



Legislation Details (With Text)

File #: 1999-2007 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/19/2007 **In control:** Judiciary And Court Administration Committee

On agenda: 1/14/2008 **Final action:** 1/16/2008

Title: To authorize the Director of the Department of Public Utilities and the Director of the Recreation and Parks Department, severally, to execute those documents necessary to grant a Quitclaim Deed of Determinable Encroachment Easement unto Stanley D. Ross and Joan H. Ross (husband and wife), into that City owned real property known as Griggs Reservoir.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
1/16/2008	1	CITY CLERK	Attest	
1/15/2008	1	MAYOR	Signed	
1/14/2008	1	Columbus City Council	Approved	Pass
1/14/2008	1	COUNCIL PRESIDENT	Signed	
12/10/2007	1	Columbus City Council	Read for the First Time	
11/26/2007	1	Rec & Parks Drafter	Sent for Approval	
11/26/2007	1	Atty Drafter	Sent for Approval	
11/26/2007	1	Utilities Reviewer	Sent for Approval	
11/26/2007	1	UTILITIES DIRECTOR	Reviewed and Approved	
11/26/2007	1	Utilities Reviewer	Reviewed and Approved	
11/26/2007	1	Atty Drafter	Sent for Approval	
11/26/2007	1	CITY ATTORNEY	Reviewed and Approved	
11/26/2007	1	Atty Drafter	Sent to Clerk's Office for Council	
11/21/2007	1	Atty Reviewer	Reviewed and Approved	
11/21/2007	1	Atty Drafter	Sent for Approval	
11/21/2007	1	REC & PARKS DIRECTOR	Reviewed and Approved	
11/19/2007	1	Atty Drafter	Sent for Approval	

Background: The City of Columbus, Ohio is the owner of certain real property, located in the vicinity of Dublin Road and Stoney Bridge Lane known as Griggs Reservoir. It has been discovered that a permanent structure (an aeration system) currently encroaches upon the City's property. The owners of the aerator, Stanley D. Ross and Joan H. Ross (husband and wife), have requested that they be granted the right to encroach up the City's property. The Department of Public Utilities, and Recreation and Parks Department have determined that granting of the encroachment easement will not adversely affect the City and should be allowed. The encroachment easement will be for a period of no more than approximately ten (10) years and so long as the land is used for the purposes to be set forth by the City in the Determinable Encroachment

Easement. The following ordinance is to authorize the Directors of the Department of Public Utilities and the Recreation and Parks Department, severally, to execute those documents necessary to grant the aforementioned encroachment easement.

Fiscal Impact: The \$3,300.00 to be received by the City, as consideration for the granting of the encroachment easement, shall be deposited in the proper City fund as determined by the City Auditor.

Emergency Justification: N/A

To authorize the Director of the Department of Public Utilities and the Director of the Recreation and Parks Department, severally, to execute those documents necessary to grant a Quitclaim Deed of Determinable Encroachment Easement unto Stanley D. Ross and Joan H. Ross (husband and wife), into that City owned real property known as Griggs Reservoir.

WHEREAS, The City of Columbus, Ohio is the owner of certain real property, located in the of vicinity Dublin Road and Stoney Bridge Lane known as Griggs Reservoir; and

WHEREAS, it has been discovered that a permanent structure (an aeration system) currently encroaches upon the City's property; and

WHEREAS, the owners of the aerator, Stanley D. Ross and Joan H. Ross (husband and wife), have requested that they be granted the right to encroach up the City's property; and

WHEREAS, the Department of Public Utilities, and Recreation and Parks Department have determined that granting of the encroachment easement will not adversely affect the City and should be allowed; and

WHEREAS, the encroachment easement will be for a period of no more than approximately ten (10) years and so long as the land is used for the purposes to be set forth by the City in the Determinable Encroachment Easement; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Public Utilities and the Director of Recreation and Parks Department, severally, be and hereby is authorized to execute those documents, prepared by the City Attorney's Office, Department of Law, Real Estate Division, necessary to grant a Quitclaim Deed of Determinable Encroachment Easement unto Stanley D. Ross and Joan H. Ross (husband and wife) in and to the following described real property wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Virginia Military Survey No. 1406 and being part of a 16.96 acre tract conveyed to the City of Columbus, as described in Deed Book 1050, Page 298, (record reference to those of the Recorder's Office, Franklin County, Ohio), and being more particularly bounded and described as follows:

Commencing at a 1" solid rebar bound in concrete, marking the southeast corner of Lot 8 of Stoney Bridge Estates, Plat Book 24, Page 60, conveyed to Stanley D. Ross and Joan H. Ross, as described in Official Record Volume 11542, H-16, said pin also being in the west line of said 16.96 acre tract, thence northerly, with the east line of said Lot 8 and the west line of said 16.96 acre tract, N 19° 36' 30" W, 38.80 feet to the True Point Of Beginning;

Thence, continuing northerly, with the east line of Lot 8 and the west line of said 16.96 acre tract, N 19° 36' 30" W, 20.00 feet;

Thence easterly, crossing said 16.96 acre tract the following three (3) courses:

1. N 70° 23' 30" E, 30.00 feet;
2. S 19° 36' 30" E, 20.00 feet;
3. S 70° 23' 30" W, 30.00 feet to the east line of said Lot 8 and the Point Of Beginning, **containing 0.0138 acres** (600.00 square feet), more or less.

Basis of Bearing: the south line of Lot 8 (P.B.24, Pg. 60) being S 78° 26' 00" W.

This description was prepared by Matthew E. Ferris, Registered Surveyor No. 8230, E.P. Ferris & Associates, Inc. on October 3, 2007.

Franklin County Tax Parcel Number 560-122612.

Prior Instrument Reference: D. B. Vol. 1050, Pg. 298,
Recorder's Office, Franklin County, Ohio.

Section 2. That the **Three Thousand Three Hundred Dollars (\$3,300.00)**, to be received by the City as consideration for the subject encroachment easement rights to be granted shall be deposited in the proper City fund as determined by the City Auditor.

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