



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 2/16/2022 **In control:** Public Utilities Committee

On agenda: 3/7/2022 **Final action:** 3/9/2022

Title: To authorize the Director of the Department of Public Utilities to execute and acknowledge any document(s) necessary, as approved by the Department of Law, Real Estate Division, to grant to the Ohio Power Company an electric utility easement to burden a portion of the City's real property located at 3515 Hines Road; and to declare an emergency. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment 0564-2022

| Date | Ver. | Action By | Action | Result |
|----------|------|-----------------------|----------|--------|
| 3/9/2022 | 1 | CITY CLERK | Attest | |
| 3/8/2022 | 1 | MAYOR | Signed | |
| 3/7/2022 | 1 | COUNCIL PRESIDENT | Signed | |
| 3/7/2022 | 1 | Columbus City Council | Approved | Pass |

BACKGROUND: The City owns real property located at 3515 Hines Road, Pickerington, Ohio 43147 {Fairfield County Tax Parcel 0580802000} ("Property"), which is managed by the Department of Public Utilities ("DPU"). As a part of a Smart City project the City is working with AEP on the development, construction, and demonstration of a distributed energy resources (DER) technology micro-grid project (the "Project"). In order to complete the Project the Ohio Power Company doing business as American Electric Power ("AEP") will need to install electric Infrastructure, and associated appurtenances to provide electric service as part of the Project. 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 to support the Project ("Easement"). DPU reviewed the request and supports granting AEP the easement at no cost in consideration that (i) the Easement supports only electricity services for the Project, 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 the micro grid installation to be completed in a timely manner which will preserve the public peace, health, property, safety, and welfare.

To authorize the Director of the Department of Public Utilities to execute and acknowledge any document(s) necessary, as approved by the Department of Law, Real Estate Division, to grant to the Ohio Power Company an electric utility easement to burden a portion of the City's real property located at 3515 Hines Road; and to declare an emergency. (\$0.00)

WHEREAS, the City owns property at 3515 Hines Road, Pickerington, Ohio 43147 {Fairfield County Tax Parcel

0580802000} (“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 support the development, construction, and demonstration of a distributed energy resources (DER) technology micro-grid project (the “Project”) for the benefit of the City; and

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

WHEREAS, the City intends for the Director of the Department of Public Utilities (“DPU”) 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 to execute those documents necessary to grant the Easement to AEP at the earliest feasible date allowing the Project to proceed in a timely manner, 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 Public Utilities (“DPU”) 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 3515 Hines Road, Pickerington, Ohio 43147 {Fairfield County Tax Parcel 0580802000} (“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 development, construction, and demonstration of a distributed energy resources (DER) technology micro-grid project.

SECTION 2. That the Department of Law, Real Estate Division is required to approve 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.