City of Dublin

Office of the City Manager
5200 Emerald Parkway • Dublin, OH 43017-1090
Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council

From: Dana L. McDaniel, City Manager

Date: May 5, 2016

Initiated By: Paul A. Hammersmith, PE, Director of Engineering/City Engineer
Barbara Cox, PE, Engineering Manager

Re: **Ordinance 21-16 - Authorizing the City Manager to Execute an Easement along Post Road with American Electric Power (AEP) for the Installation of Electric Service for the Street Lighting along I-270**

Summary

The street lighting along the reconfigured I-270 interchange requires electric service for its routine operation. These lights are currently powered by the overhead electrical lines along Post Road, which the City has been working to bury underground. American Electric Power (AEP) has requested to install the underground facilities along the south side of Post Road between Emerald Parkway and I-270. The City owns parcels 273-000307 and 273-003995 and can provide the easement for this work (see attached location map). Therefore, AEP has requested a 10-foot easement along the frontage of these properties.

Attached is a copy of the deed of easement and the legal description and exhibit. This documentation has been reviewed by staff and is consistent with past easements granted to AEP on City-owned property. Staff proposes the easement be granted to AEP in the amount of $1, as is common practice. The installation of these underground lines will occur later in May or in early June.

Recommendation

Staff recommends approval of Ordinance 21-16 at the second reading/public hearing on May 23, Authorizing the City Manager to Execute an Easement along Post Road with American Electric Power (AEP) for the installation of electric facilities for the Street Lighting along I-270.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc. Form No. 30043

Ordinance No. 21-16 *Passed* _____, *20*____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AN EASEMENT ALONG POST ROAD WITH AMERICAN ELECTRIC POWER (AEP) FOR THE INSTALLATION OF ELECTRIC FACILITIES FOR THE STREET LIGHTING ALONG I-270

WHEREAS, the City of Dublin has received a request from American Electric Power (AEP) for a 10-foot easement; and

WHEREAS, the easement will enable AEP to provide underground electrical service infrastructure necessary to support the street lighting along I-270; and

WHEREAS, the location of the requested easement is on the south side of Post Road, east of I-270 on City-owned parcels 273-000307 and 273-003995; and

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

Section 1. The City Manager is hereby authorized to execute the necessary documents with American Electric Power (AEP) for an easement necessary to provide electrical facilities to the street lights along I-270, in substantially the same form as attached, with changes not inconsistent with the Ordinance and not substantially adverse to the City and which shall be approved by the City Manager. The approval of changes thereto by those officials, and their character as not being substantially adverse to the City, shall be evidenced conclusively by their execution thereof.

Section 2. This ordinance shall take effect upon the earliest date permitted by law.

Passed this _____ day of _____, 2016.

_____
Mayor - Presiding Officer

ATTEST:

_____
Clerk of Council

Eas._____

Easement & Right of Way

City of Dublin, Ohio, an Ohio municipal corporation, "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 limited warranty covenants to Grantee its successors, assigns, lessees, licensees and tenants, an easement, "Easement" for electric and other current/future energy or communication purposes, underground, in, on, over, through and across the following described lands situated in the City of Dublin, Franklin County, Ohio, lying in Survey Number 2542 of the Virginia Military District, containing 1.118 acre tract and 0.96 acre tract, both conveyed to the City of Dublin by Instrument No. 200512210267967 and 200310090325006, Franklin County Recorder's Office. Parcel Nos. 273-003995 and 273-000307.

Said lines and facilities shall be constructed within the limits of a ten (10) foot wide strip of land. The Easement area is depicted and described on the attached Exhibit "A", and made a part hereof.

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: conductors, conduits, enclosures, grounding systems, foundations, manholes, transformers, and associated equipment, adding thereto from time to time; 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 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, and, for underground lines, permit or cause any excavation, except for other utilities, provided such utilities rights do not conflict with this Easement. This Easement also conveys the right of ingress and egress in and over any reasonable routes at all times.

