



Legislation Details (With Text)

File #: 1356-2017 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 5/15/2017 **In control:** Finance Committee

On agenda: 6/12/2017 **Final action:** 6/14/2017

Title: To authorize the director of the Department of Finance and Management to execute and acknowledge any document(s), as approved by the City Attorney, necessary to grant Columbia Gas of Ohio, Inc. non-exclusive easements burdening a portion of the City's real property located at 2100 Alum Creek Drive Columbus, Ohio 43207; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2100 Alum Creek Exhibit A, 2. 2100 Alum Creek Exhibit B & B1

Date	Ver.	Action By	Action	Result
6/14/2017	1	CITY CLERK	Attest	
6/13/2017	1	MAYOR	Signed	
6/12/2017	1	COUNCIL PRESIDENT	Signed	
6/12/2017	1	Columbus City Council	Approved	Pass

BACKGROUND:

The City owns real property located at 2100 Alum Creek Drive, Columbus, Ohio 43207 {Franklin County Tax Parcel 010-014029} ("Property"). The property is managed by the Department of Finance and Management ("Finance") and is further described and recorded in Deed Book 3381 Page, 134, Recorder's Office, Franklin County, Ohio. Columbia Gas of Ohio, Inc. ("Columbia Gas") provides natural gas service to this property to serve three buildings used by the Department of Public Service Division of Refuse Collection. In conjunction with replacement of gas lines due to the Alum Creek Road Widening Project, Columbia Gas is currently engaged in upgrading and replacing the natural gas service lines currently serving the buildings. Columbia Gas is requesting a permanent 0.292 acre subsurface natural gas easement for a two-inch medium pressure main line ("Easement") and 0.174 and 0.295 acre temporary access and construction easements ("Construction Easement") to burden a portion of the Property in order to install and maintain underground natural gas pipeline(s) and associated appurtenances for the transport of odorized natural gas to exclusively benefit the Property. Finance reviewed the plans and supports granting Columbia Gas the Easement in consideration that (i) the Easement supports the exclusive delivery of odorized natural gas to the property, (ii) the new pipeline installed in the Easement is designated a "main" line for which Columbia Gas is responsible for maintenance, and (iii) the Easement is non-exclusive.

CONTRACT COMPLIANCE:

Not applicable.

FISCAL IMPACT:

Not applicable

EMERGENCY JUSTIFICATION:

Emergency action is requested in order to allow for the transfer of the Real Estate so that Columbia Gas may install the gas line in a timely manner allowing the project to be completed without unnecessary delay, which will preserve the public peace, health, property, safety, and welfare.

To authorize the director of the Department of Finance and Management to execute and acknowledge any document(s), as approved by the City Attorney, necessary to grant Columbia Gas of Ohio, Inc. non-exclusive easements burdening a portion of the City's real property located at 2100 Alum Creek Drive Columbus, Ohio 43207; and to declare an emergency.

WHEREAS, the City intends to grant Columbia Gas of Ohio, Inc. ("Columbia Gas") a non-exclusive subsurface natural gas easement ("Easement) and two temporary access and construction easements, ("Construction Easement") burdening a portion of the City's property located at 2100 Alum Creek Drive, Columbus, Ohio 43207 {Franklin County Tax Parcel 010-014029} ("Property") in order to construct and maintain a pipeline for the distribution, delivery, and service of odorized natural gas to exclusively benefit the Property; and

WHEREAS, the City intends to quit claim grant to Columbia Gas a 0.292 acre, more or less, perpetual subsurface natural gas easement and 0.174 acre and 0.295 acre, more or less, temporary access and construction easements in consideration that (i) the Easement supports the delivery of odorized natural gas to exclusively benefit the property, (ii) that the new pipeline installed in the Easement is designated a "main" line for which Columbia Gas is responsible for maintenance, and (iii) the Easement is non-exclusive; and

WHEREAS, the City intends for the director of the Department of Finance and Management (Finance) to execute and acknowledge any document(s) necessary to quit claim grant the Easements to Columbia Gas; and

WHEREAS, the City intends for the City Attorney to approve all document(s) associated with this ordinance; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Finance and Management in that it is immediately necessary to authorize the Director to execute and acknowledge any document(s), as approved by the City Attorney, necessary to grant Columbia Gas of Ohio, Inc. non-exclusive easements burdening a portion the Property; **now, therefore**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the director of the Department of Finance and Management (Finance) is authorized to execute and acknowledge any document(s) necessary to quit claim grant to Columbia Gas of Ohio, Inc. ("Columbia Gas") and its successors and assigns a perpetual subsurface natural gas easement to burden a 0.292 acre, more or less, tract and portion of the City's real property located at 2100 Alum Creek Drive, Columbus, Ohio 43207 {Franklin County Tax Parcel 010-014029} ("Property"), described and depicted in the two (2) page attachment, Exhibit-A, and two temporary access and construction easements to burden a 0.174 acre, more or less, and a 0.295 acre, more or less, tract and portion of the City's Property described and depicted in the three (3) page attachment, Exhibit-B and Exhibit B-1, which are fully incorporated for reference as if rewritten, in order for Columbia Gas to construct and maintain certain subsurface gas pipelines and associated appurtenances for the distribution, delivery, and service of odorized natural gas to exclusively benefit the City's Property.

SECTION 2. That the City Attorney is required to preapprove all document(s) executed by the City pursuant to this ordinance.

SECTION 3. That for the reasons stated in the preamble of this resolution, which are fully incorporated into this resolution as if rewritten, this resolution is declared to be an emergency measure and shall take effect and be in force from

and after its adoption and approval by the Mayor or ten (10) days after its adoption if the Mayor neither approves nor vetoes this resolution.