



Legislation Details (With Text)

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File created: 4/5/2012 **In control:** Recreation & Parks Committee

On agenda: 4/16/2012 **Final action:** 4/19/2012

Title: To authorize the Director of the Department of Recreation and Parks and the Director of the Department of Public Utilities to execute those documents necessary to grant certain easements to Columbia Gas of Ohio, Inc., for the installation of a gas pipeline through that City owned real property commonly known as Como-Park, located in the vicinity of Weber Road and Dorris Avenue and to enter into an Restoration Plan Agreement to restore the property after the pipeline has been installed and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. RESTORATION PLAN AGREEMENT Columbia Gas Como-Park 3-27-2012 DEP

Date	Ver.	Action By	Action	Result
4/19/2012	1	CITY CLERK	Attest	
4/18/2012	1	MAYOR	Signed	
4/16/2012	1	COUNCIL PRESIDENT	Signed	
4/16/2012	1	Columbus City Council	Approved	Pass

Columbia Gas of Ohio, Inc. ("CGO") desires easements to install an underground natural gas pipeline through that City of Columbus ("City") owned real property commonly known as Como-Park, located in the vicinity of Weber Road and Dorris Avenue. Prior to moving forward with installation, CGO will enter into a Restoration Plan Agreement (the "Agreement") with the City to establish the material, means, and methods that CGO will utilize to install the pipeline and restore the property after it has been installed. After investigation, it has been determined that entering into the Restoration Plan Agreement and granting of the easements, should be allowed. The City has determined that consideration in the amount of \$116,000.00 is appropriate. The following legislation authorizes the Director of the Department of Recreation and Parks and the Director of the Department of Public Utilities to execute those instruments necessary to grant the requested easements and enter into the Restoration Plan Agreement.

Fiscal Impact: N/A

Emergency Justification: Emergency action is requested in order for the project to timely move forward such that it can be completed before the end of the year, including the restoration of the City's property.

To authorize the Director of the Department of Recreation and Parks and the Director of the Department of Public Utilities to execute those documents necessary to grant certain easements to Columbia Gas of Ohio, Inc., for the installation of a gas pipeline through that City owned real property commonly known as Como-Park, located in the vicinity of Weber Road and Dorris Avenue and to enter into an Restoration Plan Agreement to restore the property after the pipeline has been installed and to declare an emergency.

WHEREAS, Columbia Gas of Ohio, Inc. (“CGO”) desires easements to install an underground natural gas pipeline through that City of Columbus (“City”) owned real property commonly known as Como-Park, located in the vicinity of Weber Road and Dorris Avenue; and

WHEREAS, Prior to moving forward with installation, CGO will enter into a Restoration Plan Agreement (the “Agreement”) with the City to establish the material, means, and methods that CGO will utilize to construct the improvements and restore the property after the pipeline has been installed; and

WHEREAS, after investigation, it has been determined that entering into the Agreement and granting the easements should be allowed; and

WHEREAS, the Department of Law, Real Estate Division, has determined that consideration in the amount of \$116,00.00 is appropriate for the 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 and the Director of the Department of Public Utilities to execute those documents, as approved by the Real Estate Division, Department of Law, necessary to grant certain easements to Columbia Gas of Ohio, Inc., for the installation of a gas pipeline through that City owned real property and to enter into an Restoration Plan Agreement to restore the property after the pipeline has been installed 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, and the Director of the Department of Public Utilities are hereby authorized to execute a Quitclaim Temporary Construction Easement, as approved by the Department of Law, Real Estate Division, necessary to grant Columbia Gas of Ohio Inc., a temporary construction easement, in, under, across, over and through the following described real property:

1.354 Acre Temporary Easement

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Townships 2 and 3, Township 1, Range 18, United States Military Lands, being across vacated Weber Road and those 2.612 acre, 6.337 acre and 4.993 acre tracts conveyed to the City of Columbus, Ohio by deeds of record in Deed Book 2252, Page 480, Deed Book 738, Page 76, Deed Book 2252, Page 482 and Deed Book 2267, Page 228 (all references refer to the records of the Recorder’s Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference, at the westerly terminus of the southerly right-of-way line of Weber Road, being a northerly line Grantor’s tract and the easterly line of the vacated right-of-way of Weber Road by City of Columbus Ordinance Number 777-65;

Thence North 75° 05’ 10” West, across said vacated Weber Road, a distance of 99.73 feet to the True Point of Beginning;

Thence South 87° 08’ 15” West, across said 6.337 acre tract and said vacated Weber Road, a distance of 200.25 feet to a point;

Thence across said Grantor’s tracts, the following courses and distances:

- North 00° 00’ 00” West, a distance of 300.00 feet to a point;
- North 90° 00’ 00” East, a distance of 200.00 feet to a point; and
- South 00° 00’ 00” East, a distance of 290.00 feet to the True Point of Beginning and containing 1.354 acres of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC., Michael O. Wanchick, Registered Surveyor No. 7854

