



## Legislation Text

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**File #: 0516-2022, Version: 1**

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### **1. BACKGROUND**

This ordinance is for the City to grant a 0.194 acre easement to the City of Westerville, Ohio for the placement of an electric line within existing Worthington Road, Orion Place, and Olde Worthington Road right-of-way. As part of the Polaris Parkway, I-71 to Worthington Road - (DEL-CR615-0.00, PID 95549, 3221-E) project, an existing Westerville electric line that was within existing Westerville right-of-way was identified within the project limits and was left in place. Subsequently, it was determined that a municipal corporation boundary adjustment was necessary to better define maintenance responsibilities between Columbus and Westerville throughout this area. A boundary adjustment action was processed through the Delaware County Commissioners on October 18, 2021 (Resolution No. 21-1000). Now that the boundary adjustment is completed, a portion of the electric line is now in the City's right-of-way. This ordinance provides the authority to grant Westerville an easement for their existing electric line.

### **2. FISCAL IMPACT**

There is no cost to the City to grant the easement.

### **3. EMERGENCY JUSTIFICATION**

Emergency action is requested in order to grant the City of Westerville an easement to cover the electric line in the City's right-of-way and to be completed without unnecessary delay, which will preserve the public peace, health, property, safety, and welfare.

To authorize the director of the Department of Public Service to execute and acknowledge any document(s) necessary to grant the City of Westerville, Ohio an easement for their existing electric line located within existing Worthington Road, Orion Place, and Olde Worthington Road right-of-way; and to declare an emergency. (\$0.00)

**WHEREAS**, in the course of the Polaris Parkway project an existing Westerville electric line that was within existing Westerville right-of-way was identified within the project limits; and

**WHEREAS**, it was determined that a municipal corporation boundary adjustment was necessary to better define maintenance responsibilities between Columbus and Westerville throughout this area; and

**WHEREAS**, a boundary adjustment action was processed through the Delaware County Commissioners on October 18, 2021 (Resolution No. 21-1000); and

**WHEREAS**, now that the boundary adjustment is completed, a portion of the electric line is now in the City's right-of-way; and

**WHEREAS**, the City intends for the director of the Department of Public Service to execute and acknowledge any document(s) necessary to grant the City of Westerville, Ohio an easement for their existing electric line; and

**WHEREAS**, an emergency exists in the usual daily operations of the Department of Public Service in that it is immediately necessary to authorize the Director to execute and grant this easement in order to allow the City of Westerville, Ohio access to their existing electric line without delay, thereby preserving the public health, peace, property, safety and welfare; **NOW THEREFORE**

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

**SECTION 1.** That the director of the Department of Public Service be and is authorized to execute and acknowledge those document(s) necessary to grant the City of Westerville, Ohio a 0.194 acre easement for their existing electric line located within existing Worthington Road, Orion Place, and Olde Worthington Road right-of-way.

**SECTION 2.** That the City Attorney 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 of this ordinance, which are fully incorporated into this ordinance as if rewritten, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the Mayor or ten (10) days after its adoption if the Mayor neither approves nor vetoes this ordinance.