



Legislation Text

File #: 1544-2019, **Version:** 1

BACKGROUND: The City owns real property located at 455 South Westgate Avenue, Columbus, Ohio 43204 {Franklin County Tax Parcel 010-070763} ("Property"), commonly known as Westgate Park, which is managed by the Recreation and Parks Department ("CRPD"). The City is making improvements at this site and in order to complete that project Ohio Power Company, doing business as American Electric Power, ("AEP") will need to upgrade overhead electric lines to provide electric service. AEP now requests the applicable electric utility easement to burden a portion of the Property in order to maintain certain electric facilities and associated appurtenances for the service of electrical energy and impulses to the Property ("Easement"). CRPD reviewed the request and supports granting AEP an approximate fifteen foot wide easement in consideration that (i) the Easement supports electricity services to the Property, and (ii), the Easement will be nonexclusive.

CONTRACT COMPLIANCE: Not applicable.

FISCAL IMPACT: Not applicable.

EMERGENCY JUSTIFICATION: Emergency action is requested so that the electric infrastructure can be installed quickly to allow for construction on the property which will preserve the public peace, health, property, safety, and welfare.

To authorize the Director of the Recreation and Parks Department to execute and acknowledge any document(s), as approved by the Department of Law, Real Estate Division, necessary to grant to the Ohio Power Company an electric utility easement to burden a portion of the City's real property at 455 South Westgate Avenue, and to declare an emergency. (\$0.00)

WHEREAS, the City owns property at 455 South Westgate Avenue, Columbus, Ohio 43204 {Franklin County Tax Parcel 010-070763} ("Property"); and

WHEREAS, the City intends to grant The Ohio Power Company, an Ohio corporation doing business as American Electric Power, ("AEP") an electric utility easement to burden a portion of the Property in order to maintain certain electric facilities and associated appurtenances for the delivery of electrical energy and impulses ("Easement") solely for the benefit of the Property; and

WHEREAS, the City intends to quit claim grant AEP the Easement in consideration (i) the Easement supports electricity services to the Property and (ii) the Easement will be nonexclusive; and

WHEREAS, the City intends for the Director of the Recreation and Parks Department ("CRPD") to execute and acknowledge any document(s) necessary to quit claim grant the Easement to AEP; and

WHEREAS, the City intends for the Department of Law, Real Estate Division to approve all document(s) associated with this ordinance; and

WHEREAS, an emergency exists in the usual daily operation of CRPD in that it is immediately necessary to authorize the Director to execute those documents necessary to grant the Easement to AEP at the earliest feasible date thereby

providing for the immediate preservation of the public health, peace, property, welfare; and **now, therefore:**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Director of the Recreation and Parks Department (“CRPD”) is authorized to execute and acknowledge any document(s) necessary to quit claim grant to the Ohio Power Company, an Ohio corporation doing business as American Electric Power, (“AEP”) and its successors and assigns an electric utility easement to burden a portion of the City’s real property located at 455 South Westgate Avenue, Columbus, Ohio 43204 {Franklin County Tax Parcel 010-070763} (“Property”), which is generally described and depicted in the one (1) page attachment, Exhibit-A, which is fully incorporated for reference as if rewritten, in order for AEP to nonexclusively maintain certain electric facilities and associated appurtenances for the delivery of electrical energy and impulses solely for the benefit of the Property.

SECTION 2. That the Department of Law, Real Estate Division is required to preapprove all document(s) executed by the City pursuant to this ordinance.

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 passage if the Mayor neither approves nor vetoes the same.