Section 2. That the Director of the Department of Recreation and Parks, and the Director of the Department of Public Utilities are hereby authorized to execute a Quitclaim Deed of Easement, as approved by the Department of Law, Real

Estate Division, necessary to grant Columbia Gas of Ohio Inc., a perpetual non-exclusive easement in, under, across, over and through the following described real property:

0.540 Acre

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Townships 2 and 3, Township 1, Range 18, United States Military Lands, being across those tracts of land conveyed to the City of Columbus, Ohio by deeds of record in Deed Book 2252, Page 482, Deed Book 738, Page 76, Deed Book 2252, Page 480 and Deed Book 2267, Page 228 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning at the westerly terminus of the southerly right-of-way line of Weber Road, being a northerly line Grantor's tract and the easterly line of the vacated right-of-way of Weber Road by City of Columbus Ordinance Number 777-65;

Thence South 86°46'11" East, with said southerly right-of-way line, a distance of 38.60 feet to a northeasterly corner of Grantor's tract;

Thence South 11°11'58" East, with Grantor's East line, a distance of 7.21 feet to a point;

Thence across Grantor's tract, the following courses and distances:

- North 87°51'59" West, a distance of 112.21 feet to a point;
- North 48°23'19" West, a distance of 352.98 feet to a point;
- South 82°13'14" West, a distance of 150.94 feet to a point;
- North 07°46'46" West, a distance of 40.00 feet to a point;
- North 82°13'14" East, a distance of 169.34 feet to a point;
- South 48°23'19" East, a distance of 357.02 feet to a point;
- South 87°51'59" East, a distance of 58.52 feet to a point in the westerly terminus of Weber Road;

Thence South 03°45'02" West, with said westerly terminus, a distance of 32.26 feet to the Point of Beginning and containing 0.540 acre of land, more or less.

Section 3. That the Director of the Department of Recreation and Parks, and the Director of the Department of Public Utilities are hereby authorized to execute a Quitclaim Deed of Easement, as approved by the Department of Law, Real Estate Division, necessary to grant Columbia Gas of Ohio Inc., a perpetual non-exclusive sub-surface easement in, under, across, over and through the following described real property:

0.226 Acre

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Townships 2 and 3, Township 1, Range 18, United States Military Lands, being across that tract of land conveyed to the City of Columbus, Ohio by deed of record in Deed Book 2267, Page 228 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference, at the westerly terminus of the southerly right-of-way line of Weber Road and the easterly line of the vacated right-of-way of Weber Road by City of Columbus Ordinance Number 777-65;

Thence South 86°46'11" East, with said southerly right-of-way line, a distance of 38.60 feet to a point;

Thence the following courses and distances:

- South 11°11'58" East, a distance of 7.21 feet to a point;
- North 87°51'59" West, a distance of 112.21 feet to a point;
- North 48°23'19" West, a distance of 352.98 feet to a point;
- South 82°13'14" West, a distance of 150.94 feet to a point, the **True Point of Beginning**;

Thence across Grantor's tract, the following courses and distances:

- South 82°13'14" West, a distance of 133.51 feet to a point of curvature to the right;
- With the arc of said curve to the right, having a central angle of 06°17'47", a radius of 1020.00 feet, an arc length of 112.09 feet and a chord bearing and distance of South 85°22'07" West, 112.04 feet to a point on Grantor's west line being in the center of the Olentangy River;

Thence North 10°47'32" West, with said west line and the center of said river, a distance of 40.56 feet to a point on the arc of a curve to the left;

Thence across Grantor's tract, the following courses and distances:

- With the arc of a curve to the left, having a central angle of $06^{\circ}40'48''$, a radius of 980.00 feet, an arc length of 114.26 feet and a chord bearing and distance of North $85^{\circ}33'38''$ East, 114.19 feet to a point of tangency;
- North $82^{\circ}13'14''$ East, a distance of 133.51 feet to a point;
- South $07^{\circ}46'46''$ East, a distance of 40.00 feet to the **True Point of Beginning** and containing 0.226 acre of land, more or less.

Evans, Mechwart, Hambleton & Tilton, Inc., Michael O. Wanchick, Registered Surveyor No. 7854

Section 4. That the Director of the Department of Recreation and Parks and the Director of the Department of Public Utilities are hereby authorized to execute a Restoration Plan Agreement by and between Columbia Gas of Ohio, Inc. and the City of Columbus, Ohio to establish the material, means, and methods that Columbia Gas of Ohio, Inc. will utilize to install the pipeline and restore the property after it has been installed.

Section 5. The One Hundred Sixteen Thousand Dollars (\$116,000.00), 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 and the Department of Recreation and Parks.

Section 6. 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.