



Legislation Details (With Text)

File #: 3056-2017 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/9/2017 **In control:** Recreation & Parks Committee

On agenda: 2/12/2018 **Final action:** 2/14/2018

Title: To authorize the director of the Recreation and Parks Department to execute and acknowledge any document(s) necessary to grant to the Ohio Power Company nonexclusive electric utility easements to burden portions of the City's real property located at 4990 Olentangy River Road, Columbus, Ohio 43214; and to declare an emergency. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. AEP Easement Exhibits - Anheuser Busch Sports Park

Date	Ver.	Action By	Action	Result
2/14/2018	1	CITY CLERK	Attest	
2/13/2018	1	MAYOR	Signed	
2/12/2018	1	COUNCIL PRESIDENT	Signed	
2/12/2018	1	Columbus City Council	Approved	Pass

BACKGROUND:

The City owns real property located at 4990 Olentangy River Road, Columbus, Ohio 43214, which is commonly known as Anheuser Busch Sports Park {Franklin County Tax Parcel 010-074024} ("Property"). The Property is managed by the Recreation and Parks Department ("CRPD") and is further described and recorded in Deed Book 3167 Page, 134, Recorder's Office, Franklin County, Ohio. The Ohio Power Company, an Ohio corporation doing business as American Electric Power ("AEP"), has electric services on the property currently located in an easement Recorded in Deed Book 3602, Page 66. The City of Columbus is engaged in a booster station project along Bethel Road that requires the poles and underground electric service to be relocated. AEP now requests the applicable electric utility easements burdening a portion of the Property in order to maintain certain electric facilities and associated appurtenances for the distribution, delivery, and service of electrical energy and impulses for the benefit of the Property and real estate in the Property's vicinity ("Easement"). CRPD, working with the Department of Utilities, reviewed the plans and support granting AEP the Easements at no cost in consideration that (i) the Easements support electricity services to the Property and in the vicinity of the Property, (ii) the Easements will be nonexclusive, and (iii) AEP releases their existing easement rights found in Deed Book 3602, Page 66.

CONTRACT COMPLIANCE:

Not applicable.

FISCAL IMPACT:

Not applicable

EMERGENCY JUSTIFICATION:

Emergency action is requested in order to allow AEP's relocation of its electric lines to be completed without unnecessary delay, 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) necessary to grant to the Ohio Power Company nonexclusive electric utility easements to burden portions of the City's real property located at 4990 Olentangy River Road, Columbus, Ohio 43214; and to declare an emergency. (\$0.00)

WHEREAS, the City intends to support electric services in the vicinity of its real property located at 4990 Olentangy River Road, Columbus, Ohio 43214, which is commonly known as Anheuser Busch Sports Park {Franklin County Tax Parcel 010-074024} ("Property"); and

WHEREAS, it is necessary to grant the easement to allow AEP to relocate their electric lines to allow for the construction of a booster station and generator on the Property; and

WHEREAS, the City intends to grant AEP electric utility easements burdening a portion of the Property in order to maintain certain electric facilities and associated appurtenances for the distribution, delivery, and service of electrical energy, impulses, and communications ("Easement") for the benefit of the Property and real estate in the Property's vicinity; and

WHEREAS, the City intends to quit claim grant AEP the Easements, at no costs, in consideration (i) the Easements support electricity services to the Property and in the vicinity of the Property, (ii) the Easements will be nonexclusive; and (iii) AEP releases their existing easement.

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 City Attorney to approve all document(s) associated with this ordinance; and

WHEREAS, an emergency exists in the usual daily operations of CRPD in that it is immediately necessary to authorize the director to grant this easement in order to prevent unnecessary delay in completing relocation of the electric lines, 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:

SECTION 1. That the director of the Recreation and Parks Department 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, electric utility easements to burden a 0.042 acre, more or less, and a 0.206 acre, more or less, tract and portion of the City's real property located at 4990 Olentangy River Road, Columbus, Ohio 43214, which is commonly known as Anheuser Busch Sports Park {Franklin County Tax Parcel 010-074024} ("Property") These easements are further described and depicted in the six (6) 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 distribution, delivery, and service of electrical energy and impulses for the benefit of the Property and real estate in the Property's vicinity.

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

vetoed this ordinance.