

RECORD OF ORDINANCES

69-12

Ordinance No. _____

Passed _____, 20____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A REAL ESTATE PURCHASE AGREEMENT WITH AMERICAN ELECTRIC POWER CONVEYING CERTAIN PROPERTY LOCATED IN THE CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO, TO BE USED BY AMERICAN ELECTRIC POWER FOR THE CONSTRUCTION AND OPERATION OF AN ELECTRICAL SUBSTATION.

WHEREAS, the City of Dublin ("City") recognizes that electricity creates a critical infrastructure necessary to support residents' quality of life and to ensure the viability of businesses operating within the City; and

WHEREAS, the City desires to facilitate the rapid expansion of a robust system of electric service to the area in and around the West Innovation District; and

WHEREAS, a high quality, high capacity, abundant and reliable electrical system is instrumental to the City's ability to attract the desired businesses in and around the West Innovation District; and

WHEREAS, in support of this electrical system, the City desires to transfer a portion of City-owned property, as described in Exhibit "A" and depicted in Exhibit "B", each of which is attached hereto, to American Electric Power ("AEP") to assist and facilitate the rapid construction of the new Amlin Substation; and

WHEREAS, Council finds it is in the best interest of the City to execute the Real Estate Purchase Agreement, attached hereto as Exhibit "C", to transfer such property to AEP to assist and facilitate the rapid construction of the new Amlin Substation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. Council authorizes the City Manager to execute the Real Estate Purchase Agreement with AEP, in the same or substantially same form as attached hereto as Exhibit "C".

Section 2. This ordinance shall be effective upon the earliest date permitted by law.

Passed this _____ day of _____, 2012.

Mayor - Presiding Officer

ATTEST:

Clerk of Council



To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager 

Date: November 15, 2012

Initiated By: Dana L. McDaniel, Deputy City Manager/Director of Economic Development

Re: Ordinance 69-12 – Property for New AEP Substation

Background

Ordinance 69-12 authorizes the City Manager to enter into an agreement with American Electric Power (AEP) to transfer 2.743 acres to AEP for the purpose of locating a new substation within the area designated as the West Innovation District. As Council may recall, staff has discussed with AEP the need to anticipate and provide high quality, high capacity and redundant power to the West Innovation District. An option agreement was executed between the City of Dublin and AEP in 2008 for 3.680 acres in the same area. This property was transferred to AEP under the option agreement, but the deed conveying the property contained a reverter clause that required AEP's conveyance of the property back to the City if the substation was not constructed in accordance with timelines set forth in the option agreement. The timelines were not met, but we did not require AEP to re-convey the property since we continued to negotiate with them in good faith. During the course of the negotiations, City staff requested that AEP shift construction of the substation slightly south of the originally contemplated site. This necessitates the transfer to AEP of approximately 2.743 acres of property south of the originally transferred parcel. AEP will transfer back to the City approximately 1.561 acres of the northern portion of the property that is no longer needed, leaving a net dedication of 4.862 acres from the City to AEP. Under the terms of the Real Estate Purchase Agreement, the City will grant AEP an access easement of approximately 0.326 acres to the substation parcel.

AEP agreed that the following justifies the immediate need for this new substation:

- Data Center – the area has been considered by several potential users as a site for data center development. AEP has recently commissioned a study analyzing the feasibility of several sites in their service area most apt for this type of development. The site in the West Innovation District is included in this analysis.
- Ohio University Heritage College of Osteopathic Medicine
- Nestle Quality Assurance Center expansion
- Dublin Springs Hospital
- Site was certified in April by the Department of Development as a Job Ready Site

In discussion over the last year, AEP has committed to commence with construction as soon as possible. From the City's perspective, construction of the substation will significantly add to the marketability of the West Innovation District and support future growth of the surrounding area.

In addition to the substation, AEP will construct the southern portion of a new 138 kv transmission line on existing towers to serve the new substation. This will bring additional power capacity to the area. AEP has estimated the total cost of this project to be nearly \$19 million.

Recommendation

Staff recommends Council approval of Ordinance 69-12 at the second reading/public hearing on December 10 as a means to spur AEP's construction of the Amlin substation, allowing for increased marketability of the West Innovation District, and increase in electric availability and reliability for future growth.

Legal Descriptions

EXHIBIT A

DESCRIPTION FOR A 100.004 ACRE TRACT (REMAINDER)

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF DUBLIN, VIRGINIA MILITARY SURVEY NO. 6954, ALSO BEING A 100.004 ACRE SPLIT FROM A 157.339 ACRE TRACT CONVEYED TO THE CITY OF DUBLIN BY DEED OF RECORD IN INSTR. 199801050001735, ALL REFERENCES ARE TO THE FRANKLIN COUNTY RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR REFERENCE AT A P.K. NAIL FOUND IN THE INTERSECTION OF HOUGHARD ROAD (60 FEET WIDE) AT STATE ROUTE 161, AND BEING THE TRUE PLACE OF BEGINNING FOR THIS PARTICULAR DESCRIPTION;

