



Legislation Text

File #: 0199-2021, **Version:** 1

BACKGROUND: The City is an owner of real property located at 4850 West Powell Road, Powell, Ohio 43065 commonly known as the Columbus Zoo and Aquarium ("Property"), which is managed by the Department of Finance and Management ("Finance"). Portions of the Property is jointly owned by the City and the Franklin County Commissioners ("County"). The City and County have been asked to grant an easement for a new electric micro grid to be installed at the Property to help better serve the electricity needs of the Zoo. In order to complete that project the Ohio Power Company, doing business as American Electric Power ("AEP"), will need to install electric lines, infrastructure and associated appurtenances. AEP now requests the applicable electric utility easements burdening 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 Zoo ("Easement"). The Department of Finance reviewed the request and supports granting AEP three easements in consideration that (i) the Easements support electricity services to the Property, and (ii), the Easements will be 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 of the micro grid 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 electric utility easements burdening a portion of the City's real property at 4850 West Powell Road, Powell, Ohio 43065; and to declare an emergency. (\$0.00)

WHEREAS, the City is an owner of property located at 4850 West Powell Road, Powell, Ohio 43065 {Delaware County Tax Parcels 319-331-01-003-000 and 319-331-01-002-000} ("Property"); and

WHEREAS, it is necessary to grant The Ohio Power Company, an Ohio corporation doing business as American Electric Power ("AEP"), three electric utility easements burdening a portion of the Property in order to install and maintain certain electric facilities and appurtenances associated with the micro grid installation for the delivery electrical energy and impulses ("Easement") solely for the benefit of the Property; and

WHEREAS, it is necessary to quit claim grant AEP the Easements in consideration (i) the Easements support electricity services to the Property and (ii) the Easements will be nonexclusive; and

WHEREAS, it is necessary for the Director of the Department of Finance and Management ("Finance") to execute and acknowledge any document(s) necessary to quit claim grant the Easements to AEP; and

WHEREAS, the Department of Law, Real Estate Division will 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 so that the electric infrastructure can be installed quickly to allow for construction of the micro grid, 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 three electric utility easements burdening a portion of the City’s real property located at 4850 West Powell Road, Powell, Ohio 43065 {Delaware County Tax Parcels 319-331-01-003-000 and 319-331-01-002-000} (“Property”), which is generally described and depicted in the eight (8) 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 pre-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.