



## Legislation Details (With Text)

**File #:** 1561-2008      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 9/26/2008      **In control:** Judiciary And Court Administration Committee  
**On agenda:** 10/20/2008      **Final action:** 10/22/2008

**Title:** To authorize the Director of the Department of Public Utilities to grant the Columbus Southern Power Company (AEP) a temporary utility easement in order to temporarily relocate certain over head electrical lines for the safe renovation of the Sludge Pump Station at Hap Cremean Water Plant and to the extent they may be applicable, to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959) Revised, and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
10/22/2008	1	CITY CLERK	Attest	
10/21/2008	1	MAYOR	Signed	
10/20/2008	1	Columbus City Council	Approved	Pass
10/20/2008	1	COUNCIL PRESIDENT	Signed	
10/10/2008	1	Utilities Reviewer	Reviewed and Approved	
10/10/2008	1	Atty Drafter	Sent for Approval	
10/10/2008	1	CITY ATTORNEY	Reviewed and Approved	
10/10/2008	1	Atty Drafter	Sent to Clerk's Office for Council	
10/7/2008	1	Utilities Reviewer	Sent for Approval	
10/7/2008	1	UTILITIES DIRECTOR	Reviewed and Approved	
10/6/2008	1	Atty Drafter	Sent for Approval	
10/2/2008	1	Atty Reviewer	Reviewed and Approved	
9/30/2008	1	Atty Drafter	Sent for Approval	

**Background:** The City of Columbus, Ohio is engaged in the demolition of the current Sludge Pump Station as a part of its **Hap Cremean Water Plant Sludge Pump Station Renovations and Electrical Upgrades, Project**. The City desires to grant Columbus Southern Power Company (AEP) a temporary utility easement so that the utility company may temporarily relocate some of its over head electrical lines in order to accommodate the safe demolition of the current pump station. Upon completion of the construction, the temporary distribution line will be removed from the ground and the over head electrical lines will be reinstalled. After investigation it has been determined by the Department of Public Utilities that the granting of the easement will not adversely affect the City and should be allowed. The Real Estate Division, Department of Law has determined that the granting of the easement will benefit the City and therefore there should be no charge for the easement. The following ordinance authorizes the Director of the Department of Public Utilities to execute a temporary utility easement and any ancillary documents.

**Fiscal Impact:** N/A

**Emergency Justification:** Emergency action is requested as not to delay the construction of the new Sludge Pump Station at Hap Cremean Water Plant, which will benefit the City.

To authorize the Director of the Department of Public Utilities to grant the Columbus Southern Power Company (AEP) a temporary utility easement in order to temporarily relocate certain over head electrical lines for the safe renovation of the Sludge Pump Station at Hap Cremean Water Plant and to the extent they may be applicable, to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959) Revised, and to declare an emergency.

WHEREAS, the City of Columbus is owner of that real property known as the Hap Cremean Water Treatment Plant; and

WHEREAS, the City of Columbus, Ohio is engaged in the construction of a new Sludge Pump Station at Hap Cremean Water Plant; and

WHEREAS, the City desires to grant Columbus Southern Power Company (AEP) a temporary utility easement so that AEP may temporarily relocate some of its over head electrical lines in order to accommodate the safe demolition of the current pump station; and

WHEREAS, upon completion of the construction, the temporary distribution line will be removed from the ground and the over head electrical lines will be reinstalled; and

WHEREAS, after investigation, it has been determined by the Department of Public Utilities that the granting of the easement will benefit the City and therefore should be granted at no charge; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, in that it is immediately necessary to authorize the Department of Public Utilities to execute a temporary utility easement and any ancillary documents necessary to the immediate preservation of the public peace, property, health and safety; now, therefore:

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

Section 1. That the Director of the Department of Public Utilities be and hereby is authorized to execute a temporary utility easement as approved by the Real Estate Division, Department of Law, necessary to grant to Columbus Southern Power Company an temporary utility easement over, across and under the following described real property, to-wit:

0.134 acres

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Blendon Township (Township 2 North, Range 17 West), United States Military Lands, and being a 10 foot wide strip of land lying in the Hap Cremean Water Treatment Plant Property owned by the City of Columbus and further described as follows:

Beginning at the intersection of the north line of an existing 100-foot wide AEP easement that runs easterly across the property, with the south line of an existing 100-foot wide AEP easement that runs southeasterly across the property, said point being the ***TRUE POINT OF BEGINNING***;

Thence S 89°58'33" W along said easterly easement line a distance of 28.52 feet to a point;

Thence N 69°29'50" W a distance of 380.35 feet to a point;

Thence S 41°12'23" W a distance of 177.34 feet to a point on said easterly easement line;

Thence S 89°58'33" W along said easterly easement line a distance of 13.30 feet to a point;

Thence N 41°12'23" E a distance of 193.01 feet to a point on the south line of said southeasterly easement;

Thence S 69°29'50" E along said easement line a distance of 413.97 feet to the ***TRUE POINT OF***

***BEGINNING***.

**Containing 0.134 acres, more or less**, and being based on a survey for the City of Columbus by Dynotec, Inc. This description was prepared and reviewed on September 19, 2008 by Joseph S. Bolzenius, Registered Surveyor #7526.

Basis of bearings is the Hap Cremean WTP grid coordinate system. This property is the same as described in Franklin County Instrument Vol. 1729 at Page 204 and in the Auditor's parcel number 600-150029.

**FRANKLIN COUNTY TAX PARCEL NUMBER:                      600-150029**

Prior Instrument Reference: D.B. Vol. 1729, Pg. 204.  
Recorder's Office, Franklin County, Ohio.

Section 2. That this Council has determined that it is in the best interest of the City of Columbus to waive and does hereby waive the requirements of Columbus City Codes (1959) Revised, Chapter 328 (*Land Review Commission*) and Section 329.29 (sale of City owned reality) to the extent that they may apply to this transaction with regards to this ordinance only.

Section 3. 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 its passage if the Mayor neither approves nor vetoes the same.