



Legislation Text

File #: 0121-2012, **Version:** 1

The Buckeye Boat Club ("BBC"), an Ohio non-profit corporation, which leases certain City owned real property located on Hoover Reservoir, requested that the City of Columbus, Ohio ("City"), grant a utility easement to Columbus Southern Power Company ("AEP"), an Ohio corporation. The utility easement is to be used for the purpose of providing certain electric services, including lighting to the boat club's dock and other designated reservoir areas. After investigation by the Recreation and Parks Department, it was determined that the granting of the easement will improve the leased property, and should be granted at no charge and for so long as it used for the agreed purposes. The following legislation authorizes the Director of the Recreation and Parks Department and the Director of the Public Utilities Department to execute a Quitclaim Deed of Easement on behalf of the City to grant AEP's requested easement.

Fiscal Impact: N/A

Emergency Justification: Emergency action is requested as not to delay the improvement to the City's property, which will result from the installation of the electric service.

To authorize the Director of the Recreation and Parks Department and the Director of the Public Utilities Department to execute a Quitclaim Deed of Easement necessary to grant Columbus Southern Power Company, an Ohio corporation, a non-exclusive utility easement, at the request of the Buckeye Boat Club, an Ohio non-profit corporation, for the purposes of providing electrical services to certain portions of Hoover Reservoir; and to declare an emergency.

WHEREAS, the Buckeye Boat Club ("BBC"), an Ohio non-profit corporation, which leases certain City owned real property located on Hoover Reservoir, requested that the City of Columbus ("City"), grant a utility easement to Columbus Southern Power Company ("AEP"), an Ohio corporation; and

WHEREAS, the utility easement is to be used for the purpose of providing certain electric services, including lighting to the boat club's dock and other designated reservoir areas; and

WHEREAS, under the lease BBC is responsible for the timely payment of all utility costs; and

WHEREAS, after investigation by the Recreation and Parks Department, it was determined that the granting of the easement will improve the leased property, and this easement should be granted at no charge and for so long as it is used for the agreed purposes; and

WHEREAS, an emergency exists in the City's usual daily operation, because it is immediately necessary to authorize the Director of the Recreation and Parks Department and the Director of the Public Utilities

Department to execute a Quitclaim Deed of Easement on behalf of the City, as prepared by the Columbus City Attorney, Real Estate Division, necessary for the grant of an electrical utility easement to AEP, and to not delay the resulting improvement to certain portions of the Hoover Reservoir, 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 Recreation and Parks Department and the Director of the Public Utilities Department are hereby authorized to execute a Quitclaim Deed of Easement and any ancillary documents, prepared by the Columbus City Attorney, Real Estate Division, necessary to grant to Columbus Southern Power Company, an Ohio corporation, a non-exclusive utility easement over the following described real property:

PROPOSED 10 FEET WIDE EASEMENT STRIPS FOR ELECTRIC COMPANY

Situated in the State of Ohio, County of Delaware, Genoa Township, being in Farm Lot 5, Quarter Township 4, Township 3, Range 17, United States Military Lands and being 10.00 feet wide strips across lands of the CITY OF COLUMBUS, OHIO of record in Deed Book 255, Page 166 (all references in this description are to the records in the Recorder's Office, Delaware County, Ohio) said strips being more particularly described as follows:

STRIP NO. 1

Beginning, for reference, at a concrete monument found at the southwesterly corner of that 2.09 acre tract described in a deed to the Buckeye Boat Club of record in Official Record 130, Page 1547 and the northwesterly corner of the Mark S. & Leanore V. Scoffield Subdivision of Record in Plat Book 5, Page 129;

Thence North 27° 08' 40" East 67.92 feet, along a westerly line of said 2.09 acre tract, to the TRUE POINT OF BEGINNING for the herein described STRIP NO. 1;

Thence South 69° 31' 51" West 69.65 feet, to a point;

Thence North 20° 28' 09" West 10.00 feet, to a point

Thence North 69° 31' 51" East 80.60 feet, to a point on a westerly line of said 2.09 acre tract;

Thence South 27° 08' 40" West 14.83 feet, along said line, to the Point of Beginning, containing 751 square feet, more or less.

