



Legislation Text

File #: 1193-2012, **Version:** 1

In December of 2009, the City of Columbus, Ohio ("City") and Delaware County entered into an agreement for the development of a one-mile section of the Ohio to Erie trail along the west side of the Hoover Reservoir. The mile-long, dedicated trail is a key segment of the Ohio to Erie trail, which is a pathway joining Cincinnati, Columbus, and Cleveland. The trail successfully attracted large numbers of tourists to the Hoover Nature Preserve, which now makes it necessary for the Preservation Parks of Delaware County, Ohio ("Preservation Parks") to construct a public gravel parking lot to accommodate the increase in visitation. The parking area will provide handicap parking spaces, relieve congestion along the drive of South Old 3C Highway (County Road 24), and help prevent erosion to the area adjacent to Hoover Reservoir. It is therefore necessary that the City grant Preservation Parks of Delaware County a perpetual, nonexclusive easement to certain City property, which is more fully described in the body of this legislation. The Recreation and Parks Department proposes that the construction of the parking area will benefit the City by continuing to provide a unique visitor access to the west side of Hoover Reservoir and increase safety for its users, which is why the easement should be granted at no charge. The following legislation authorizes the Director of the Department of Public Utilities and the Director of the Department of Recreation and Parks, severally, to execute those instruments necessary to grant this easement.

Fiscal Impact: N/A

Emergency Justification: The Recreation and Parks Department proposes that the project will benefit the City by providing unique visitor access to the west side of Hoover Reservoir, and increase safety for cyclists, pedestrians, and motorists who use the park, thereby preserving the public health, peace, property, safety, and welfare.

To authorize the Director of the Department of Public Utilities and the Director of the Department of Recreation and Parks, severally, to execute a Quitclaim Deed of Easement necessary to grant a perpetual, nonexclusive easement to the Preservation Parks of Delaware County, Ohio in order to construct a public gravel parking lot to accommodate the increased number of tourists visiting the Hoover Nature Preserve; and to declare an emergency.

WHEREAS, in December of 2009, the City of Columbus, Ohio ("City") and Delaware County entered into an agreement for the development of a one-mile section of the Ohio to Erie trail along the west side of the Hoover Reservoir; and

WHEREAS, the mile-long, dedicated trail is a key segment of the Ohio to Erie trail, which is a pathway joining Cincinnati, Columbus, and Cleveland; and

WHEREAS, the trail has successfully attracted large numbers of tourists to the Hoover Nature Preserve, which now makes it necessary for the Preservation Parks of Delaware County, Ohio ("Preservation Parks") to construct a parking area to accommodate the increase in visitation; and

WHEREAS, the parking area will provide handicap parking spaces, relieve congestion along the drive of South Old 3C Highway (County Road 24), and help prevent erosion to the area adjacent to Hoover Reservoir; and

WHEREAS, it is therefore necessary that the City grant Preservation Parks a perpetual, nonexclusive easement unto certain City property, more fully described in the body of this legislation; and

WHEREAS, the Recreation and Parks Department proposes that the construction of the parking area will benefit the City by continuing to provide a unique visitor access to the west side of Hoover Reservoir and increase safety for its users, which is why this easement should be granted at no charge; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, Ohio, in that it is immediately necessary to authorize the Director of the Department of Public Utilities and the Director of the Department of Recreation and Parks, severally, to execute a Quitclaim Deed of Easement, as approved by the City Attorney's Office, Real Estate Division, to grant a perpetual easement to Preservation Parks of Delaware County, in, on, across, over, upon, and through the following described real property to allow for construction of a public gravel parking lot and its appurtenances, 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 Utilities and the Director of the Department of Recreation and Parks, severally, be and hereby are authorized to execute a Quitclaim Deed of Easement, as approved by the City Attorney's Office, Real Estate Division, necessary to grant a perpetual, nonexclusive easement to the Preservation Parks of Delaware County, Ohio, a park district under Ohio Revised Code Chapter 1545, 2656 Hogback Road, Sunbury, Ohio 43074, in, on, across, over, upon, and through the following described real property for so long as this easement is used to operate, maintain, control, repair, construct, reconstruct, and remove a public gravel parking lot and its appurtenances:

0.280 Acres

Situated in the State of Ohio, County of Delaware, Township of Berkshire, located in part of Farm Lot 13, Section 4, Township 4, Range 17, U. S. Military Lands, being part of an original 82.22 acre tract currently owned by The City of Columbus, Ohio, as recorded in Deed Book 252, Page 284, and being more particularly described as follows:

Beginning, for reference, at a point marking the intersection of the centerlines of Plumb Road (Township Road 105) and S. Old 3C Highway (County Road 24);

Thence North 86° 18' 10" West 337.56 feet, along the centerline of Plumb Road, to point;

Thence North 03° 41' 50" East 30.00 feet, to a point marking the True Place of Beginning of the herein described tract;

Thence North 86° 18' 10" West 156.68 feet, parallel to the centerline of Plumb Road, to point marking a curve to the right;

Thence along the arc of a curve to the right (Delta angle of 83° 02' 27", Radius of 105.00 feet, Arc length of 152.18 feet), whose long chord bears North 52° 04' 25" East 139.21 feet, to a point;

Thence South 86° 24' 19" East 52.62 feet, to a point;

thence South 03° 41' 50" West 92.56 feet, to the True Place of Beginning, containing an area of 0.280 acres.

Basis of bearings from Official Record 965, Page 2291, based on the centerline of Plumb Road being North 86° 18' 10" West. All referenced documents are on file at the Delaware County Recorder's Office, Delaware, Ohio.

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.

