



Legislation Details (With Text)

File #: 1493-2014 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/16/2014 **In control:** Recreation & Parks Committee

On agenda: 7/14/2014 **Final action:** 7/17/2014

Title: To authorize the City's director of the Columbus Recreation and Parks Department to execute those documents, as approved by the City Attorney, to quit claim grant a nonexclusive, perpetual, subsurface easement to Columbia Gas of Ohio, Inc., an Ohio corporation, in order to install, monitor, construct, reconstruct, replace, operate, maintain, repair, and remove an underground natural gas pipeline utility and associated appurtenances in, under, and burdening a portion of the City's real property located at Woodward Park in consideration of Twenty Thousand and 00/100 U.S. Dollars (\$20,000.00); and to declare an emergency. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ex-A (Map & Legal Description)

Date	Ver.	Action By	Action	Result
7/17/2014	1	CITY CLERK	Attest	
7/16/2014	1	MAYOR	Signed	
7/14/2014	1	COUNCIL PRESIDENT	Signed	
7/14/2014	1	Columbus City Council	Approved	Pass

BACKGROUND:

The City's Columbus Recreation and Parks Department ("CRPD") manages Woodward Park, which is located at 5147 Karl Road, Columbus, Ohio 43229 a.k.a. Franklin County Tax Parcel Number 010-104774 (the "Park"). **Columbia Gas of Ohio, Inc.**, an Ohio corporation ("CGO"), desires to reconstruct its existing subsurface natural gas pipeline (the "Gas Line") located under a portion of the Park. However, no recorded or unrecorded documentation can be found by either the City or CGO authorizing the placement of the Gas Line within the vicinity of the Gas Line's existing location at the Park. As a result, CGO requests an easement from the City in order for CGO to appropriately reconstruct and manage the Gas Line into the future.

CRPD reviewed CGO's easement request and supports granting the easement for consideration in the amount of Twenty Thousand and 00/100 U.S. Dollars (\$20,000.00). Therefore, this ordinance authorizes the director of CRPD to execute those documents, as approved by the City Attorney, to quit claim grant to CGO a nonexclusive, perpetual, subsurface easement in order to install, monitor, construct, reconstruct, replace, operate, maintain, repair, and remove an underground natural gas pipeline utility and associated appurtenances in, under, and burdening a portion of the Park.

FISCAL IMPACT: The City's receipt of the Twenty Thousand and 00/100 U.S. Dollars (\$20,000.00) consideration from CGO is required to be deposited with CRPD Fund Number 223, Sub-fund Number 025.

EMERGENCY JUSTIFICATION: Emergency action is requested so to not delay CGO's reconstruction and management of the Gas Line, which preserves the public peace, health, property, safety, and welfare.

To authorize the City's director of the Columbus Recreation and Parks Department to execute those documents, as approved by the City Attorney, to quit claim grant a nonexclusive, perpetual, subsurface easement to Columbia Gas of Ohio, Inc., an Ohio corporation, in order to install, monitor, construct, reconstruct, replace, operate, maintain, repair, and remove an underground natural gas pipeline utility and associated appurtenances in, under, and burdening a portion of the City's real property located at Woodward Park in consideration of Twenty Thousand and 00/100 U.S. Dollars (\$20,000.00); and to declare an emergency. (\$0.00)

WHEREAS, the City's Columbus Recreation and Parks Department ("CRPD") manages Woodward Park, which is located at 5147 Karl Road, Columbus, Ohio 43229 a.k.a. Franklin County Tax Parcel Number 010-104774 (the "Park");

WHEREAS, Columbia Gas of Ohio, Inc., an Ohio corporation ("CGO"), desires to improve, reconstruct, and upgrade its existing subsurface natural gas pipeline (the "Gas Line") located under a portion of the Park;

WHEREAS, no recorded or unrecorded documentation can be found by either the City or CGO authorizing the placement of the Gas Line within the vicinity of the Gas Line's existing location at the Park;

WHEREAS, CGO requests an easement from the City in order for CGO to appropriately reconstruct and manage the Gas Line into the future;

WHEREAS, CRPD reviewed CGO' easement request and supports granting the easement for consideration in the amount of Twenty Thousand and 00/100 U.S. Dollars (\$20,000.00);

WHEREAS, an emergency exists in the usual daily operations of the City, because it is immediately necessary to authorize director of CRPD to execute those documents, as approved by the City Attorney, to quit claim grant to CGO a nonexclusive, perpetual, subsurface easement in order to install, monitor, construct, reconstruct, replace, operate, maintain, repair, and remove an underground natural gas pipeline utility and associated appurtenances in, under, and burdening a portion of the Park, which will preserve the public health, peace, property, safety, and welfare; **now, therefore:**

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

SECTION 1. The City's director of the Columbus Recreation and Parks Department ("CRPD") is authorized to execute those documents, as approved by the City Attorney, to quit claim grant to **Columbia Gas of Ohio, Inc.**, an Ohio corporation ("CGO"), a nonexclusive, perpetual, subsurface easement in order to install, monitor, construct, reconstruct, replace, operate, maintain, repair, and remove an underground natural gas pipeline utility and associated appurtenances in, under, and burdening a portion of the City's real property at 5147 Karl Road, Columbus, Ohio 43229 a.k.a. Franklin County Tax Parcel Number 010-104774 described and depicted in the attachment, **Exhibit-A**, which is fully incorporated into this ordinance for reference (the "Easement").

SECTION 2. The City's grant of the Easement to CGO is contingent upon the receipt of consideration in the amount of Twenty Thousand and 00/100 U.S. Dollars (\$20,000.00) from CGO, which is required to be deposited in CRPD Fund Number 223, Sub-fund Number 025.

SECTION 3. For the reasons stated in the preamble of this ordinance, which are made a part of this ordinance, this ordinance is 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 this ordinance.