



Legislation Details (With Text)

File #: 0200-2019 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 12/11/2018 **In control:** Finance Committee

On agenda: 1/28/2019 **Final action:** 1/31/2019

Title: To authorize the director of the Finance and Management Department to execute and acknowledge all instrument(s), as approved by the City Attorney, necessary to grant to the Municipal Light Plant, LLC, an Ohio limited liability company, a 0.958 acre Storm Sewer Easement; and to declare an emergency. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Storm Sewer Easement Exhibit - Municipal Light Plant LLC

Date	Ver.	Action By	Action	Result
1/31/2019	1	CITY CLERK	Attest	
1/30/2019	1	MAYOR	Signed	
1/28/2019	1	COUNCIL PRESIDENT	Signed	
1/28/2019	1	Columbus City Council	Approved	Pass

BACKGROUND: The City owns real property located at 555 Nationwide Boulevard, Columbus, Ohio 43215 {Franklin County Tax Parcel 010-066777} (“Burdened Property”), which is managed by the Finance and Management Department (“Finance”). Pursuant to authority granted in Ordinance 2862-2014, the City previously sold real property known as 589 Nationwide Boulevard {Franklin County Tax Parcel 010-29423} (“Benefited Property”), to Municipal Light Plant, LLC, an Ohio limited liability company (“MLP”), described and recorded in Instrument Number 201412290172002, Recorder’s Office, Franklin County, Ohio.

MLP now requests a 0.958 acre easement for a storm sewer over and under a portion of the Burdened Property (“Storm Sewer Easement”). Finance and the Department of Public Utilities (“DPU”) reviewed the request and support granting MLP the Storm Sewer Easement over a portion of the Burdened Property provided the Storm Sewer Easement is nonexclusive and supports storm water management on the Benefited Property and the Burdened Property.

CONTRACT COMPLIANCE: Not applicable.

FISCAL IMPACT: Not applicable.

EMERGENCY JUSTIFICATION:

Emergency action is requested so as to not delay redevelopment on the Benefitted 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 all instrument(s), as approved by the City Attorney, necessary to grant to the Municipal Light Plant, LLC, an Ohio limited liability company, a 0.958 acre Storm Sewer Easement; and to declare an emergency. (\$0.00)

WHEREAS, the City supports granting Municipal Light Plant, LLC, an Ohio limited liability company ("MLP"), a nonexclusive easement ("Storm Sewer Easement") on and burdening a portion of the City's real property located at 555 Nationwide Boulevard, {Franklin County Tax Parcel 010-066777} ("Burdened Property") in order for MLP to install, maintain and repair a private storm sewer; and

WHEREAS, the City intends to quit claim grant to MLP the 0.958 acre nonexclusive Storm Sewer Easement; and

WHEREAS, the City intends for the Director of the Finance and Management Department ("Finance") to execute and acknowledge any instrument(s) necessary to quit claim grant the Storm Sewer Easement to MLP; and

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 authorize the Director to quit claim grant the Storm Sewer Easement to MLP to allow the redevelopment to timely occur, 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 Finance and Management Department ("Finance") is authorized to execute and acknowledge any instrument(s) necessary to quit claim grant to Municipal Light Plant, LLC, an Ohio limited liability company ("MLP"), and MLP's successors and assigns, a nonexclusive easement on and burdening the 0.958 acre, more or less, tract of easement area and portion of 555 Nationwide Boulevard, Columbus, Ohio 43215 {Franklin County Tax Parcel 010-066777} ("Burdened Property") generally described and depicted in Exhibit-A, attached, which is fully incorporated for reference as if rewritten, in order for MLP to install maintain and repair a private storm sewer ("Storm Sewer Easement") over and under the Burdened Property to and from MLP's real property located at 589 Nationwide Boulevard {Franklin County Tax Parcel 010-29423} ("Benefitted Property") and to the public right-of-way of Nationwide Boulevard.

SECTION 2. That the City Attorney's Office, Real Estate Division, is required to approve all instrument(s), including but not limited to the Storm Sewer Easement, associated with this ordinance.

SECTION 3. That for the reasons stated in the preamble of this ordinance, which are made a part of this ordinance and fully incorporated as if rewritten, 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.