



Legislation Details (With Text)

File #: 0268-2020 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 1/21/2020 **In control:** Public Service & Transportation Committee

On agenda: 2/10/2020 **Final action:** 2/13/2020

Title: To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant an encroachment easement to Campbell Oil Company located at 5501 Fisher Road; and to declare an emergency. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 0.002 ac legal description - parcel 8 encroachment easement, 2. RW Boundary Sheet

Date	Ver.	Action By	Action	Result
2/13/2020	1	CITY CLERK	Attest	
2/12/2020	1	MAYOR	Signed	
2/10/2020	1	COUNCIL PRESIDENT	Signed	
2/10/2020	1	Columbus City Council	Approved	Pass

1. BACKGROUND

This legislation authorizes the Director of the Department of Public Service to execute documents necessary for a Quitclaim Deed of Encroachment Easement to allow vent pipes to remain in the public right-of-way near the intersection of Hilliard Rome Road at Feder Road.

The City is involved in the Intersection Improvement - Hilliard Rome Road at Feder Road project which consists of capacity improvements to the intersection of Hilliard Rome Road at Feder Road. The City is currently engaged in right-of-way acquisition on this project. An encroachment easement into the public right-of-way is requested by Campbell Oil Company, the owner of the property located at 5501 Fisher Road on the southeast corner of the intersection of Hilliard Rome Road at Feder Road. The encroachment includes a currently installed vent pipe system to underground fuel tanks. Through the course of negotiations with the property owner, the Department of Public Service has evaluated the request and agreed to allow the vent pipes to stay in place at this time as their current location does not impact the construction of the project. As this project has Ohio Department of Transportation (ODOT) oversight due to Mid-Ohio Regional Planning Commission (MORPC) and Safety funding, ODOT has agreed with allowing the vent pipes to stay as long as the City grants the easement.

2. FISCAL IMPACT

There is no fiscal impact to the City.

3. EMERGENCY DESIGNATION

Emergency action is requested so acquisition related activities for the Intersection Improvement - Hilliard Rome Road at Feder Road project can be completed without causing delays to the construction schedule.

To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant an encroachment easement to Campbell Oil Company located at 5501 Fisher Road; and to declare an emergency. (\$0.00)

WHEREAS, an encroachment easement into the public right-of-way was requested by Campbell Oil Company for

property located at 5501 Fisher Road; and

WHEREAS, the encroachment includes a currently installed vent pipe system to underground fuel tanks; and

WHEREAS, it is necessary to authorize the Director of Public Service to execute those documents necessary for the City to grant the encroachment easement to Campbell Oil Company; and

WHEREAS, an emergency exists in the usual daily operations of the Department of Public Service in that it is immediately necessary to authorize the Director of Public Service to execute those documents required to grant an encroachment easement to Campbell Oil Company in order to prevent delays to the construction schedule for the Intersection Improvement - Hilliard Rome Road at Feder Road project, thereby preserving the public health, peace, property, safety, and welfare; **now therefore**

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

SECTION 1. That the Director of the Department of Public Service be and is hereby authorized to execute those documents necessary to grant an encroachment easement to Campbell Oil Company as described below and on the attached exhibits; to-wit:

Description of 0.002 Acre Parcel, more or less, within Franklin County Auditor's Parcel Number 010-235560. Consisting of 0.002 acres of Present Roadway Occupied.

