



Legislation Details (With Text)

File #: 0300-2018 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 1/18/2018 **In control:** Public Service & Transportation Committee

On agenda: 2/5/2018 **Final action:** 2/8/2018

Title: To authorize the director of the Department of Public Service to execute and acknowledge any document(s), as approved by the City Attorney, necessary to grant Suburban Natural Gas Company a non-exclusive easement burdening a portion of the City's real property located at 0000 Lazelle Road, Columbus, Ohio 43240; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Suburban Gas Easement legal description and exhibit

Date	Ver.	Action By	Action	Result
2/8/2018	1	CITY CLERK	Attest	
2/7/2018	1	MAYOR	Signed	
2/5/2018	1	COUNCIL PRESIDENT	Signed	
2/5/2018	1	Columbus City Council	Approved	Pass

BACKGROUND:

The City owns real property located at 0000 Lazelle Road, Columbus, Ohio 43240 {Delaware County Tax Parcel 318-344 -01-012-001} further described and recorded in Deed Book 1522 Page, 2829, Recorder's Office, Delaware County, Ohio ("Property"). The property was conveyed to the Department of Public Service ("DPS") in August of 2017 in conjunction with the Lazelle Road, Phase B improvement project, (53015-100081 PID 90406). Suburban Natural Gas Company, ("Suburban Gas") has a natural gas pipeline and other infrastructure within the project limits that need to be relocated as a result of the project. The City intends to use the Property for detention basin purposes. DPS reviewed the plans and studied their options and has determined that granting an easement to Suburban Gas at no cost for the relocation of the existing pipeline is in the best interest of the City. Suburban Gas is requesting a 0.100 acre easement for a six-inch gasline ("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. DPS reviewed the plans and supports granting Suburban Gas the Easement in consideration that 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 Suburban Gas may relocate the

gas line in a timely manner allowing the Lazelle Road, Phase B Improvement 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 Public Service to execute and acknowledge any document(s), as approved by the City Attorney, necessary to grant Suburban Natural Gas Company a non-exclusive easement burdening a portion of the City's real property located at 0000 Lazelle Road, Columbus, Ohio 43240; and to declare an emergency.

WHEREAS, the City intends to grant Suburban Natural Gas Company ("Suburban Gas") a non-exclusive natural gas easement ("Easement) burdening a portion of the City's property located at 0000 Lazelle in order to construct and maintain a natural gas pipeline; and

WHEREAS, the City intends to quit claim grant to Suburban Gas at no cost a 0.100 acre, more or less, natural gas easement in consideration that the Easement is non-exclusive; and

WHEREAS, the City intends for the director of the Department of Public Service (DPS) to execute and acknowledge any document(s) necessary to quit claim grant the Easement to Suburban 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 operations of the Department of Public Service in that it is immediately necessary to grant this easement in order to prevent unnecessary delay in completing the Lazelle Road, Phase B, Improvement Project, which will preserve the public peace, property, health, welfare, and safety; now, therefore,

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

SECTION 1. That the director of the Department of Public Service (DPS) is authorized to execute and acknowledge any document(s) necessary to quit claim grant to Suburban Natural Gas Company, ("Suburban Gas") and its successors and assigns a natural gas easement to burden a 0.100 acre, more or less, tract and portion of the City's real property located at 0000 Lazelle Road, Columbus, Ohio 43240 {Delaware County Tax Parcel 318-344-01-012-001} ("Property"), described and depicted in the three (3) page attachment, Exhibit-A, which is fully incorporated for reference as if rewritten, in order for Suburban Gas to construct and maintain a gas pipeline and associated appurtenances for the distribution, delivery, and service of odorized natural gas.

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 ordinance, which are fully incorporated into this ordinance as if rewritten, this ordinance 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 ordinance.