THENCE N 84°38'10" E, A DISTANCE OF 1200.20 FEET ALONG THE CENTERLINE OF STATE ROUTE 161 ALSO BEING THE NORTHERLY LINE OF SAID 157.339 ACRE TRACT TO A P.K. NAIL FOUND AT A POINT OF CURVATURE;

THENCE CONTINUING ALONG THE CENTERLINE OF SAID ROAD AND THE NORTHERLY LINE OF SAID 157.339 ACRE TRACT ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 3819.72 FEET THROUGH A CENTRAL ANGLE OF 07°39'17" IN WHICH A CHORD BEARS N 80°48'31" E, A DISTANCE OF 509.93 FEET TO A P.K. NAIL FOUND AT THE NORTHWESTERLY CORNER OF A 6.3051 ACRE TRACT CONVEYED TO PANASONIC COPIER OF CENTRAL OHIO, INC. BY DEED OF RECORD IN INSTR. 200103010041007;

THENCE S 06°38'36" E, A DISTANCE OF 2561.32 FEET ALONG THE WESTERLY LINE OF SAID 6.3051 ACRE TRACT, THE EASTERLY LINE OF FISHEL INDUSTRIAL PARK NO. 1 THIRD AMENDED SUBDIVISION AS SHOWN OF RECORD IN PLAT BOOK 77, PAGE 79, THE EASTERLY LINE OF A 22.210 ACRE TRACT CONVEYED TO PVD MIDWEST REFINING, LLC BY DEED OF RECORD IN OFFICIAL RECORD 35081, PAGE H-04 AND ALONG A PORTION OF THE EASTERLY LINE OF A 19.577 ACRE TRACT CONVEYED TO THE CITY OF DUBLIN BY DEED OF RECORD IN OFFICIAL RECORD 17934, J-13, PASSING A CAPPED 3/4" (I.D.) IRON PIPE FOUND AT 40.29 FEET AND A CONCRETE POST AT 62.99 FEET, TO AN IRON PIE SET;

THENCE S 84°16'36" W, A DISTANCE OF 1716.83 FEET THROUGH SAID 157.339 ACRES TRACT TO A RAILROAD SPIKE SET IN THE CENTERLINE OF HOUGHARD ROAD (60 FEET WIDE), ALSO BEING THE WESTERLY LINE OF SAID 157.339 ACRE TRACT;

THENCE N 06°28'46" W, A DISTANCE OF 2544.93 FEET ALONG THE CENTERLINE OF SAID ROAD AND WESTERLY LINE OF SAID 157.339 ACRE TRACT, PASSING A P.K. FOUND AT 2504.91 FEET, TO THE TRUE PLACE OF BEGINNING CONTAINING 100.004 ACRES MORE OR LESS SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS, LEASES AND RESTRICTIONS OF RECORD AND OF RECORDS IN THE RESPECTIVE UTILITY OFFICES.

IRON PIPES SET ARE YELLOW CAPPED 3/4" (I.D.) IRON PIPES THIRTY INCHES LONG STAMPED "RAAB P.S. 7863"

THE BASIS OF BEARINGS FOR THIS DESCRIPTION ARE BASED UPON THE BEARING OF S 82°29'07" W GIVEN FOR THE SOUTHERLY LINE OF THE SAID CITY OF DUBLIN 157.339 ACRE TRACT;

THIS DESCRIPTION WAS PREPARED BY JOHN J. RAAB OHIO REGISTERED SURVEYOR NO. 7863 FROM AN ACTUAL FIELD SURVEY CONDUCTED IN DECEMBER, 2002, AND IS A BOUNDARY SURVEY IN ACCORDANCE TO THE MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO (O.R.C. 4733-37).

