



## Legislation Details (With Text)

**File #:** 0047-2015      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 12/19/2014      **In control:** Finance Committee

**On agenda:** 1/12/2015      **Final action:** 1/14/2015

**Title:** To authorize the director of the Department of Finance and Management to execute any instrument(s) or agreement(s), as approved by the City Attorney, necessary for the AEP Ohio Transmission Company, Inc., an Ohio corporation, to gain temporary, nonexclusive ingress and egress access rights to access AEP's existing electric utility facilities on the Jackson Pike Waste Water Treatment Facility; and to declare an emergency. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A

Date	Ver.	Action By	Action	Result
1/14/2015	1	CITY CLERK	Attest	
1/13/2015	1	MAYOR	Signed	
1/12/2015	1	COUNCIL PRESIDENT	Signed	
1/12/2015	1	Columbus City Council	Approved	Pass

**BACKGROUND:**

The City manages real property located at 7000 State Route 104, Columbus, Ohio 43137 {Franklin County Tax Parcels 010-242552, 010-242553, & 010-242554} commonly known as the Jackson Pike Waste Water Facility ("Facility"). The AEP Ohio Transmission Company, Inc., an Ohio corporation ("AEP"), desires temporary ingress and egress access rights on the City's property to maintain AEP's existing electric utility facilities and appurtenances (Harrison-Beatty 138kV line) already located on the Property pursuant to an easement described and recorded in Deed Book 1715, Page 586, Recorder's Office, Franklin County, Ohio ("Improvement"). The Department of Finance and Management reviewed AEP's access request and supports granting AEP's ingress and egress access at no cost, because (i) AEP's ingress and egress access via the Facility is temporary; (ii) AEP's proposed temporary ingress and egress access to the Improvement is only via a route approved by the City; and (iii) AEP will restore all property at the Facility affected by AEP's ingress and egress access to the Improvement. Accordingly, this ordinance authorizes the director of the Department of Finance and Management to execute any instrument(s) or agreement(s), as approved by the City Attorney, necessary for AEP to gain temporary, nonexclusive ingress and egress access on the City's Property to the Improvement.

**FISCAL IMPACT:** Not applicable.

**EMERGENCY JUSTIFICATION:** Emergency action is requested so to not delay AEP's maintenance of the Improvement, which will preserve the public peace, health, property, safety, and welfare.

To authorize the director of the Department of Finance and Management to execute any instrument(s) or agreement(s), as approved by the City Attorney, necessary for the AEP Ohio Transmission Company, Inc., an Ohio corporation, to gain temporary, nonexclusive ingress and egress access rights to access AEP's existing electric utility facilities on the Jackson

Pike Waste Water Treatment Facility; and to declare an emergency. (\$0.00)

**WHEREAS**, it is in the City's best interest to authorize the director of the Department of Finance and Management to execute any instrument(s) or agreement(s) necessary for the AEP Ohio Transmission Company, Inc., an Ohio corporation (*i.e.* AEP), to gain temporary, nonexclusive ingress and egress access via the City's real property located at 7000 State Route 104, Columbus, Ohio 43137 {Franklin County Tax Parcels 010-242552, 010-242553, & 010-242554} commonly known as the Jackson Pike Waste Water Facility (*i.e.* Facility) in order for AEP to maintain existing electric utility facilities and appurtenances (Harrison-Beatty 138kV line) already located on the Property pursuant to an easement described and recorded in Deed Book 1715, Page 586, Recorder's Office, Franklin County, Ohio (*i.e.* Improvement);

**WHEREAS**, it is in the City's best interest to grant AEP ingress and egress access via the Facility for no monetary consideration, because (i) AEP's ingress and egress access of the Facility is temporary; (ii) AEP's ingress and egress access to the Improvement is only via a route approved by the City; and (iii) AEP will restore all property at the Facility affected by AEP's ingress and egress access to the Improvement;

**WHEREAS**, it is in the City's best interest for the City Attorney to approve all instrument(s) or agreement(s) associated with this ordinance; and

**WHEREAS**, an emergency exists in the usual daily operation of the City, because immediately permitting AEP ingress and egress access via the Facility prevents delay in maintaining the Improvement, which will preserve the public peace, property, health, welfare, and safety; and **now, therefore:**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:**

**SECTION 1.** The director of the Department of Finance and Management is authorized to execute any instrument(s) or agreement(s) necessary for the AEP Ohio Transmission Company, Inc., an Ohio corporation (*i.e.* AEP), to gain temporary, nonexclusive ingress and egress access via the City's real property located at 7000 State Route 104, Columbus, Ohio 43137 {Franklin County Tax Parcels 010-242552, 010-242553, & 010-242554} commonly known as the Jackson Pike Waste Water Facility (*i.e.* Facility) in the route approximately described and depicted in the map attachment, Exhibit A, which is fully incorporated into this ordinance for reference, in order for AEP to maintain existing electric utility facilities and appurtenances (Harrison-Beatty 138kV line) already located on the Property pursuant to an easement described and recorded in Deed Book 1715, Page 586, Recorder's Office, Franklin County, Ohio (*i.e.* Improvement).

**SECTION 2.** The City Attorney is required to approve any instrument(s) or agreement(s) associated with this ordinance.

**SECTION 3.** For the reasons stated in the preamble of this ordinance, which are made a part of this ordinance, this ordinance is declared an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after its passage if the Mayor neither approves nor vetoes this ordinance.