

RECORD OF ORDINANCES

Ordinance No. **18-14**

Passed _____, 20____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A UTILITY EASEMENT GRANTING AMERICAN ELECTRIC POWER A TEN (10) BY FIFTEEN (15) FEET EASEMENT ON PROPERTY OWNED BY THE CITY OF DUBLIN AT THE NORTHEAST CORNER OF BRAND ROAD AND BRANDONWAY DRIVE, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Dublin (the "City") owns 6.021 acres of property at the corner of Brand Road and Brandonway Drive; and

WHEREAS, the City is in the process of finalizing the construction of the Coffman and Brand Road roundabout (the "Project"); and

WHEREAS, AEP has a push pole located very close to Brand Road; and

WHEREAS, the City has requested that AEP relocate this push pole as part of the Project; and

WHEREAS, the City desires to donate and dedicate the property described in the easement attached hereto as Exhibit "A" to AEP for the relocation of this push pole.

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

Section 1. The City Manager is hereby authorized to execute the attached easement in favor of AEP.

Section 2. This Ordinance is declared to be an emergency necessary for the immediate preservation of the public peace, health, safety or welfare, and for the further reason of finalizing the construction of the Project. The ordinance shall therefore take effect immediately upon passage.

Passed this _____ day of _____, 2014.

Mayor - Presiding Officer

ATTEST:

Clerk of Council

MEMORANDUM

To: Dublin City Council
Marsha I. Grigsby, City Manager

From: Stephen J. Smith
Philip K. Hartmann

Date: March 20, 2014

Re: Ordinance 18-14 – The City’s Donation of an Easement to AEP

I. INTRODUCTION

The City of Dublin (the "City") is finishing the construction of Coffman and Brand Road roundabout (the "Project"). AEP is doing some utility relocation as part of the Project.

II. BACKGROUND

The City has requested AEP to relocate a push pole as part of the Project because the current location is very close to the roadway. The City and AEP have agreed upon a relocation area for this push pole on a 6.021 acre parcel of property owned by the City at the corner of Brand Road and Brandonway Drive. The City desires to donate and dedicate a ten (10') by fifteen (15') foot easement described in attached Exhibit "A" to AEP for the relocate of this push pole.

RECOMMENDATION

Staff recommends approval of Ordinance No. 18 -14 at the second reading/public hearing on April 14 as the donation of the easement to AEP can be completed as part of the utility relocation on the Coffman and Brand Road roundabout project.

Eas. _____



Easement & Right of Way

Village of Dublin, Ohio, "Grantor(s)", in consideration of \$1.00, the easement terms, and other good and valuable consideration from Ohio Power Company an Ohio corporation and a unit of American Electric Power, 850 Tech Center Drive, Gahanna, OH 43230-6605, "Grantee", the receipt and sufficiency of which is acknowledged, grants and conveys with general warranty covenants to Grantee its successors, assigns, lessees, licensees and tenants, a right of way and easement, "Easement" for electric and other current/future energy or communication purposes, overhead in, on, over, through and across the following described lands situated in Washington Township, Franklin County, Ohio. As described in ORV 9587, page D15 of the Franklin County Recorder's Office (Parcel # 273-003197). Being both Reserve "A" and Reserve "B" of Brandon, Section 1, Phase 1 as shown of record in Plat Book 64, page 64, Recroders Office, Franklin County, Ohio.

The easement shall be a ten (10) foot by fifteen (15) foot strip of land for the installation of a pole anchor(s) as constructed on the above described property. The approximate location of said easement is depicted on Exhibit A, attached hereto and incorporated herein.

This Easement conveys all necessary and convenient rights for the Easement's use, including, without limitation, the rights to: construct, operate, maintain, inspect, protect, repair, replace, enlarge, upgrade, extend and remove utility facilities and relocate within the Easement, all necessary and convenient facilities which include but are not limited to: guy wires, anchors, stubs, brace poles and associated equipment; perform grading or filling for such facilities; cut, trim, remove and/or otherwise control, with herbicides or by other means, at Grantee's option,(without any liability to Grantor), any trees, limbs or branches, brush, shrubs, undergrowth, of whatever size, buildings, structures, or other obstructions that in Grantee's reasonable judgment endangers or will endanger or interfere with the safety or use of its facilities, both within and adjoining the Easement. Within the Easement, Grantor shall not: place any structures, piles or debris, interfere with lateral support, change the level of the ground by excavation or mounding without Grantee's written consent, allow any construction that would be inconsistent with the National Electric Safety Code or Grantee's design standards. This Easement also conveys the right of ingress and egress in and over any reasonable routes at all times. If any governmental authority requires Grantee to relocate the facilities contemplated by this grant, this Easement conveys the right to relocate such facilities to a comparable location of Grantee's choosing, without the need for a new easement.