Grantor may use its property for all purposes not inconsistent with the full enjoyment of the Easement, but Grantor acknowledges high voltage electric lines will be constructed within the Easement and Grantor shall use its property in a manner consistent with all applicable safety rules and regulations for working near electric lines. Safety/required clearance issues may be referred to Grantee's Engineering Group. Grantee shall restore the premises or pay reasonable damages done to fences, drains, seeded lawns (not landscaping), gates, ditches and crops caused by Grantee's use of the Easement. Grantor has authority to grant this Easement. No delay or omission by Grantee in exercising any right hereunder shall operate as a waiver or forfeiture of such right. This Easement grant is effective and binding upon the parties, their successors, assigns, lessees, licensees, heirs and legal representatives, and if any term hereunder is held invalid, the remainder shall not be affected thereby.

WITNESS, Grantor(s) signed this Easement on the _____ day of _____, 2016.

City of Dublin, Ohio,
an Ohio municipal corporation

By: _____

Print Name: _____

Title: _____

STATE OF OHIO, }
COUNTY OF _____ }

The foregoing instrument was acknowledged before me this ____ day of _____, 2016,

by _____ (Name), _____ (Title),

City of Dublin, Ohio, an Ohio municipal corporation.

_____

Notary Public

My Commission Expires_____

Easement prepared by Ohio Power Company SEJ
Address: Post Road Dwg. No W.O. No. W002698601

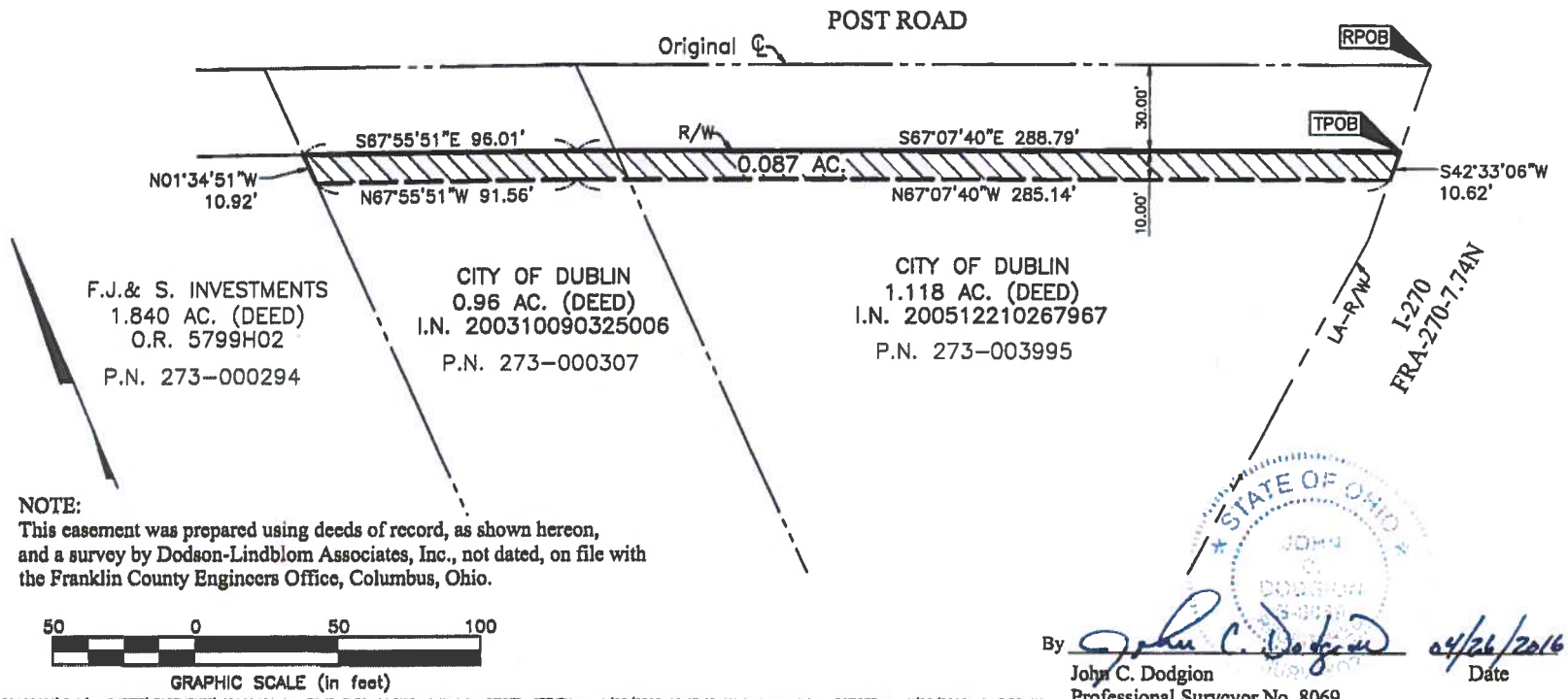
CALL BEFORE YOU DIG !

EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

ELECTRIC EASEMENT

SURVEY NUMBER 2542
VIRGINIA MILITARY DISTRICT
CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO

Date:	April 26, 2016
Scale:	1" = 50'
Job No:	2016-0461



NOTE:
This easement was prepared using deeds of record, as shown hereon, and a survey by Dodson-Lindblom Associates, Inc., not dated, on file with the Franklin County Engineers Office, Columbus, Ohio.

50 0 50 100
GRAPHIC SCALE (in feet)

By John C. Dodgion 04/26/2016
John C. Dodgion Date
Professional Surveyor No. 8069

STATE OF OHIO JOHN C. DODGION 8069

J:\20160461\DWG\04SHEETS\EASEMENTS\20160461-VS-EMHT-ELEC-01.DWG plotted by GEIGER, STEVEN on 4/26/2016 10:45:40 AM last saved by SGEIGER on 4/26/2016 10:45:36 AM
Xrefs:

ELECTRIC EASEMENT
0.087 ACRE

Situated in the State of Ohio, County of Franklin, City of Dublin, lying in Survey Number 2542 of the Virginia Military District, being a 10 foot strip of land on, over, and across the 1.118 acre tract conveyed to the City of Dublin by deed of record in Instrument Number 200512210267967 and the 0.96 acre tract conveyed to the City of Dublin by deed of record in Instrument Number 200310090325006, (all references are to the records of the Recorder's Office, Franklin County, Ohio, unless noted otherwise) and being more particularly described as follows:

BEGINNING, FOR REFERENCE, at the northeasterly corner of said 1.118 acre tract, also being the intersection of the original centerline of Post Road (right-of-way width varies) with the westerly limited access right-of-way line of Interstate Route 270 as shown on the right-of-way plan FRA-270-7.47N on file with the Ohio Department of Transportation, District 6, Delaware, Ohio;

thence North 42° 33' 06" East, with the easterly line of said 1.118 acre tract and said westerly limited access right-of-way line, a distance of 31.86 feet, to the southerly right-of-way line of Post Road, being the ***TRUE POINT OF BEGINNING***;

thence South 42° 33' 06" West, continuing with said easterly line and said westerly limited access right-of-way line, a distance of 10.62 feet to a point;

thence across said 1.118 acre and 0.96 acre tracts, the following courses:

North 67° 07' 40" West, a distance of 285.14 feet to a point;

North 67° 55' 51" West, a distance of 91.56 feet to the westerly line of said 0.96 acre tract;

thence North 01° 34' 51" West, with said westerly line, a distance of 10.92 feet to said southerly right-of-way line;

thence across said 0.96 acre and 1.118 acre tracts with said southerly right-of-way line, the following courses:

South 67° 55' 51" East, a distance of 96.01 feet to a point;

South 67° 07' 40" East, a distance of 288.79 feet, to the ***TRUE POINT OF BEGINNING***, containing 0.087 acre, more or less.

This easement was prepared using deeds of record, as shown herein, and a survey by Dodson-Lindblom Associates, Inc., not dated, on file with the Franklin County Engineers Office, Columbus, Ohio.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

John C. Dodgion
Professional Surveyor No. 8069

Date
04/26/2016

JCD:sg
0_087 ac 20160461-VS-ESMT-ELEC-01.doc

Ordinance 21-16
Location Map for Easemnt to AEP