



## Legislation Details (With Text)

**File #:** 1334-2022      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 5/4/2022      **In control:** Public Service & Transportation Committee

**On agenda:** 6/6/2022      **Final action:** 6/9/2022

**Title:** To authorize the Director of the Department of Public Service to execute those documents necessary to release a portion of easements located on Elm Street, from the east line of High Street to the west line of the alley east of High Street. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD 1334-2022 Exhibit.pdf

Date	Ver.	Action By	Action	Result
6/9/2022	1	CITY CLERK	Attest	
6/8/2022	1	MAYOR	Signed	
6/6/2022	1	COUNCIL PRESIDENT	Signed	
6/6/2022	1	Columbus City Council	Approved	Pass
5/23/2022	1	Columbus City Council	Read for the First Time	

### 1. BACKGROUND

In 1992, pursuant to Ordinance 1494-92, the City of Columbus transferred a portion of right-of-way known as Elm Street, from the east line of High Street to the west line of the alley east of High Street and reserved utility easements for existing utilities. The Department of Public Service recently received a request from the current property owners, 100 North High Street LLC, asking that the City release the reserved easements over this area to clear title for this site. After receipt of this request the Department of Public Service, Division of Infrastructure Management verified with all the public and private utility companies that there are no public utilities or need for these easements, located within the requested area and that they have no objections to these portions of the easements being released. The following legislation authorizes the Director of the Department of Public Service to execute those documents necessary to release the portion of easements as described below and in the attached exhibit to allow the area to clear title for this site.

### 2. FISCAL IMPACT

The City will receive a total of \$500.00, to be deposited in Fund 7748, Project P537650, for granting the request to release the easement.

To authorize the Director of the Department of Public Service to execute those documents necessary to release a portion of easements located on Elm Street, from the east line of High Street to the west line of the alley east of High Street. (\$0.00)

**WHEREAS**, in 1992, pursuant to Ordinance 1494-92, the City of Columbus transferred a portion of right-of-way known as Elm Street, from the east line of High Street to the west line of the alley east of High Street and reserved utility easements for existing utilities; and

**WHEREAS**, the Department of Public Service recently received a request from the current property owners, 100 North High Street LLC, asking that the City release the reserved easements over this area to clear title for this site; and

**WHEREAS**, the Department of Public Service, Division of Infrastructure Management verified with all the public and private utility companies that there are no public utilities or need for these easements, located within the requested area and that they have no objections to these portions of the easements being released; and

**WHEREAS**, a value of \$500.00 to be deposited in Fund 7748, Project P537650, for granting the request to release the easement; and

**WHEREAS**, the Director of the Department of Public Service requires authorization to execute those documents necessary to release the portions of easements as described below and in the attached exhibit to allow the area to clear title for this site; **NOW THEREFORE**,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** The Director of the Department of Public Service is hereby authorized to execute the documents as necessary and approved by the Real Estate Department, City Attorney's Office, to release the portions of easement areas as described below and in the attached exhibit:

**Easement Area to be released:**

**0.143 ACRE EASEMENT RELEASE**

Situated in the State of Ohio, County of Franklin, City of Columbus, and being 0.143 acres of land, said 0.143 acres being that portion of Elm Street vacated in Ordinance Number 1494-92, as conveyed to 100 North High Street, LLC in Instrument Number 202011060176336 as Parcel II, being between Inlots 325 and 324 as dedicated in Plat Book "F", Page 332 (destroyed by fire) and re-recorded in Plat Book 3, Page 247 and Plat Book 14, Page 27, said 0.143 acre tract being more particularly described as follows;

**Beginning, for Reference**, at the southwesterly corner of a portion of said Parcel I hereon described as the "Third Tract", the northwesterly corner of a 0.378 acre tract conveyed to Haines Madison, LLC in Instrument Number 202107130122202, the westerly line of Inlot 326 as dedicated in said Plat and the easterly right-of-way line of High Street (R/W 100') as dedicated in said Plat;

Thence **N 08°09'37" W**, with the easterly right-of-way line of said High Street (R/W 100'), the westerly line of said Inlot 326, the westerly line of said Inlot 325, and the westerly line of said "Third Tract", **63.06 feet** to the southerwesterly corner of said Parcel II, the southwesterly corner of said vacated Elm Street, the northwesterly corner of said "Third Tract", and the northwesterly corner of said Inlot 325, and the **True Point of Beginning**;

Thence **N 08°09'37" W**, with the easterly right-of-way line of High Street (R/W 100'), the westerly line of said Parcel II, and the westerly line of said vacated Elm Street, **33.00 feet** to the southwesterly corner of said Inlot 324, the southwesterly corner of a portion of said Parcel I hereon described as the "First Tract", the northwesterly corner of said Parcel II, and the northwesterly corner of said vacated Elm Street;

Thence **N 81°53'44" E**, with the southerly lines of said Inlot 324 and said "First Tract" and the northerly lines of said Parcel II and said vacated Elm Street, **188.19 feet** to the southeasterly corner of said Inlot 324, the southeasterly corner of said "First Tract", the northeasterly corner of said Parcel II, the northeasterly corner of said vacated Elm Street, and the westerly right-of-way line of Pearl Street (R/W 35') originally dedicated in said Plat;

Thence **S 08°09'37" E**, with the westerly right-of-way line of Pearl Street (R/W 35'), the easterly lines of said Parcel II and said vacated Elm Street, **33.00 feet** to the southeasterly corner of said Parcel II, the southeasterly corner of said vacated Elm Street, and the northeasterly corner of said "Third Tract";

Thence **S 81°53'44" W**, with the southerly lines of said Parcel II and said vacated Elm Street and the northerly line of said Inlot 325 and said "Third Tract" of Parcel I, **188.19 feet** to the **True Point of Beginning**, containing 0.143 acres

more or less;

The easement vacation listed above is intended to vacate all existing easements within the described 0.143 acre area described herein as the right-of-way was vacated under City Ordinance Number 1494-92.

The horizontal bearings shown herein are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (NSRS 2011 adjustment) with the easterly right-of-way line of N. High Street to be N08°09'37"W.

This description is based on existing records of the Franklin County Auditor's and Recorder's Offices, and an actual field survey made by Advanced Civil Design, Inc. in March 2020. A drawing of the above description has been prepared and made a part hereof.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio, unless otherwise noted.

**ADVANCED CIVIL DESIGN, INC.**

**SECTION 2.** That the City will receive a total of \$500.00 to be deposited in Fund 7748, Project P537650, granting the request to release the easement.

**SECTION 3.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.