STRIP NO. 2

Beginning, for reference, at the same reference point of beginning for the herein described STRIP NO. 1;

Thence North 27° 08' 40" East 129.34 feet, along a westerly line of said 2.09 acre tract, to the TRUE POINT OF BEGINNING for the herein described STRIP NO. 2;

Thence North 32° 04' 50" West 95.77 feet, to a point;

Thence North 11° 22' 13" West 155.57 feet, to a point

Thence North 15° 48' 54" East 180.36 feet, to a point

Thence South 74° 11' 06" East 10.00 feet, to a point;

Thence South 15° 48' 54" West 177.94 feet, to a point;

Thence South 11° 22' 13" East 151.32 feet, to a point;
Thence South 32° 04' 50" East 87.99 feet, to a point on a westerly line of said 2.09 acre tract;
Thence South 27° 08' 40" West 11.64 feet, along said line, to the Point of Beginning, containing 4,245 square feet, more or less.

STRIP NO. 3

Beginning, for reference, at the same reference point of beginning for the herein described STRIP NO. 1;

Thence the following three (3) courses being along lines of said 2.09 acre tract:

- 1) North 27° 08' 40" East 262.08 feet, to a concrete monument found;
- 2) Thence North 46° 44' 34" East 96.86 feet, to a concrete monument found;
- 3) Thence South 53° 14' 13" East 92.32 feet, to the TRUE POINT OF BEGINNING for the herein described STRIP NO. 3;

Thence North 20° 54' 38" West 13.84 feet, to a point;
Thence North 13° 07' 49" West 138.29 feet, to a point
Thence North 43° 24' 19" West 126.87 feet, to a point
Thence North 46° 35' 41" East 10.00 feet, to a point;
Thence South 43° 24' 19" East 127.00 feet, to a point;
Thence South 71° 03' 49" East 154.94 feet, to a point;
Thence South 18° 56' 11" West 10.00 feet, to a point;
Thence North 71° 03' 49" West 147.14 feet, to a point;
Thence South 13° 07' 49" East 129.93 feet, to a point;
Thence South 20° 54' 38" East 28.96 feet, to a point on a northerly line of said 2.09 acre tract;
Thence North 53° 14' 13" West 18.70 feet, along said line, to the Point of Beginning, containing 4,393 square feet, more or less.

STRIP NO. 4

Beginning, for reference, at the intersection of the easterly right-of-way line of Redbank Road (Co. Rd. 31-100' R/W) with the southerly right-of-way line of Knolls Drive (60' R/W) and being the northwesterly corner of Lot 1167 as designated and delineated on the recorded plat of WICK ACRES of record in Plat Book 9, Page 122;

Thence North 81° 48' 20" West 100.01 feet, crossing Redbank Road, to a point on the westerly right-of-way line of Redbank Road, to a common corner of Tax Parcels 31741303001001 and 31741303001004;

Thence North 07° 18' 15" East 229.08 feet, along the westerly right-of-way line of Redbank Road, to the TRUE POINT OF BEGINNING for the herein described STRIP NO. 4;

Thence South 87° 42' 08" West 44.30 feet, to a point;
Thence South 55° 07' 16" West 200.81 feet, to a point;
Thence North 12° 17' 43" West 155.32 feet, to a point;
Thence North 77° 42' 17" East 10.00 feet, to a point;
Thence South 12° 17' 43" East 140.33 feet, to a point;
Thence North 55° 07' 16" East 188.75 feet, to a point;
Thence North 87° 42' 08" East 48.91 feet, to a point on the westerly right-of-way line of Redbank Road;
Thence South 07° 18' 15" West 10.11 feet, along said right-of-way line, to the Point of Beginning,

containing 3,892 square feet, more or less.

Bearings are referenced to the State Plane Coordinate System, Ohio North Zone (NAD 83).

The above description was prepared by Site Engineering, Inc. from an actual field survey on December 13, 2011. SITE ENGINEERING, INC., Mark A. Hazel, Date, Professional Surveyor No. 7039

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 10 days after its passage if the Mayor neither approves nor vetoes the same.