



## Legislation Details (With Text)

**File #:** 3049-2015      **Version:** 1

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

**File created:** 11/24/2015      **In control:** Finance Committee

**On agenda:** 12/14/2015      **Final action:** 12/16/2015

**Title:** To authorize the director of the Finance and Management Department to execute and acknowledge all instrument(s), as approved by the City Attorney, necessary to grant to the Municipal Light Plant, LLC, an Ohio limited liability company, a non-exclusive, appurtenant easement burdening a portion of the City's real property at 555 Nationwide Boulevard, Columbus, Ohio 43215; and to declare an emergency. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ex-A; 11.24.2015

Date	Ver.	Action By	Action	Result
12/16/2015	1	CITY CLERK	Attest	
12/15/2015	1	MAYOR	Signed	
12/14/2015	1	COUNCIL PRESIDENT	Approved	
12/14/2015	1	COUNCIL PRESIDENT	Signed	
12/14/2015	1	Columbus City Council	Approved	Pass

**BACKGROUND:** The City owns real property located at 555 Nationwide Boulevard, Columbus, Ohio 43215 {Franklin County Tax Parcel 010-066777} ("Burdened Property"), which is utilized by the Department of Public Utilities, Division of Power, as an electric power station. Pursuant to authority granted in Ordinance 2862-2014, the City previously conveyed an approximate 1.346 acre portion of the electric power station property, which is now known as 589 Nationwide Boulevard {Franklin County Tax Parcel 010-29423} ("Benefited Property"), to Municipal Light Plant, LLC, an Ohio limited liability company ("MLP"), for redevelopment purposes, as described and recorded in Instrument Number 201412290172002, Recorder's Office, Franklin County, Ohio.

Pursuant to the purchase contract for the sale of the 1.346 acre tract, the City agreed it would enter into an agreement to provide MLP with vehicular access over the Burdened Property from Nationwide Boulevard for the benefit of the Benefited Property. The Department of Finance and Management and Department of Public Utilities reviewed and supports the granting of an access easement to MLP.

**CONTRACT COMPLIANCE:** Not applicable.

**FISCAL IMPACT:** Not applicable.

**EMERGENCY JUSTIFICATION:** Emergency action is requested so to not hinder the City's contractual obligations and allow redevelopment, which will preserve the public peace, health, property, safety, and welfare.

To authorize the director of the Finance and Management Department to execute and acknowledge all instrument(s), as approved by the City Attorney, necessary to grant to the Municipal Light Plant, LLC, an Ohio limited liability company, a

non-exclusive, appurtenant easement burdening a portion of the City's real property at 555 Nationwide Boulevard, Columbus, Ohio 43215; and to declare an emergency. (\$0.00)

**WHEREAS**, the City supports granting Municipal Light Plant, LLC, an Ohio limited liability company (i.e. MLP), a nonexclusive, appurtenant easement on and burdening a portion (i.e. Access Easement) of the City's real property located at 555 Nationwide Boulevard, Columbus, Ohio 43215 {Franklin County Tax Parcel 010-066777} (i.e. Burdened Property) in order for MLP to maintain and repair pavement, fencing, landscaping planters, and associated appurtenances for vehicular access to and from MLP's real property located at 589 Nationwide Boulevard {Franklin County Tax Parcel 010-29423} (i.e. Benefited Property) and the public right-of-way of Nationwide Boulevard;

**WHEREAS**, the City intends to quit claim grant to MLP the Access Easement as contemplated in the previous sale of the Benefited Property from the City to MLP;

**WHEREAS**, the City intends for the director of the Finance and Management Department (i.e. Finance) to execute and acknowledge any instrument(s) necessary to quit claim grant the Access Easement to MLP;

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

**WHEREAS**, an emergency exists in usual daily operations of the Department of Finance and Management in that it is immediately necessary to quit claim grant the Access Easement to MLP as required under the previous sales contract and allow the redevelopment to occur, 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:**

**SECTION 1.** The Director of the Department of Finance and Management (i.e. Finance) is authorized to execute and acknowledge any instrument(s) necessary to quit claim grant to Municipal Light Plant, LLC, an Ohio limited liability company (i.e. MLP), and MLP's successors and assigns, a nonexclusive, appurtenant easement on and burdening the 0.313 acre, more or less, tract of easement area and portion of 555 Nationwide Boulevard, Columbus, Ohio 43215 {Franklin County Tax Parcel 010-066777} (i.e. Burdened Property) described and depicted in Exhibit-A, which is fully incorporated for reference as if rewritten, in order for MLP to maintain and repair pavement, fencing, landscaping, and associated appurtenances for vehicular ingress and egress access (i.e. Access Easement) via the Burdened Property to and from MLP's real property located at 589 Nationwide Boulevard {Franklin County Tax Parcel 010-29423} (i.e. Benefited Property) and the public right-of-way of Nationwide Boulevard.

**SECTION 2.** The City Attorney is required to approve all instrument(s), including but not limited to the Access Easement, associated with this ordinance.

**SECTION 3.** For the reasons stated in the preamble of this ordinance, which are made a part of this ordinance and fully incorporated as if rewritten, 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.