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Virginia Military Survey No. 7326, and being part of the 1.259 acre tract conveyed to Campbell Oil Company (Grantor) in Instrument Number 201101270014095, the below described parcel laying on the right side of Fisher Road as shown in the centerline of FRA-CR03-12.96, as recorded in Plat Book 125, Page 1, and being described as follows:

Being a parcel of land lying east of and adjacent to the east existing right-of-way line of Hilliard & Rome Road, as described in the Ohio Department of Transportation Right-of-Way plan FRA-70-03.41 (Dated 8/15/1967) and more particularly described as follows:

Commencing at the intersection of the centerline of existing right-of-way of Hilliard & Rome Road station 84+89.70 and the centerline of existing right-of-way of Fisher Road station 25+00.00, also being the north line of V.M.S #7326, also being the centerline of existing right-of-way of Feder Road station 178+38.90, also being the north line of V.M.S #7326, said point being North 86 degrees 14 minutes 38 seconds West, a distance of 700.00 feet from centerline station 32+00.00 of Fisher Road, and the north line of V.M.S #7326, as designated by a monument at station 31+99.98, 0.05 left;

Thence South 86 degrees 14 minutes 38 seconds East, a distance of 107.45 feet along the centerline of existing right-of-way of Fisher Road to a point, being centerline station 26+07.45;

Thence South 03 degrees 45 minutes 22 seconds West, leaving said centerline a perpendicular distance of 50.00 feet to a point at the intersection of the south right-of-way line of Fisher Road and east right-of-way line of Hilliard & Rome Road passing a 5/8 inch reinforcing bar at 49.93 feet and 0.79 feet right, being the northwest corner of a parcel of land conveyed to Campbell Oil Company in Instrument number 201101270014095, and being 100.00 feet right of Hilliard Rome right-of-way centerline station 84+26.09;

Thence South 01 degrees 34 minutes 53 seconds West, a distance of 119.87 feet along said east right-of-way line of Hilliard & Rome Road to a point on the west line of said Campbell Oil Company parcel, being 88.86 feet right of said centerline station 83+06.74, and being the Point of Beginning for the herein described temporary parcel;

Thence South 01 degrees 34 minutes 53 seconds West, a distance of 9.03 feet along the said south right-of-way line of Fisher Road as acquired by the State of Ohio in Case No. 233922, court of Common Pleas, Franklin County, Ohio, to a point, being 88.02 feet right of centerline station 82+97.75;

Thence North 88 degrees 25 minutes 07 seconds West, a distance of 10.07 feet to a point, being 78.00 feet right of centerline station 82+98.68;

Thence North 01 degrees 34 minutes 53 seconds East, a distance of 9.03 feet to a point, being 78.83 feet right of centerline station 83+07.67;

Thence South 88 degrees 25 minutes 07 seconds East, a distance of 10.07 feet to said right-of-way line as acquired by the State of Ohio in Case No. 233922, court of Common Pleas, Franklin County, Ohio, to the Point of Beginning.

Containing 0.002 acre, more or less, within Franklin County Auditor's Parcel Number 010-235560. Consisting of 0.002 acres of Present Roadway Occupied.

All references herein are to records in the Recorders' Office, Franklin County, Ohio.

The basis of bearings for this description are based on the Ohio State Plane Coordinate System, South Zone and the North American Datum of 1983(NSRS 2011), as established using GPS observations processed against the Ohio CORS network, with the centerline of right of way for Feder Road at Hilliard & Rome Road being South 86 degrees 14 minutes 38 seconds East, and are used to denote angles only.

All pins set are 5/8 inch rebar, 30 inches long, with a plastic cap stamped "2LMN, INC." All nails set are surveying MAG nails, used to minimize damage to hard surfaces.

All stations and offsets referred to herein are measured from the centerline of existing right-of-way of Hilliard & Rome Road as shown upon the right of way plan FRA-CR03-12.96 IMPROVEMENTS OF HILLIARD & ROME ROAD on file with the City of Columbus, Ohio.

This description was prepared under the direction of Richard F. Mathias, Registered Professional Surveyor Number 7798, and based upon a field survey of property monumentation found, the centerline of existing roadway, and recorded deed descriptions and plats. The said survey was performed by 2LMN, Inc., and is not a complete boundary survey of properties involved in the development of the right-of-way plans known as FRA-CR03-12.96 IMPROVEMENTS OF HILLIARD & ROME ROAD.

Richard F. Mathias	Date
Registered Professional Surveyor No. 7798	

SECTION 2. 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 its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.