



## Legislation Details (With Text)

**File #:** 2699-2017      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 10/5/2017      **In control:** Recreation & Parks Committee

**On agenda:** 10/30/2017      **Final action:** 11/2/2017

**Title:** To authorize the director of the Recreation and Parks Department to execute and acknowledge any document(s), as approved by the City Attorney, necessary to grant to the Ohio Power Company d.b.a. AEP a nonexclusive electric utility easement to burden a portion of the City's real property near the intersection of Ulry and Warner Roads, Westerville, Ohio 43081.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Legal Description AEP easement Ulry and Warner roads, 2. Exhibit AEP easement Ulry and Warner roads

Date	Ver.	Action By	Action	Result
11/2/2017	1	CITY CLERK	Attest	
11/1/2017	1	MAYOR	Signed	
10/30/2017	1	COUNCIL PRESIDENT	Signed	
10/30/2017	1	Columbus City Council	Approved	Pass
10/23/2017	1	Columbus City Council	Read for the First Time	

### BACKGROUND:

The City owns real property located in the vicinity of the intersection of Ulry and Warner Roads, Westerville, Ohio 43081, {Franklin County Tax Parcel 010-258169}("Property"). The property is managed by the Recreation and Parks Department ("CRPD") and is further described and recorded in Instrument Number 201312170206116, Recorder's Office, Franklin County, Ohio. The Ohio Power Company, an Ohio corporation doing business as American Electric Power ("AEP"), has electric poles located in the public right-of-way along Ulry and Warner Roads. The City of Columbus is engaged in the Warner Road Phase 2 public improvement project that requires the poles to be relocated within the right-of-way. While the poles will remain in the right-of-way AEP is requesting and aerial electric utility easement to burden a portion of the Property in order to install and maintain electrical wires and associated appurtenances for the distribution, delivery, and service of electrical energy and impulses for the benefit of real estate in the Property's vicinity ("Easement"). The Recreation and Parks Department have reviewed the plans and support granting AEP the Easement in consideration that (i) the Easement supports electricity services in the vicinity of the Property, and (ii) the Easement will be nonexclusive.

### CONTRACT COMPLIANCE:

Not applicable.

### FISCAL IMPACT:

Not applicable

**EMERGENCY JUSTIFICATION:**

Not applicable

To authorize the director of the Recreation and Parks Department to execute and acknowledge any document(s), as approved by the City Attorney, necessary to grant to the Ohio Power Company d.b.a. AEP a nonexclusive electric utility easement to burden a portion of the City's real property near the intersection of Ulry and Warner Roads, Westerville, Ohio 43081.

**WHEREAS**, the City intends to support electric services in the vicinity of its real property located near the intersection of Ulry and Warner Roads, Westerville, Ohio 43081 {Franklin County Tax Parcel 010-258169} ("Property");

**WHEREAS**, the City intends to grant AEP an electric utility easement to burden a portion of the Property in order to maintain overhead electric lines and associated appurtenances for the distribution, delivery, and service of electrical energy and impulses ("Easement") for the benefit of real estate in the Property's vicinity;

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

**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;

**WHEREAS**, the City intends for the City Attorney to approve all document(s) associated with this ordinance; and **now, therefore**

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

**SECTION 1.** 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 AEP and its successors and assigns an electric utility easement to burden the 0.008 acre, more or less, tract and portion of the City's real property in the vicinity of the intersection of Ulry and Warner Roads, Westerville, Ohio 43081, {Franklin County Tax Parcel 010-258169} ("Property"), described and depicted in the two (2) page attachment, Exhibit-A, which is fully incorporated for reference as if rewritten, in order for AEP to nonexclusively maintain certain overhead electric facilities and associated appurtenances for the distribution, delivery, and service of electrical energy and impulses for the benefit of real estate in the Property's vicinity.

**SECTION 2.** The City Attorney is required to preapprove all document(s) executed by the City pursuant to this ordinance.

**SECTION 3.** This ordinance shall take effect and be in full force and effect from and after the earliest period allowed by law.