



## Legislation Details (With Text)

**File #:** 0127-2014      **Version:** 2  
**Type:** Ordinance      **Status:** Passed  
**File created:** 1/9/2014      **In control:** Finance Committee  
**On agenda:** 2/3/2014      **Final action:** 2/6/2014

**Title:** To authorize the Director of the Department of Finance and Management to execute those documents approved by the Columbus City Attorney, Real Estate Division, to quit claim grant perpetual, nonexclusive, electrical utility easement rights to the Ohio Power Company, an Ohio corporation, upon a portion of the City's real property located at 2333 Morse Road, Columbus, Ohio, 43229 [Franklin County Tax Parcel 010-007139]; and to declare an emergency. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ex-A (Legal Description), 2. Ex-B (Map), 3. Ex-C (Deed)

Date	Ver.	Action By	Action	Result
2/6/2014	2	CITY CLERK	Attest	
2/6/2014	2	MAYOR	Signed	
2/3/2014	2	COUNCIL PRESIDENT	Signed	
2/3/2014	1	Columbus City Council	Amended as submitted to the Clerk	Pass
2/3/2014	1	Columbus City Council	Approved as Amended	Pass
1/27/2014	1	Columbus City Council	Read for the First Time	

**BACKGROUND :**

The City of Columbus, Ohio, an Ohio municipal corporation ("City"), owns real property located at 2333 Morse Road, Columbus, Ohio, 43229 [Franklin County Tax Parcel 010-007139] ("Property"). On behalf of the City, the Finance and Management Department desires to construct a compressed natural gas station at the Property. The City contracted with the Ohio Power Company, an Ohio corporation ("AEP"), to service electric utilities to the Property. AEP requires an easement from the City over portions of the Property in order to install, control, construct, reconstruct, replace, operate, maintain, repair, and remove the necessary electric utility infrastructure, specifically an above-ground pole, above-ground mounted transformer, aerial and underground electric cables, and their appurtenances (collectively, "Improvement"), needed to exclusively service electricity to the Property. The City's Finance and Management Department reviewed and determined that the easement requested by AEP for the Improvement will benefit the City and should be granted at no charge, because the Improvement exclusively services the City's Property. Therefore, this ordinance authorizes the City's Director of the Finance and Management Department to execute those documents approved by the Columbus City Attorney, Real Estate Division, to quit claim grant perpetual, nonexclusive, electric utility easement rights to AEP in, on, over, under, through, and burdening a portion of the Property to exclusively service the Property.

**CONTRACT COMPLIANCE №:** Not applicable.

**FISCAL IMPACT :** Not Applicable.

**EMERGENCY JUSTIFICATION :** Emergency action is requested so to not delay the City's construction of the

compressed natural gas station at the Property, which will preserve the public peace, health, property, safety, and welfare.

To authorize the Director of the Department of Finance and Management to execute those documents approved by the Columbus City Attorney, Real Estate Division, to quit claim grant perpetual, nonexclusive, electrical utility easement rights to the Ohio Power Company, an Ohio corporation, upon a portion of the City's real property located at 2333 Morse Road, Columbus, Ohio, 43229 [Franklin County Tax Parcel 010-007139]; **and to declare an emergency** . (\$0.00)

**WHEREAS** , the City owns real property located at 2333 Morse Road, Columbus, Ohio, 43229 [Franklin County Tax Parcel 010-007139] ("Property");

**WHEREAS** , the Department of Finance and Management desires to construct a compressed natural gas station at the Property, and the City contracted with AEP to service electric utilities to the Property;

**WHEREAS** , AEP requires an easement from the City over a portion of the Property in order to install, control, construct, reconstruct, replace, operate, maintain, repair, and remove the necessary electric utility infrastructure, specifically an above-ground pole, above-ground mounted transformer, aerial and underground electric cables, and their appurtenances (collectively, "Improvement"), needed to exclusively service electricity to the City's Property;

**WHEREAS** , the Department of Finance and Management reviewed and determined the easement requested by AEP for the Improvement will benefit the City and should be granted at no charge, because the Improvement exclusively services the City's Property;

**WHEREAS** , an emergency exists in the usual daily operations of the City, because it is immediately necessary to authorize the Director of the Department of Finance and Management to execute those documents approved by the Columbus City Attorney, Real Estate Division, to quit claim grant perpetual, nonexclusive, electric utility easement rights to AEP in, on, over, under, through, and burdening a portion of the Property to exclusively service the City's Property, which will preserve the public health, peace, property, safety, and welfare; **NOW, THEREFORE**,

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

**SECTION 1.** That on behalf of the City of Columbus, Ohio, an Ohio municipal corporation ("City"), the Director of the Department of Finance and Management is authorized to execute those documents approved by the Columbus City Attorney, Real Estate Division, to quit claim grant perpetual, nonexclusive, electrical utility easement rights to the Ohio Power Company, an Ohio corporation ("AEP"), in, on, over, under, through, and burdening the tract of real property ("Easement Area") surveyed in **Exhibit-A** and mapped in **Exhibit-B** , which each exhibit are fully incorporated for reference into this Ordinance.

**SECTION 2.** That the City intends for the Easement Area granted to AEP to exclusively benefit the City's real property located at 2333 Morse Road, Columbus, Ohio, 43229 [Franklin County Tax Parcel 010-007139; City's deed of ownership attached in **Exhibit-C** , which is fully incorporated for reference into this Ordinance].

**SECTION 3.** For the reasons stated in the preamble hereto, which are 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 (10) days after its passage if the Mayor neither approves nor vetoes the same.