



## Legislation Details (With Text)

**File #:** 1023-2019      **Version:** 1

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

**File created:** 4/4/2019      **In control:** Public Utilities Committee

**On agenda:** 5/6/2019      **Final action:** 5/9/2019

**Title:** To authorize the Director of the Department of Public Utilities to execute those document(s) necessary to consent to American Electric Power Company, Inc. easements in connection to the Blacklick Creek Sanitary Interceptor Sewer project; and to declare an emergency. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

| Date     | Ver. | Action By             | Action   | Result |
|----------|------|-----------------------|----------|--------|
| 5/9/2019 | 1    | CITY CLERK            | Attest   |        |
| 5/8/2019 | 1    | MAYOR                 | Signed   |        |
| 5/6/2019 | 1    | COUNCIL PRESIDENT     | Signed   |        |
| 5/6/2019 | 1    | Columbus City Council | Approved | Pass   |

**Background:** The City possesses title to two sanitary sewer easements described and recorded in Instrument numbers 201412050161693 and 201412050161695, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located in the vicinity of 3345 Reynoldsburg New Albany Road, Jefferson Township, Ohio 44047 {Franklin County Tax Parcel 170-000469} ("Servient Estate") currently owned by The New Albany Company, LLC, ("New Albany"). As part of the City's Blacklick Creek Sanitary Interceptor Sewer project, American Electric Power Company, Inc. ("AEP") agreed to temporarily relocate its electric lines out of existing AEP easements, Instrument Numbers 201006250080250 and 201007290096657, Recorder's Office, Franklin County, Ohio, which predate the City's Easement, in order to allow the City's project to be constructed. AEP and New Albany now desire to enter into new easement(s) to allow the relocated electric lines to remain in their current location rather than move them back to the original easement area. Two of the new AEP easements cross the City's Easement and AEP is now requesting that the City sign a Consent and Acknowledgement consenting to the new AEP easements. The Department of Public Utilities has reviewed the request and determined that it is in the best interest of the City for the relocated electric lines to remain in their current location and to sign the Consent and Acknowledgment, provided that AEP releases the portions of AEP's original easement that are no longer needed.

This ordinance authorizes the Director of DPU to sign any documents, as approved by the City Attorney, necessary to consent to the new AEP Easements.

**Fiscal Impact:** Not Applicable

**Emergency Justification:** Emergency action is requested so that the easements can be granted to insure that the relocated electric lines will remain in their current location, which will preserve the public peace, property, health, welfare, and safety.

To authorize the Director of the Department of Public Utilities to execute those document(s) necessary to consent to American Electric Power Company, Inc. easements in connection to the Blacklick Creek Sanitary Interceptor Sewer project; and to declare an emergency. (\$0.00)

**WHEREAS**, the City intends for the Director of the Department of Public Utilities (“DPU”) to execute any document(s) necessary to consent to the American Electric Power Company, Inc. (“AEP”) easements that cross the City’s existing sanitary sewer easements recorded in Instrument numbers 201412050161693 and 201412050161695, Recorder’s Office, Franklin County, Ohio (“Easement”); and

**WHEREAS**, DPU has reviewed the request and determined that it is in the best interest of the City to sign the Consent and Acknowledgment provided that AEP release the portions of AEP easements that are no longer needed; 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 DPU in that it is immediately necessary to consent to the new easements to prevent AEP from moving the relocated electric lines back to the original location in connection to the Blacklick Creek Sanitary Interceptor Sewer project, 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 Department of Public Utilities is authorized to execute any document(s) necessary to consent to the American Electric Power Company, Inc. easements that cross the City’s existing sanitary sewer easements recorded in Instrument numbers 201412050161693 and 201412050161695, Recorder’s Office, Franklin County, Ohio, in exchange for AEP releasing the portions of its existing easements that are no longer needed due to the relocation of the electric lines into the new AEP easements.

**SECTION 2.** That the City Attorney’s Office, Real Estate Division is required to approve all instrument(s), associated with this ordinance.

**SECTION 3.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same