



Legislation Text

File #: 1168-2012, **Version:** 1

The City of Columbus, Ohio ("City"), desires to grant the Ohio Power Company ("AEP") a perpetual non-exclusive subsurface easement in, on, under, across, and through City-owned real property, located at 3911 Dresden Street, Columbus, Ohio 43224. AEP will use the easement, which is more fully described within the body of this legislation, for the purpose of providing electricity to the Feddersen Recreation Center. After investigation by the Department of Recreation and Parks, it was determined that the electrical service provided by the underground power line will benefit the City and should be granted at no charge. The following legislation authorizes the Director of the Department of Recreation and Parks to execute a Quitclaim Deed of Easement and all ancillary instruments necessary to grant the requested easement.

Fiscal Impact: N/A

Emergency Justification: Emergency action is requested as not to delay the benefit to the City, which will result from the installation of the electric power line.

To authorize the Director of the Department of Recreation and Parks to execute a Quitclaim Deed of Easement and all ancillary instruments necessary to grant the Ohio Power Company for the purpose of providing electrical service to that City-owned real property located at 3911 Dresden Street, Columbus, Ohio 43224, which is commonly known as the Feddersen Recreation Center; and to declare an emergency.

WHEREAS, The City of Columbus, Ohio ("City"), desires to grant the Ohio Power Company ("AEP") a perpetual non-exclusive subsurface easement in, on, under, across, and through City-owned real property, located at 3911 Dresden Street, Columbus, Ohio 43224; and

WHEREAS, AEP is to use the easement, which is more fully described within the body of this legislation, for the purpose of providing electricity to the City's Feddersen Recreation Center; and

WHEREAS, after investigation by the Department of Recreation and Parks, it was determined that the electrical service provided by the underground power line will benefit the City and should be granted at no charge; and

WHEREAS, the following legislation authorizes the Director of the Department of Recreation and Parks to execute a Quitclaim Deed of Easement and all ancillary instruments necessary to grant the requested easement; and

WHEREAS, an emergency exists in the usual daily operation of the City, because it is immediately necessary to authorize the Director of the Department of Recreation and Parks Department, to execute a Quitclaim Deed of Easement and all ancillary instruments, as approved by the City Attorneys Office, Real Estate Division, in order to grant a perpetual non-exclusive subsurface easement to the Ohio Power Company in order to provide electricity to City owned at 3911 Dresden Street, Columbus, Ohio 43224, which is commonly known as the Feddersen Recreation Center, 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 Recreation and Parks, be and hereby is authorized to execute a Quitclaim Deed of Easement and all ancillary instruments, as approved by the City Attorneys Office, Real Estate Division, necessary to grant the Ohio Power Company a perpetual non-exclusive subsurface easement in, on, under, across, and through the following described City owned real property for the purpose of providing electrical service:

0.0154 Acre

Situated in Range 18, Township 1, Section 1, United States Military Lands known in the Township of Clinton, Franklin County, Ohio, and known as 10 acres, more or less, particularly described in the deed dated August 12, 1927 from Thomas F. and Margaret G. Moor to the Board of Education of the City School District of Columbus, Ohio, and recorded in Deed Book 868, Page 149, Record of Deeds in Recorder's Office, Franklin County, Ohio being a part of Lot № 16.

Beginning at the Northeast corner of existing Southern Ohio Electric Company easement with Board of Education of the City School District of Columbus as per Deed of Easement Recorded in Vol. 2587, Pages 403-405 of Franklin county Deed Record's;

Thence South 60° 00' 00" East 70.00 feet to a point;

Thence South 30° 00' 00" West 10.00 feet to a point;

Thence North 60° 00' 00" West 64.23 feet to a point;

Thence North 00° 00' 54" East 11.54 feet along the Easterly side of existing easement to the Northeast corner and the Place of Beginning containing 671.15 sq. feet of land, Legal description based on said recorded Deed of Easement and amended as showed by attached plat mark exhibit "A-1".

Basis of Bearing are to an assumed meridian used to donate angles only. Bemba K. Jones, Registered Ohio Land Surveyor #7343 (5/10/2012).

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.