



Legislation Text

File #: 2609-2018, **Version:** 1

BACKGROUND: The City owns real property located in the vicinity of East Nationwide Boulevard, Columbus, Ohio 43215 {Franklin County Tax Parcel 010-248376 and 010-187793} ("Property"), which is located at the Greater Columbus Convention Center ("Convention Center") and managed by the Department of Finance and Management ("Finance"). The Property is leased to the Franklin County Convention Facilities Authority ("FCCFA"). The Ohio Power Company, an Ohio corporation doing business as American Electric Power ("AEP"), currently has an easement allowing it to provide power to this site and the surrounding area. However, due to the age of the infrastructure, AEP needs to upgrade the failing service. AEP now requests the applicable electric utility easements to burden 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 real estate in the Property's vicinity ("Easement"). Finance and the FCCFA reviewed the plans and support granting AEP the replacement Easement at no cost in consideration that (i) the Easement supports electricity services in the vicinity of the Property and (ii) the Easement will be nonexclusive.

CONTRACT COMPLIANCE: Not applicable.

FISCAL IMPACT: Not applicable.

EMERGENCY JUSTIFICATION: Emergency action is requested so that AEP may enter the property and replace the failing infrastructure thereby allowing future development of the site which will preserve the public peace, health, property, safety, and welfare.

To authorize the director of the Department of Finance and Management 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 d.b.a. AEP an electric utility easement to burden a portion of the City's real property at East Nationwide Boulevard; and to declare an emergency. (\$0.00)

WHEREAS, the City owns property at East Nationwide Boulevard., Columbus Ohio 43215 {Franklin County Tax Parcel 010-248376 and 010-187793} ("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 distribution, delivery, and service of electrical energy and impulses ("Easement") for the benefit of real estate in the Property's vicinity; and

WHEREAS, the City intends to quit claim grant AEP the Easement in consideration (i) the Easement supports electricity services in the vicinity of the Property and (ii) the Easement will be nonexclusive; and

WHEREAS, the City intends for the director of the Department of Finance and Management (Finance) to execute and acknowledge any document(s) necessary to quit claim 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 Finance and Management Department 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 thereby providing for the immediate preservation of the public health, peace, property, 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 (Finance) 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 an electric utility easement to burden a portion of the City's real property located in the vicinity of East Nationwide Boulevard Columbus, Ohio 43215 {Franklin County Tax Parcel 010-248376 and 010-187793 } ("Property") which is generally described and depicted in the two (2) 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 real estate in the Property's vicinity.

SECTION 2. 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