



Legislation Details (With Text)

File #: 0573-2011 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 3/31/2011 **In control:** Recreation & Parks Committee

On agenda: 4/11/2011 **Final action:** 4/13/2011

Title: To authorize the Director of the Department of Recreation and Parks to execute certain Quitclaim Deeds of Easement and any ancillary documents necessary to grant gas line easements to Columbia Gas of Ohio Inc. for the purpose of providing gas service to those City owned properties known as the Wolfe Park Shelter House, and the Woodward Park Recreation Center, and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
4/13/2011	1	CITY CLERK	Attest	
4/12/2011	1	MAYOR	Signed	
4/11/2011	1	Columbus City Council	Approved	Pass
4/11/2011	1	COUNCIL PRESIDENT	Signed	
4/1/2011	1	Atty Drafter	Sent for Approval	
4/1/2011	1	Atty Reviewer	Reviewed and Approved	
4/1/2011	1	Atty Drafter	Sent for Approval	
4/1/2011	1	CITY ATTORNEY	Reviewed and Approved	
4/1/2011	1	Atty Drafter	Sent to Clerk's Office for Council	
3/31/2011	1	Atty Drafter	Sent for Approval	
3/31/2011	1	Atty Reviewer	Reviewed and Approved	
3/31/2011	1	Atty Drafter	Sent for Approval	
3/31/2011	1	Rec & Parks Drafter	Sent for Approval	
3/31/2011	1	REC & PARKS DIRECTOR	Reviewed and Approved	
3/31/2011	1	Rec & Parks Drafter	Sent for Approval	

The Recreation and Parks Department ("City") desires to replace the existing electrical heating systems at both its Wolfe Park Shelter House, located at 105 Park Drive and its 5147 Karl Road Woodward Park Recreation Center with more efficient natural gas heating systems. It is therefore necessary that the City grant Columbia Gas of Ohio separate utility easements for the installation of natural gas lines at each property. After investigation, the Department of Recreation and Parks has determined that the gas services provided to the recreational buildings is a benefit to the City and the two utility easements 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 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 gas services provided to both City owned park structures.

To authorize the Director of the Department of Recreation and Parks to execute certain Quitclaim Deeds of Easement and any ancillary documents necessary to grant gas line easements to Columbia Gas of Ohio Inc. for the purpose of providing gas service to those City owned properties known as the Wolfe Park Shelter House, and the Woodward Park Recreation Center, and to declare an emergency.

WHEREAS, the Recreation and Parks Department ("City") desires to replace the existing electrical heating systems at both its Wolfe Park Shelter House, located at 105 Park Drive and its 5147 Karl Road Woodward Park Recreation Center with more efficient natural gas heating systems; and

WHEREAS, it is therefore necessary that the City grant Columbia Gas of Ohio separate utility easements for the installation of natural gas service lines at each property; and

WHEREAS, after investigation, the Department of Recreation and Parks has determined that the gas services to be provided to the recreational buildings is a benefit to the City and should be granted at no charge; and

WHEREAS a emergency exists in the usual daily operation of the City in that it is immediately necessary to authorize the Recreation and Parks Department to immediately execute those instruments, prepared and approved by the Real Estate Division, Department of Law, necessary to grant certain utility easements to the Columbia Gas of Ohio Inc. in order to provide gas service to the Wolfe Park Shelter House, and 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:

Wolfe Park Shelter House
Description

Situated in the State of Ohio, County of Franklin, City of Columbus, Half Section 16, Section 11, Township 5, Range 22, Refugee Lands, being in that 41.8 acre tract as described in a deed to the City of Columbus, of record in Deed Book 536, Page 358, 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 an iron pipe found at the southwest corner of Lot 1 of Marion Heights Subdivision of record in Plat Book 7, Page 402, in the easterly right-of way line of Park Drive, and at the northwest corner of a 16.00 foot wide alley, thence North 64° 27' 49" West crossing said Park Drive, a distance of 53.00 feet to a point in the westerly right-of-way line of said Park Drive, being in the easterly line of said 41.8 acre tract, and also being the True Point Of Beginning of the herein described gas pipelines easement;

Thence along said westerly right-of-way line of Park Drive, with a curve to the right, having a radius of 1210.00 feet, a delta angle of 5° 17' 04", an arc length of 111.60 feet, and a chord bearing South 28°10'43" West, a chord distance of 111.56 feet to a point;

Thence through said 41.8 acre tract with the following 9 courses;

- 1) with a non-tangent curve to the right having a radius of 502.70 feet, a delta angle of 54°07'53", an arc length of 474.91 feet, and a chord bearing South 80°09'25" West, a chord distance of 457.45 feet to a point;
- 2) North 72°46'44" West, a distance of 85.73 feet to a point;
- 3) North 78°18'08" West, a distance of 97.88 feet to a point;
- 4) North 11°41'52" East, a distance of 10.00 feet to a point;
- 5) South 78°18'08" East, a distance of 98.36 feet to a point;

- 6) South 72°46'44" East, a distance of 86.21 feet to a point;
- 7) with a curve to the left, having a radius of 492.70 feet, a delta angle of 53°54'01", an arc length of 463.50 feet, and a chord bearing North 80°16'16" East, a chord distance of 446.60 feet to a point;
- 8) with a non-tangent curve to the left having a radius of 1200.00 feet, a delta angle of 5°11'25", an arc length of 108.70 feet, and a chord bearing North 28°07'53" East, a chord distance of 108.67 feet to a point;
- 9) South 64°27'49" East, a distance of 10.00 feet to the True Point Of Beginning, containing 0.175 acre of land.

The above described gas pipelines easement is also shown on "Exhibit A" attached hereto and made a part hereof. Bearings based on South 86°09'27" East for the north property line of Lot 2 of Marion Heights Subdivision per a GPS survey utilizing the Ohio Cors network, South Zone. Westerville Land Surveying, LLC prepared this description based on an actual field survey in March, 2011.

Franklin County Tax Parcel №: 010-066823

Prior Instrument Reference: D.B. 536, Pg. 358
Recorder's Office, Franklin County, Ohio.

Section 2. 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 a perpetual non-exclusive easement in, under, across, over, and through the following described real property:

Woodward Park Recreation Center
Description

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 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, as recorded 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 98.11 feet to the True Point Of Beginning of the herein described gas pipelines easement;

Thence through said 1.107 acre tract with the following 6 courses;

- 1) North 77° 42' 58" West, a distance of 87.71 feet to a point;
- 2) North 86° 04' 05" East, a distance of 78.67 feet to a point;
- 3) North 03° 55' 55" East, a distance of 10.00 feet to a point;
- 4) South 86° 04' 05" East, a distance of 79.40 feet to a point;
- 5) South 77° 42' 58" East, a distance of 86.99 feet to a point;
- 6) South 04° 02' 21" West, a distance of 10.10 feet to the True Point Of Beginning, containing 0.038 acre of land.

The above described gas pipelines easement is also shown on "Exhibit A" 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

Franklin County Tax Parcel №: 010-016802
Prior Instrument Reference: D.B. 2883, Pg. 369
Recorder's Office, Franklin County, Ohio.

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.

