



Legislation Text

File #: 2085-2022, **Version:** 1

BACKGROUND: The City owns real property located at 0000 W Fifth Avenue, Columbus, Ohio 43212 {Franklin County Tax Parcel 010-067298} ("Property") which is managed by the Recreation and Parks Department ("CRPD"). The Ohio State University ("OSU") is working on the Cannon Drive Phase II Construction Project, and as a part of that project OSU will need to install a sewer vault and a backflow preventer on a city-owned storm sewer located on the south side of King Avenue to prevent river water from flowing up through the storm system under the certified levee ("Improvement"). In order to accommodate the construction, operation and ongoing maintenance of the Improvement, OSU has requested a 0.077 acre non-exclusive easement (the "Easement") through the Property. The Department of Public Utilities ("DPU") and CRPD have reviewed the easement and have no objection to its location and to granting it at no cost in the interest of inter-governmental cooperation. The Easement is more fully described in the three (3) page attachment to this ordinance.

This ordinance authorizes the Director of Finance and Management, on behalf of the City, to execute and acknowledge any necessary instrument(s), as approved by the City Attorney, in order to quitclaim grant the Easement to OSU.

CONTRACT COMPLIANCE NO.: Not applicable.

FISCAL IMPACT: Not Applicable.

EMERGENCY JUSTIFICATION: Emergency action is requested to allow this Easement to be granted in a timely manner and meet OSU's construction schedule which will preserve the public peace, health, property, safety and welfare.

To authorize the Director of Finance and Management to execute and acknowledge any document(s) necessary to grant The Ohio State University a 0.077 acre non-exclusive easement burdening a portion of the City's real property; and to declare an emergency. (\$0.00)

WHEREAS, the City intends to grant The Ohio State University, ("OSU") a 0.077 acre non-exclusive easement ("Easement") burdening a portion of the City's property to allow for installation of a sewer vault and backflow preventer on the south side of King Avenue ("Improvement"); and

WHEREAS, the City, in the interest of inter-governmental cooperation, intends to grant the easement at no cost; and

WHEREAS, the City intends for the Director Finance and Management to execute and acknowledge any document(s) necessary to quitclaim grant the Easement to OSU; and

WHEREAS, the City intends for the Finance and Management to sign all document(s) associated with this ordinance; and

WHEREAS, the City intends for the City Attorney to approve all instrument(s) associated with this ordinance; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, in that it is immediately necessary authorize the Director of Finance and Management to execute those documents necessary to grant the Easements to OSU at the earliest feasible date thereby allowing the construction of the Improvements to proceed in a

timely manner so as to preserve the public health, peace, property, safety, and welfare; and **now, therefore:**

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

SECTION 1. That the Director of Finance and Management is authorized to execute and acknowledge any document(s) necessary to quitclaim grant to The Ohio State University (“OSU”) a 0.077 acre non-exclusive easement to burden a portion of the City’s real property located at 0000 W Fifth Avenue, Columbus, Ohio 43212 {Franklin County Tax Parcel 010-067298} which is managed by the Recreation and Parks Department (“CRPD”). This easement is for the purpose of installing a sewer vault and a backflow preventer to prevent river water from flowing up through the storm system under the certified levee and, in the interest of inter-governmental cooperation, will be granted at no cost. The easement is further described and depicted in the three (3) page attachment, which is fully incorporated for reference as if rewritten.

SECTION 2. That the Director of Finance and Management is required to approve all documents executed by the City pursuant to this ordinance.

SECTION 3. That the City Attorney is required to approve all instrument(s) associated with this ordinance prior to the Director of Finance and Management executing and acknowledging any of those instrument(s).

SECTION 4. 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.