



City of Powell, Ohio

ORDINANCE 2015-63

Adopted December 15, 2015

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO GRANT AN EASEMENT & RIGHT OF WAY TO AMERICAN ELECTRIC POWER ("AEP") OVER A PORTION OF LAND ADJACENT TO LIBERTY STREET SOUTH OF THE CSX RAILROAD, IN CONJUNCTION WITH AEP'S RELOCATION ASSOCIATED WITH MURPHY PARKWAY WITHIN THE CITY OF POWELL AND DECLARING AN EMERGENCY.

WHEREAS, AEP has requested an easement and right of way from the City of Powell over a portion of land adjacent to Liberty Street south of the CSX railroad and located within the City; and

WHEREAS, Council hereby finds and determines that the execution of the foregoing easement and right of way is in the best interest of the City of Powell; and

WHEREAS, Council also finds and determines that an emergency exists requiring immediate passage of this ordinance, such emergency consisting of AEP's need to commence construction as soon as possible for the construction of Murphy Parkway;

NOW THEREFORE BE IT ORDAINED BY THE CITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:

Section 1: That the City Manager is hereby authorized to grant a permanent easement and right of way to AEP, which easement and right of way will be in a form acceptable to the Law Director, as depicted on the diagrams attached hereto as Exhibit "A" and "B" and incorporated herein by reference.

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the City of Powell, Delaware County, Ohio.

Section 3: That this Ordinance is hereby declared to be an emergency measure, necessary for the preservation of the public health, safety and welfare, such emergency arising from AEP's necessity to commence construction as soon as possible; wherefore, this ordinance shall take effect and be in force from and after its passage.

VOTE ON RULES SUSPENSION: Y 7 N 0

VOTE ON ORDINANCE 2015-63: Y 7 N 0



Jim Hrivnak
Mayor

12-22-15
Date



Karen J. Mitchell
City Clerk

12-24-2015
Date

EFFECTIVE DATE: December 15, 2015

The legislation has been posted in accordance with the City Charter on this date 12-24-2015

City Clerk

Jon Bennehoof

Frank Bertone

Tom Counts

Mike Crites

Richard Cline

Brian Lorenz

