



Legislation Details (With Text)

File #: 0343-2015 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 1/27/2015 **In control:** Recreation & Parks Committee

On agenda: 2/23/2015 **Final action:** 2/25/2015

Title: To authorize the director of the Columbus Recreation and Parks Department to execute any instrument(s), as approved by the City Attorney and in consideration of One Thousand and 00/100 U.S. Dollars (\$1,000.00), necessary to quit claim grant the Ohio Power Company, an Ohio corporation dba AEP, a perpetual, nonexclusive, electric utility easement in, on, over, and burdening a portion of American Addition Park in order to install, control, construct, reconstruct, replace, operate, maintain, repair, upgrade, and remove electric lines, poles, guys, anchors, and associated appurtenances; and to declare an emergency. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ex-A

Date	Ver.	Action By	Action	Result
2/25/2015	1	CITY CLERK	Attest	
2/24/2015	1	MAYOR	Signed	
2/23/2015	1	COUNCIL PRESIDENT	Signed	
2/23/2015	1	Columbus City Council	Approved	Pass

BACKGROUND :

The City manages real property located at 1659 East Twelfth Avenue, Columbus, Ohio 43219 {Franklin County Tax Parcel 010-126616} commonly known as American Addition Park (“Park”). The Ohio Power Company, an Ohio corporation (“AEP”), requests a perpetual, nonexclusive, electric utility easement in, on, over, and burdening a portion of the Park in order to install, control, construct, reconstruct, replace, operate, maintain, repair, upgrade, and remove electric lines, poles, guys, anchors, and associated appurtenances (“Easement”). The Columbus Recreation and Parks Department (“CRPD”) reviewed and supports granting AEP the Easement in consideration that (i) the Easement supports electricity service in the Park’s vicinity; and (ii) AEP is compensating the City One Thousand and 00/100 U.S. Dollars (\$1,000.00) for the Easement. Accordingly, this ordinance authorizes the director of the Columbus Recreation and Parks Department to execute any instrument(s), as approved by the City Attorney, necessary to quit claim grant AEP the Easement.

CONTRACT COMPLIANCE № : Not applicable.

FISCAL IMPACT : The City’s receipt of the One Thousand and 00/100 U.S. Dollars (\$1,000.00) from AEP will be deposited with the Recreation and Parks Permanent Improvement Fund, Fund Number 747.

EMERGENCY JUSTIFICATION : Emergency action is requested so to not hinder electrical service in the Park’s vicinity, which will preserve the public peace, health, property, safety, and welfare.

To authorize the director of the Columbus Recreation and Parks Department to execute any instrument(s), as approved by

the City Attorney and in consideration of One Thousand and 00/100 U.S. Dollars (\$1,000.00), necessary to quit claim grant the Ohio Power Company, an Ohio corporation dba AEP, a perpetual, nonexclusive, electric utility easement in, on, over, and burdening a portion of American Addition Park in order to install, control, construct, reconstruct, replace, operate, maintain, repair, upgrade, and remove electric lines, poles, guys, anchors, and associated appurtenances; and to declare an emergency. (\$0.00)

WHEREAS, it is in the City's best interest to authorize the director of the Columbus Recreation and Parks Department to execute any instrument(s) necessary quit claim grant to the Ohio Power Company, an Ohio corporation (dba AEP), a perpetual, nonexclusive, electric utility easement in, on, over, and burdening a portion of American Addition Park (*i.e.* Park) in order to install, control, construct, reconstruct, replace, operate, maintain, repair, upgrade, and remove electric lines, poles, guys, anchors, and associated appurtenances (*i.e.* Easement);

WHEREAS, it is in the City's best interest to grant AEP the Easement in consideration that (i) the Easement supports electricity service in the Park's vicinity; and (ii) AEP is compensating the City One Thousand and 00/100 U.S. Dollars (\$1,000.00) for the Easement;

WHEREAS, it is in the City's best interest 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 Department of Recreation and Parks in that it is immediately necessary to grant the Easement in order to prevent delay of electric service in the Park's vicinity, which will preserve the public peace, property, health, welfare, and safety; **NOW, THEREFORE**

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

SECTION 1. The director of the Columbus Recreation and Parks Department is authorized to execute any instrument (s) necessary to quit claim grant to the Ohio Power Company, an Ohio corporation dba AEP, and AEP's successors and assigns a perpetual, nonexclusive, electric utility easement in, on, over, and burdening the 0.002 acre, more or less, tract of easement area and portion of 1659 East Twelfth Avenue, Columbus, Ohio 43219 {Franklin County Tax Parcel 010-126616} commonly known as American Addition Park (*i.e.* Park) described and depicted in the attachment, Exhibit-A, which is fully incorporated into this ordinance for reference, in order to install, control, construct, reconstruct, replace, operate, maintain, repair, upgrade, and remove electric lines, poles, guys, anchors, and associated appurtenances (*i.e.* Easement).

SECTION 2. The granting of the Easement to AEP is contingent upon the City's receipt of consideration in the form of monetary compensation of One Thousand and 00/100 U.S. Dollars (\$1,000.00) from AEP, which will be deposited with the Recreation and Parks Permanent Improvement Fund, Fund Number 747, OCA Number 747999.

SECTION 3. The City Attorney is required to approve any instrument(s) associated with this ordinance.

SECTION 4. 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 this ordinance's passage and approval by the Mayor, or ten (10) days after this ordinance's passage if the Mayor neither approves nor vetoes this ordinance.