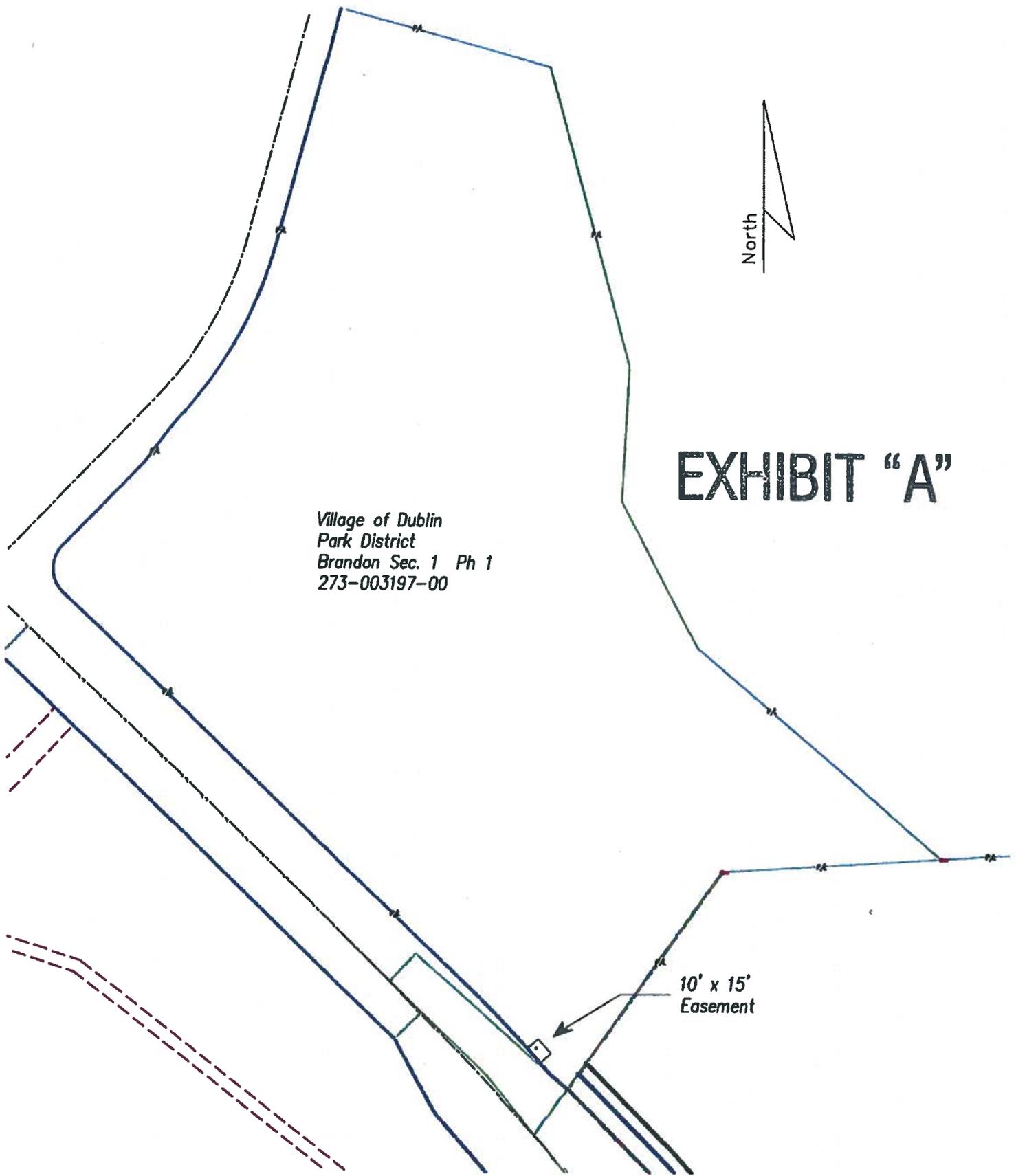


EXHIBIT "A"

Village of Dublin
Park District
Brandon Sec. 1 Ph 1
273-003197-00

10' x 15'
Easement