



## Legislation Details (With Text)

<b>File #:</b>	1677-2012	<b>Version:</b>	1
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed
<b>File created:</b>	7/12/2012	<b>In control:</b>	Public Utilities Committee
<b>On agenda:</b>	7/30/2012	<b>Final action:</b>	8/1/2012
<b>Title:</b>	To authorize the Director of the Department of Public Utilities to execute a Quitclaim Deed of Easement in order to grant a perpetual, non-exclusive easement to the Ohio Power Company, an Ohio corporation, for the purposes of providing electrical services to that City owned property, commonly known as the HAP Cremean Water Treatment Plant and to declare an emergency		

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
8/1/2012	1	CITY CLERK	Attest	
7/31/2012	1	MAYOR	Signed	
7/30/2012	1	COUNCIL PRESIDENT	Signed	
7/30/2012	1	Columbus City Council	Taken from the Table	Pass
7/30/2012	1	Columbus City Council	Approved	Pass
7/23/2012	1	Columbus City Council	Tabled to Certain Date	Pass

The Ohio Power Company, an Ohio corporation ("O.P.C."), requested that the City of Columbus, Ohio ("City"), grant it a perpetual, non-exclusive easement in, on, over, under, across and through real property located in the vicinity of Morse Road and Stylger Road, more fully described within the body of this legislation. The easement will be used for the purpose of providing electricity to City owned property commonly known as the HAP Cremean Water Treatment Plant. After investigation by the Department of Public Utilities, it determined that the electrical service provided by the electrical lines will benefit the City and should be granted in exchange for O.P.C.'s release of five (5) outdated easements, identified in the body of the legislation, to the City. The following legislation authorizes the Director of the Department of Public Utilities to execute those instruments necessary to grant the requested easement.

Fiscal Impact: N/A

Emergency Justification: Emergency action is requested so not to delay the benefit to the City, which will result from the installation of the electric power lines.

To authorize the Director of the Department of Public Utilities to execute a Quitclaim Deed of Easement in order to grant a perpetual, non-exclusive easement to the Ohio Power Company, an Ohio corporation, for the purposes of providing electrical services to that City owned property, commonly known as the HAP Cremean Water Treatment Plant and to declare an emergency

**WHEREAS**, the Ohio Power Company, an Ohio corporation ("O.P.C."), has requested that the City of Columbus, Ohio ("City"), grant to it a perpetual, non-exclusive easement in, on, over, under, across and through real property located in the vicinity of Morse Road and Stylger Road, more fully described within the body of this legislation; and

**WHEREAS**, the easement will be used for the purpose of providing electricity to City owned property commonly known as the HAP Cremean Water Treatment Plant; and

**WHEREAS**, in exchange for the City's easement, O.P.C. shall release the following five (5) easements; D.B. 1225, Pg. 57; D.B. 3721, Pg. 336; D.B. 1706, Pg. 411; D.B. 2867, Pg. 121; & O.R.V. 21102, Pg. H13, in the Recorder's Office, Franklin County, Ohio; and

**WHEREAS**, after investigation by the Department of Public Utilities, it determined that the electrical service provided by the electrical lines will benefit the City and should be granted at no charge; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department Public Utilities, because it is immediately necessary to authorize the Director to execute the Quitclaim Deed of Easement, prepared and approved by the Columbus City Attorney, Division of Real Estate, in order to grant an easement to the Ohio Power Company so 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 Public Utilities be and hereby is authorized to execute a Quitclaim Deed of Easement, prepared by the Columbus City Attorney, Division of Real Estate, necessary to grant a perpetual, non-exclusive easement in, on, under, across, and through the following described real property:

**0.512 ACRE & 0.163 ACRE EASEMENT AREA**

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Blendon Township (Quarter Township 4, Township 2 North, Range 17 West), United States Military Lands, and being two 20 foot wide strips of land lying in the Hap Cremean Water Treatment Plant Property owned by the City of Columbus, Ohio, by deeds of record in Deed Book 1729, Page 204, Deed Book 1799, Page 78, Deed Book 2282, Page 360, Deed Book 2821, Page 649, and Deed Book 2840, Page 448 (all references to the Recorder's Office, Franklin County, Ohio) and containing 148.044 acres (per Franklin County Auditor), said two (2) 20 foot wide strips of land being further described as follows:

**20' WIDE EASEMENT № 1 - 0.512 ACRE**

Commencing for reference at an iron pin found in the westerly property line of the said 148.044 acre tract and being at the northeast corner of a 0.37 acre property conveyed in said Deed Book 2840, page 448;  
Thence crossing thru the said 148.044 acre tract, S 20°02'32" W a distance of 42.10 feet to the True Place of Beginning;

Thence crossing thru the said 148.044 acre tract the next three courses and distances:

1. S 85°39'40" E, a distance of 313.01 feet to a point;
2. S 86°23'09" E, a distance of 625.40 feet to a point;
3. S 84°40'09" E, a distance of 136.94 feet to the southerly line of an existing 100 foot wide easement conveyed to The Columbus Southern Power Company by Deed of Record in Instrument Number 200204230101701;

Thence along the said southerly line, S 65°37'08"E, a distance of 74.73 feet to a point;

Thence crossing thru the said 148.044 acre tract the next five courses and distances:

1. N 80°30'18" W, a distance of 60.50 feet to a point;
2. N 84°40'09" W, a distance of 146.94 feet to a point;
3. N 86°23'09" W, a distance of 625.23 feet to a point;
4. N 85°39'40" W, a distance of 324.63 feet to a point;

5. N 34°14'16" E, a distance of 23.07 feet to the True Place of Beginning and containing 0.512 acres, more or less.

20' WIDE EASEMENT № 2 - 0.163 ACRE

Commencing for reference at an iron pin found in the westerly property line of said 148.044 acre tract and being at the northeast corner of a 0.37 acre property conveyed in said Deed Book 2840, page 448;

Thence crossing thru the said 148.044 acre tract, S 84°48'48" E, a distance of 1898.16 feet to a northerly corner of the said 100 foot wide easement conveyed to The Columbus Southern Power Company by Deed of Record in Instrument Number 200204230101701;

Thence along the northerly line of said 100 foot wide easement, S 37°09'32" E, a distance of 60.61 feet to the True Place of Beginning;

Thence crossing thru the said 148.044 acre tract, S 54°35'19" E, a distance of 203.25 feet to a point;

Thence crossing thru the said 148.044 acre tract, N 88°27'58" E, a distance of 173.29 feet to a the centerline of the Big Walnut Creek and also being the easterly property line of the said 148.044 acre tract;

Thence along the said centerline of the Big Walnut Creek and the said easterly property line, S 21°15'41" E, a distance of 21.25 feet to a point;

Thence leaving the said of the Big Walnut Creek and the said easterly property line and crossing thru the said 148.044 acre tract, S 88°27'58" W, a distance of 187.14 feet to a point;

Thence crossing thru the said 148.044 acre tract, N 54°35'19" W, a distance of 146.23 feet to a the northerly line of the said 100 foot wide easement;

Thence along the northerly line of the said 100 foot wide easement, N 37°09'32"W, a distance of 66.77 feet to the True Place of Beginning and containing 0.163 acres, more or less.

Being based on a survey for the City of Columbus by Dynotec, Inc. This description was prepared and reviewed on April 25, 2012 by Robert A. Bosworth, Registered Surveyor #7750.

Basis of bearings is The Ohio State Plane Coordinate System, South Zone, NAD83 (CORS). This property is contained in Auditor's Parcel № 600-150029.

**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.