



Legislation Details (With Text)

File #: 2688-2013 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/8/2013 **In control:** Recreation & Parks Committee

On agenda: 12/16/2013 **Final action:** 12/19/2013

Title: To authorize the Director of the Columbus Recreation and Parks Department to execute those documents prepared and approved by the Columbus City Attorney, Real Estate Division, to quit claim grant an access and construction easement to the Homewood Corporation, an Ohio corporation, upon portions of the City's real property located at Franklin County Tax Parcels 540-283138 and 010-283137. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
12/19/2013	1	CITY CLERK	Attest	
12/18/2013	1	ACTING MAYOR	Signed	
12/16/2013	1	COUNCIL PRESIDENT	Signed	
12/16/2013	1	Columbus City Council	Taken from the Table	Pass
12/16/2013	1	Columbus City Council	Approved	Pass
12/9/2013	1	Columbus City Council	Tabled to Certain Date	Pass
12/2/2013	1	Columbus City Council	Read for the First Time	

BACKGROUND :

The Columbus Recreation and Parks Department on behalf of the City of Columbus, Ohio, an Ohio municipal corporation ("City"), desires to quit claim grant to the Homewood Corporation, an Ohio corporation ("Homewood"), an access and construction easement in, on, over, across, upon, through, and burdening portions of the City's real property located at Franklin County Tax Parcels 540-283138 and 010-283137 ("Easement Area"). Homewood is only permitted to use the Easement Area solely for Homewood's access, excavation, construction, operation, and maintenance of a compensatory flood plain mitigation described in the plans, CC-15796, on file and approved by the City's Department of Public Utilities ("Improvement"). After investigation by the City's Recreation and Parks Department, it was determined that the Easement Area requested by Homewood to access and construct the Improvement will benefit the City and should be granted at no charge, because Homewood granted the City a conservation easement burdening 12.557 acres of Homewood's adjacent real property at Franklin County Tax Parcel 010-255282. Therefore, this ordinance authorizes the City's Director of the Columbus Recreation and Parks Department to execute those documents prepared and approved by the Columbus City Attorney, Real Estate Division, to quit claim grant an access and construction easement to Homewood.

CONTRACT COMPLIANCE №: Not applicable.

FISCAL IMPACT : Not Applicable.

EMERGENCY JUSTIFICATION : Not Requested.

To authorize the Director of the Columbus Recreation and Parks Department to execute those documents prepared and approved by the Columbus City Attorney, Real Estate Division, to quit claim grant an access and construction easement to the Homewood Corporation, an Ohio corporation, upon portions of the City's real property located at Franklin County Tax Parcels 540-283138 and 010-283137. (\$0.00)

WHEREAS, the Columbus Recreation and Parks Department on behalf of the City of Columbus, Ohio, an Ohio municipal corporation ("City"), desires to quit claim grant to the Homewood Corporation, an Ohio corporation ("Homewood"), an access and construction easement in, on, over, across, upon, through, and burdening portions of the City's real property located at Franklin County Tax Parcels 540-283138 and 010-283137 ("Easement Area");

WHEREAS, Homewood is only permitted to use the Easement Area solely for Homewood's access, excavation, construction, operation, and maintenance of a compensatory flood plain mitigation described in the plans, CC-15796, on file and approved by the City's Department of Public Utilities ("Improvement");

WHEREAS, after investigation by the City's Recreation and Parks Department, it was determined that the Easement Area requested by Homewood to access and construct the Improvement will benefit the City and should be granted at no charge, because Homewood granted the City a conservation easement burdening 12.557 acres of Homewood's adjacent real property at Franklin County Tax Parcel 010-255282;

WHEREAS, this ordinance authorizes the City's Director of the Columbus Recreation and Parks Department to execute those documents prepared and approved by the Columbus City Attorney, Real Estate Division, to quit claim grant an access and construction easement to Homewood; and **NOW, THEREFORE**;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO ("CITY"):

SECTION 1. That the Director of the Department of Recreation and Parks is authorized to execute and quit claim grant an access and construction easement and any other ancillary documents approved and prepared by the Columbus City Attorney, Real Estate Division, to the Homewood Corporation, an Ohio corporation ("Homewood"), in, on, over, across, upon, through, and burdening the following two (2) tracts of real property (collectively, "Easement Area"):

Tract 1: 0.428 Acre Easement Area

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 6, Township 15, Range 20, Congress Lands and being on, over and across that 11.703 acre tract conveyed to City of Columbus by deed of record in Instrument Number 200611130226615, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and described as follows:

Beginning in the southerly right-of-way line of Refugee Road, the easterly right-of-way line of a tract of land conveyed to Pennsylvania Lines LLC by deed of record in Instrument Number 200212180325195, a northwesterly corner of said 11.703 acre tract;

Thence **South 88°39'02" East**, with said southerly right-of-way line and the northerly line of said 11.703 acre tract, a distance of **79.36 feet** to a point;

Thence **South 49°35'48" East**, across said 11.703 acre tract, a distance of **839.87 feet** to a point on the southerly line of said 11.703 acre tract;

Thence **North 86°43'41" West**, with said southerly line, a distance of **33.13 feet** to a point;

Thence across said 11.703 acre tract, the following courses and distances:

· **North 49°35'48" West**, a distance of **778.94 feet** to a point; and

· **South 85°24'12" West**, a distance of **42.43 feet** to a point on the easterly right-of-way line of said Pennsylvania Lines LLC tract, the westerly line of said 11.703 acre tract;

Thence **North 49°35'48" West**, with the line common to said Pennsylvania Lines LLC tract and said 11.703 acre tract, a distance of **20.32 feet** to the **True Point of Beginning** and containing **0.428 acre**, more or less.

Evans, Mechwart, Hambleton & Tilton, Inc.
Heather L. King, Professional Surveyor № 8307

Tract 2: 0.385 Acre Easement Area

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 6, Township 15, Range 20, Congress Lands and being on, over and across that 11.694 acre tract conveyed to City of Columbus by deed of record in Instrument Number 200611130226615, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and described as follows:

Beginning, for reference, in the westerly right-of-way line of a tract of land conveyed to Pennsylvania Lines LLC by deed of record in Instrument Number 200212180325195, the northwesterly corner of said 11.694 acre tract;

Thence South 49°35'48" East, with the line common to said Pennsylvania Lines LLC tract and said 11.694 acre tract, a distance of 61.45 feet to a point, the **True Point of Beginning** ;

Thence **South 49°35'48" East** , continuing with said common line, a distance of **38.80 feet** to a point;

Thence across said 11.694 acre tract, the following courses and distances:

- **South 40°24'12" West** , a distance of **8.87 feet** to a point;
- **South 04°35'48" West** , a distance of **44.02 feet** to a point; and
- **South 49°35'48" West**, a distance of **698.99 feet** to a point on an easterly line of said 11.694 acre tract;

Thence **South 50°33'37" West** , with said easterly line, a distance of **20.32 feet** to a point;

Thence across said 11.694 acre tract, the following courses and distances:

- **North 49°35'48" West** , a distance of **729.96 feet** to a point;
- **North 04°35'48" West** , a distance of **50.98 feet** to a point; and
- **North 42°00'27" East**, a distance of **23.96 feet** to the **True Point of Beginning** and containing **0.358 acre** , more or less.

Evans, Mechwart, Hambleton & Tilton, Inc.
Heather L. King, Professional Surveyor № 8307

SECTION 2. That the Easement Area granted to Homewood is meant to benefit the 12.557 acres of Homewood's adjacent real property at Franklin County Tax Parcel 010-255282.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.