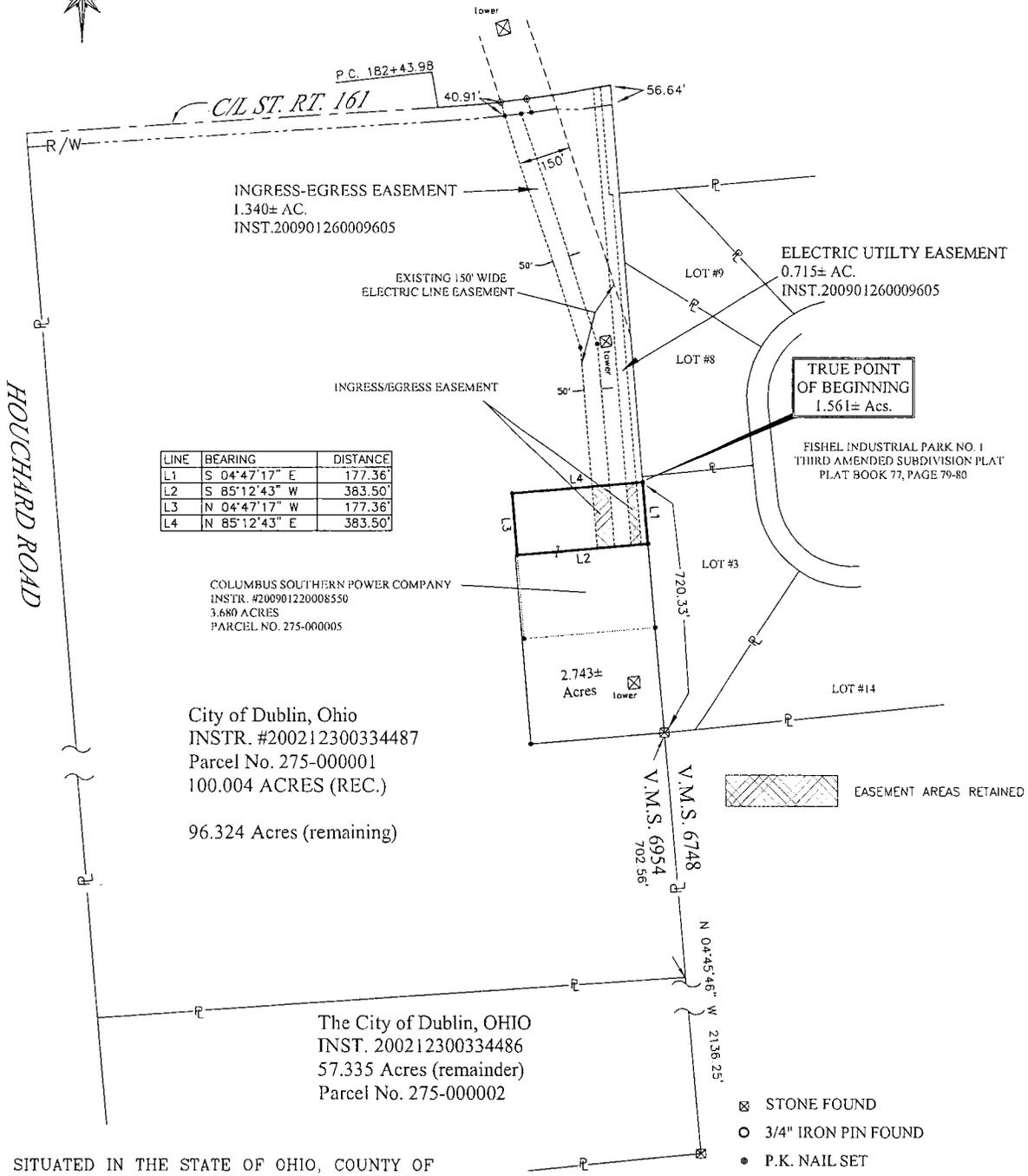
A DRAWING OF THIS DESCRIPTION IS ATTACHED HERETO AND MADE PART THEREOF.

John J. Raab 12/23/02
JOHN J. RAAB P.S. 7863 DATE

0-109-A
ALL THE BALANCE
ON SPLIT
OUT OF
(273)
9609



EXHIBIT "B"



| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | S 04°47'17" E | 177.36' |
| L2 | S 85°12'43" W | 383.50' |
| L3 | N 04°47'17" W | 177.36' |
| L4 | N 85°12'43" E | 383.50' |

COLUMBUS SOUTHERN POWER COMPANY
 INSTR. #200901220008550
 3.680 ACRES
 PARCEL NO. 275-000005

City of Dublin, Ohio
 INSTR. #200212300334487
 Parcel No. 275-000001
 100.004 ACRES (REC.)

96.324 Acres (remaining)

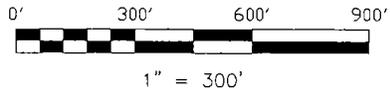
The City of Dublin, OHIO
 INST. 200212300334486
 57.335 Acres (remainder)
 Parcel No. 275-000002

EASEMENT AREAS RETAINED

- ⊗ STONE FOUND
- 3/4" IRON PIN FOUND
- P.K. NAIL SET
- ⊕ EXISTING UTILITY POLE
- 5/8" REBAR & CAP SET IN CONC.
 "CENTRAL SURV. CO., LTD."

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF DUBLIN, BEING PART OF V.M.S. SURVEY NO. 6954 AND BEING PART OF THE SAME LANDS CONVEYED TO THE CITY OF DUBLIN, OHIO, AS RECORDED IN INST. 200212300334487 OF THE FRANKLIN COUNTY RECORDER'S RECORDS.

BEARINGS ARE BASED ON AN ASSUMED MERIDIAN AND ARE USED TO DENOTE ANGLES ONLY.



CENTRAL SURVEYING CO., LTD.

WILLIAM L. WILLIS
 P.S. NO. 7168

Central Surveying Co., Ltd.
 7563 East Main Street
 Reynoldsburg, Ohio 43068
 614-864-1100

FOR: OHIO POWER COMPANY
 PROPOSED AMLIN STATION SITE
 EXCESS LANDS

| | |
|-------------------------------------|-----------------|
| Drawn By: RM | Checked By: ww |
| Scale: 1" = 300' | Date: 10/01/12 |
| File Name: 20120704.AMLIN.SPLIT.DWG | Drawing Number: |
| Revisions: 10/01/12 | 2012-0704 |