record 28345, Page G-14, and being more particularly described as follows, (all deeds are referenced to the Franklin County Recorder's Office, Franklin County, Ohio):

Beginning for reference at the southwest corner of said 29.338 acre tract, a southeast corner of Worthington Glen North Condo, Fourth Amendment, with the northern line of that 14.396 tract as conveyed to the City of Columbus by deed of record in Instrument Number 199906080144687;

Thence N 3° 12' 41" E, with the western line of said 29.338 acre tract, with an eastern line of said Worthington Glenn North Condo, Fourth Amendment, leaving the northern line of said 14.396 acre tract, a distance of 63.62 feet to the *True Point Of Beginning*;

Thence N 3° 12' 41" E, with the western line of said 29.338 acre tract, with an eastern line of said Worthington Glenn North Condo, Fourth Amendment, a distance of 20.18 feet to a point;

Thence across and through said 29.338 acre tract the following four (4) courses and distances:

S79° 09' 25" E, a distance of 124.97 feet to a point;

S 69° 52' 32" E, a distance of 55.24 feet to a point;

S 86° 06' 22" E, a distance of 43.80 feet to a point;

S 03° 53' 38" W, a distance of 50.05 feet to a point on the southern line of said 29.338 acre tract, on the northern line of said 14.396 acre tract;

Thence N 86° 56' 01" W, with the southern line of said 29.338 acre tract, with the northern line of said 14.396 acre tract, a distance of 20.00 feet to a point;

Thence across and through said 29.338 acre tract the following four (4) courses and distances:

N 03° 53' 38" E, a distance of 30.34 feet to a point;

N 86° 06' 22" W, a distance of 26.65 feet to a point;
N 69° 52' 32" W, a distance of 56.47 feet to a point;
N 79° 09' 25" W, a distance of 120.66 feet to the True Point Of Beginning, and containing 0.116 acres (5081.95 square feet), more or less.
This description is based upon a survey performed by Hockaden & Associates in December 2004, with the bearings based upon the 29.338 acre tract as conveyed to the City of Columbus by deed of record in Official Record 28345, Page G-14.

Prior Instrument Reference: O.R. Vol. 28345, Pg. G-14,
Recorder's Office, Franklin County, Ohio.

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