



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 2412-2015, **Version:** 1

BACKGROUND:

The City owns real property located at 5115 Krieger Court, Columbus, Ohio 43228 {Franklin County Tax Parcel 570-117339} ("Property"), which is managed by the Finance and Management Department ("Finance"). The Ohio Power Company, an Ohio corporation doing business as American Electric Power ("AEP"), requests a nonexclusive electric utility easement in, on, through, over, under, and burdening a portion of the Property in order to install, control, construct, reconstruct, replace, operate, maintain, repair, upgrade, and remove electric pad-mount, line(s), pole(s), guy(s), anchor(s), and associated appurtenance(s) for the distribution, delivery, and service of electrical energy and impulses ("Easement"). Finance reviewed and supports granting AEP the Easement in consideration that the Easement is exclusively for the benefit and a prerequisite for providing electric utility services to the Property.

CONTRACT COMPLIANCE:

Not applicable.

FISCAL IMPACT:

Not applicable.

EMERGENCY JUSTIFICATION:

Emergency action is requested so to not hinder electrical services to the Property, 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 any instrument(s), as approved by the City Attorney, necessary to grant to the Ohio Power Company, an Ohio corporation d.b.a. AEP, an electric utility easement burdening a portion of the City's real property at 5115 Krieger Court, Columbus, Ohio 43228; and to declare an emergency. (\$0.00)

WHEREAS, the City supports granting the Ohio Power Company, an Ohio corporation doing business as American Electric Power (*i.e.* AEP), a nonexclusive electric utility easement in, on, through, over, under, and burdening a portion of the City's real property located at 5115 Krieger Court, Columbus, Ohio 43228 {Franklin County Tax Parcel 570-117339} (*i.e.* Property) in order for AEP to install, control, construct, reconstruct, replace, operate, maintain, repair, upgrade, and remove electric pad-mount, line(s), pole(s), guy(s), anchor(s), and associated appurtenance(s) for the distribution, delivery, and service of electrical energy and impulses (*i.e.* Easement);

WHEREAS, the City intends to quit claim grant AEP the Easement in consideration that the Easement is exclusively for the benefit and a prerequisite for providing electric utility services to the Property;

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 Easement to AEP;

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

WHEREAS, an emergency exists in the usual daily operations of the Department of Finance and Management in that it is immediately necessary to quit claim grant the Easement to AEP in order to prevent delay of electric utility services to the Property, 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, OHIO:

SECTION 1. The director of the Finance and Management Department (*i.e.* Finance) is authorized to execute and acknowledge any instrument(s) necessary to quit claim grant to the Ohio Power Company, an Ohio corporation doing business as AEP (*i.e.* AEP), and AEP's successors and assigns a nonexclusive electric utility easement in, on, through, over, under, and burdening the 0.051 acre, more or less, tract of easement area and portion of 5115 Krieger Court, Columbus, Ohio 43228 {Franklin County Tax Parcel 570-117339} (*i.e.* Property) described and depicted in the two (2) page attachment, Exhibit-A, which is fully incorporated into this ordinance for reference, in order for AEP to install, control, construct, reconstruct, replace, operate, maintain, repair, upgrade, and remove electric pad-mount, line(s), pole(s), guy(s), anchor(s), and associated appurtenance(s) for the distribution, delivery, and service of electrical energy and impulses (*i.e.* Easement) exclusively for the benefit of the Property.

SECTION 2. The City Attorney is required to approve any instrument(s) associated with this ordinance.

SECTION 3. 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.