



## Legislation Text

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**File #:** 0508-2019, **Version:** 1

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**BACKGROUND:** The City owns real property located at 1511-1533 West Alum Industrial Drive, Columbus, Ohio 43209, {Franklin County Tax Parcel 010-285203} ("Property"), which is managed by the Department of Finance and Management ("Finance"). 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 renovations being performed by the City, AEP will need to move its underground lines. 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 distribution, delivery, and service of electrical energy and impulses for the benefit of the Property and real estate in the Property's vicinity ("Easement"). Finance, the Recreation and Parks Department and the Department of Public Utilities reviewed the plans and support granting AEP the replacement Easement at no cost in consideration that (i) the Easement supports electricity services to the Property and the surrounding area, (ii) the Easement will be nonexclusive, and (iii) AEP releases any portions of its existing easement that are no longer necessary.

**CONTRACT COMPLIANCE:** Not applicable.

**FISCAL IMPACT:** Not applicable.

**EMERGENCY JUSTIFICATION:** Emergency action is requested so that AEP may enter the property and move the existing electric lines thereby allowing for the renovation 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 1511-1533 West Alum Industrial Drive; and to declare an emergency. (\$0.00)

**WHEREAS,** the City owns property at 1511-1533 West Alum Industrial Drive, Columbus, Ohio 43209, {Franklin County Tax Parcel 010-285203} ("Property"); and

**WHEREAS,** American Electric Power ("AEP") currently has an electric utility easement burdening the property but, due to the City's renovation of the Property, a portion of the existing electric line will need to be moved at the request of the City; and

**WHEREAS,** the City intends to grant The Ohio Power Company, an Ohio corporation doing business as 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 the Property and 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 to the Property and the vicinity, (ii) the Easement will be nonexclusive, and AEP agrees to release any portions of it existing easement that are no longer necessary; 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 for renovation of the site, 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 American Electric Power (“AEP”) and its successors and assigns, an electric utility easement to burden a portion of the City’s real property located at 1511-1533 West Alum Industrial Drive, Columbus, Ohio 43209, {Franklin County Tax Parcel 010-285203} (“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 the Property and real estate in the Property’s vicinity. This easement is being granted by the City to replace a portion of AEP's existing easement that needs to be relocated due to renovations of the Property by the City.

**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