



Legislation Details (With Text)

File #: 2601-2021 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 10/5/2021 **In control:** Public Utilities Committee

On agenda: 10/18/2021 **Final action:** 10/21/2021

Title: To authorize the Director of the Department of Finance and Management, with the approval of the Director of the Department of Public Utilities, to execute and acknowledge any document(s), as approved by the Department of Law, Real Estate Division, necessary to grant to the Ohio Power Company, doing business as American Electric Power ("AEP"), an electric utility easement to burden a portion of the City's real property located at 4250 Morse Road; and to declare an emergency. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. AEP Easement 4250 Morse Road Exhibit

Date	Ver.	Action By	Action	Result
10/21/2021	1	CITY CLERK	Attest	
10/20/2021	1	MAYOR	Signed	
10/18/2021	1	COUNCIL PRESIDENT	Signed	
10/18/2021	1	Columbus City Council	Approved	Pass

BACKGROUND: The City owns real property located at 4250 Morse Road, Columbus, Ohio 43230 {Franklin County Tax Parcel 600-150029} commonly known as the Hap Creamean Water Plant ("Property"), which is managed by the Department of Public Utilities ("DPU"). The City is upgrading the facilities at this site and in order to complete that project Ohio Power Company doing business as American Electric Power ("AEP") will need to install a pole, electric lines and associated appurtenances to provide electric service to the Property. AEP now requests the applicable electric utility easement to burden a portion of the Property in order to maintain certain electric facilities and associated appurtenances for the service of electrical energy and impulses to the Property ("Easement"). DPU along with the Department of Finance and Management reviewed the request and support granting AEP the easement at no cost in consideration that (i) the Easement supports only electricity services to the Property, and (ii), the Easement is nonexclusive.

CONTRACT COMPLIANCE: Not applicable.

FISCAL IMPACT: Not applicable.

EMERGENCY JUSTIFICATION: Emergency action is requested so that the electric infrastructure can be installed quickly to allow for construction at the Property which will preserve the public peace, health, property, safety, and welfare.

To authorize the Director of the Department of Finance and Management, with the approval of the Director of the Department of Public Utilities, to execute and acknowledge any document(s), as approved by the Department of Law, Real Estate Division, necessary to grant to the Ohio Power Company, doing business as American Electric Power

("AEP"), an electric utility easement to burden a portion of the City's real property located at 4250 Morse Road; and to declare an emergency. (\$0.00)

WHEREAS, the City owns property at 4250 Morse Road, Columbus, Ohio 43230 {Franklin County Tax Parcel 600-150029} commonly known as the Hap Creamean Water Plant ("Property"); and

WHEREAS, the City intends to grant the Ohio Power Company, an Ohio corporation doing business as American Electric Power ("AEP"), an electric utility easement to burden a portion of the Property in order to maintain certain electric facilities and associated appurtenances for the delivery electrical energy and impulses ("Easement") solely for the benefit of the Property; and

WHEREAS, the City intends to quitclaim grant the Easement to AEP in consideration (i) the Easement supports only electricity services to the Property and (ii) the Easement is nonexclusive; and

WHEREAS, the City intends for the Director of the Department of Finance and Management, with the approval of the Director of the Department of Public Utilities, to execute and acknowledge any document(s) necessary to quitclaim grant the Easement to AEP; and

WHEREAS, the City intends for the Department of Law, Real Estate Division to approve all document(s) associated with this ordinance; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities in that it is immediately necessary to authorize the Director of the Department of Finance and Management to execute those documents necessary to grant the Easement to AEP at the earliest feasible date to allow for construction at the Property, thereby providing for the immediate preservation of the public health, peace, property, and welfare; and **now, therefore:**

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

SECTION 1. That the Director of the Department of Finance and Management, with the approval of the Director of the Department of Public Utilities, is authorized to execute and acknowledge any document(s) necessary to quitclaim grant to the Ohio Power Company, an Ohio corporation doing business as American Electric Power ("AEP") and its successors and assigns, an electric utility easement at no cost. The easement will burden a portion of the City's real property located at 4250 Morse Road, Columbus, Ohio 43230 {Franklin County Tax Parcel 600-150029} commonly known as the Hap Creamean Water Plant ("Property") and is generally described and depicted in the three (3) 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 delivery of electrical energy and impulses solely for the benefit of the Property.

SECTION 2. That the Department of Law, Real Estate Division 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 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.