



## Legislation Details (With Text)

**File #:** 1358-2010      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 9/17/2010      **In control:** Recreation & Parks Committee

**On agenda:** 9/27/2010      **Final action:** 9/29/2010

**Title:** To authorize the Director of the Department of Recreation and Parks to execute an electrolysis easement, as requested by Columbia Gas of Ohio, Inc., through certain City real property located in the vicinity of West Street and Columbus Street (South Old 3C Highway), in Delaware County, for the protect of existing metal utility lines from corrosion and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

| Date      | Ver. | Action By             | Action                             | Result |
|-----------|------|-----------------------|------------------------------------|--------|
| 9/29/2010 | 1    | MAYOR                 | Signed                             |        |
| 9/29/2010 | 1    | CITY CLERK            | Attest                             |        |
| 9/27/2010 | 1    | Columbus City Council | Approved                           | Pass   |
| 9/27/2010 | 1    | COUNCIL PRESIDENT     | Signed                             |        |
| 9/20/2010 | 1    | REC & PARKS DIRECTOR  | Reviewed and Approved              |        |
| 9/20/2010 | 1    | Atty Drafter          | Sent for Approval                  |        |
| 9/20/2010 | 1    | CITY ATTORNEY         | Reviewed and Approved              |        |
| 9/20/2010 | 1    | Atty Drafter          | Sent to Clerk's Office for Council |        |
| 9/17/2010 | 1    | Atty Drafter          | Sent for Approval                  |        |
| 9/17/2010 | 1    | Atty Reviewer         | Reviewed and Approved              |        |
| 9/17/2010 | 1    | Atty Drafter          | Sent for Approval                  |        |

**Background:** The City of Columbus is the owner of certain real property located in the vicinity of Front Street and West Columbus Street (South Old 3C Highway) in Delaware County, Ohio. Columbia Gas of Ohio, Inc. desires to install equipment designed to cathodically protect its existing metal pipelines in the vicinity from corrosion. The necessary equipment would be buried within a 24" wide by 24" deep trench on City owned property and therefore, Columbia Gas of Ohio, Inc., has requested they be granted an easement necessary to bury its electrolysis equipment. After investigation, it has been determined that the easements will not adversely affect the City and should be granted. The Department of Law, Real Estate Division, has determined a value of \$366.00 for the easement. The following legislation authorizes the Director of the Department of Recreation and Parks to execute those instruments necessary to grant the requested easement through certain City owned real property, more fully described within the body of this ordinance.

**Fiscal Impact:** The City shall receive \$366.00 to be received as consideration for the granting of the requested easement right, shall be deposited in the proper City fund, as determined by the City Auditor.

**Emergency Justification:** Emergency action is requested in order to allow for the immediate granting of the subject easement necessary to protect Columbia Gas's utility equipment from corrosion without delay.

To authorize the Director of the Department of Recreation and Parks to execute an electrolysis easement, as requested by Columbia Gas of Ohio, Inc., through certain City real property located in the vicinity of West Street and Columbus Street (South Old 3C Highway), in Delaware County, for the protect of existing metal utility lines from corrosion and to declare an emergency.

WHEREAS, the City of Columbus is the owner of certain real property located in the vicinity of Front Street and West Columbus Street (South Old 3C Highway) in Delaware County, Ohio; and

WHEREAS, Columbia Gas of Ohio, Inc., desires to install equipment designed to cathodically protect its existing metal pipelines in the vicinity from corrosion; and

WHEREAS, the necessary equipment would be buried within a 24" wide by 24" deep trench on City owned property and therefore, Columbia Gas of Ohio, Inc., has requested they be granted an easements necessary to bury its electrolysis equipment; and

WHEREAS, after investigation, it has been determined that the easement will not adversely affect the City and should be granted; and

WHEREAS, the Department of Law, Real Estate Division, has determined a value of \$366.00 for the aforementioned easements; 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 Department of Recreation and Parks to execute those instruments prepared by the Real Estate Division, Department of Law, necessary to grant an electrolysis easement in under, across, over and through certain real property located in the vicinity of West Street and Columbus Street (South Old 3C Highway) 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 Department of Recreation and Parks be and hereby is authorized to execute those documents as prepared by the Department of Law, Real Estate Division, necessary to grant the following described electrolysis easement in, under, across, over and through certain real property located in the vicinity of West Street and Columbus Street (South Old 3C Highway), in Delaware County, as requested by Columbia Gas of Ohio, Inc., to wit:

Situated in the State of Ohio, County of Delaware, Village of Galena, Farm Lot 18, 4th Quarter, Township 4, Range 17, United States Military Lands, being located in Lots 2 and 8 of the original town plat of Galena, of record in Plat Volume 1, Page 97, and being located in that 0.37 acre (original) tract of land as described in a deed to the City of Columbus of record in Deed Book 254, Page 165, all records referenced herein being to those located in the Recorder's Office, Delaware County, Ohio, and being an electrolysis easement more particularly described as follows:

Beginning FOR REFERENCE at a point in the southerly right-of-way line of South Old 3C Highway (Columbus St.), 30 feet from centerline at this location, at the northeasterly corner of said 0.37 acre tract, in the northerly line of said Lot 8, thence South 19°43'41" East along the easterly line of said 0.37 acre tract, a distance of 21.51 feet to a point in the southerly right-of-way line of South Old 3C Highway, 50 feet from centerline at this location, thence South 48°40'53" West along said southerly right-of-way line, a distance of 76.14 feet to an iron pin set at the **TRUE PLACE OF BEGINNING** of the herein described exclusive easement;

Thence through said 0.37 acre tract the following 3 courses:

1. South 21°54'57" East a distance of 41.98 feet to an iron pin set;
2. South 68°05'03" West a distance of 15.00 feet to an iron pin set;
3. North 21°54'57" West a distance of 36.70 feet to an iron pin set in said southerly right-of-way line;

Thence North 48°40'53" East, along said southerly right-of-way line, a distance of 15.90 feet to the **TRUE PLACE OF BEGINNING of the herein described electrolysis easement, containing 0.014 acre of land.**

Bearings are based on North 48°40'53" East for the centerline of South Old 3C Highway in the vicinity of West Street per an assumed bearing.

Iron pins set consist of a 5/8" outside diameter rebar, 30" long with a yellow plastic I.D. cap stamped

"Lomano 7711".

**Delaware County Tax Parcel No. 41743404007000**

Prior Instrument Reference: D.B. 254, Pg. 165  
Recorder's Office, Delaware County, Ohio.

Section 2. The Three Hundred Sixty Six Dollars (\$366.00), to be received by the City as consideration for the subject easement rights to be granted, shall be deposited in the proper City fund, as determined by the City Auditor.

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