



## Legislation Text

---

**File #:** 0026-2015, **Version:** 1

---

### **BACKGROUND:**

The City possesses title to a sewer utility easement described and recorded in Official Record Volume 28141, Page C20, Recorder's Office, Franklin County, Ohio ("Easement"). The existing servient tenement of the Easement, Aston Place Apartments, LLC, a Delaware limited liability company ("Developer"), requested the City to release all of the City's rights from the Easement, because the Easement may unnecessarily burden the Developer's real property. The Department of Public Utilities, Division of Sewerage and Drainage, reviewed the Developer's request and determined releasing all of the City's rights to the Easement does not adversely affect the City and should be granted at no cost, because the City no longer requires sewer utility easement rights to the Easement, as the City **(i)** removed, abandoned, and relocated all of the infrastructure associated with the Easement; and **(ii)** secured a replacement easement described and recorded in Instrument Number 201412110164789, Recorder's Office, Franklin County Ohio. Accordingly, this ordinance authorizes the City's director of the Department of Public Utilities to execute those documents, as approved by the City Attorney, necessary to release all of the City's rights from the Easement.

**FISCAL IMPACT:** Not applicable.

**EMERGENCY JUSTIFICATION:** Not applicable.

To authorize the director of the Department of Public Utilities to execute those documents, as approved by the City Attorney, necessary to release all of the City's sewer utility easement rights described and recorded in Official Record Volume 28141, Page C20, Recorder's Office, Franklin County, Ohio. (\$0.00)

**WHEREAS**, it is in the City's best interest to release all of the City's sewer utility easement rights described and recorded in Official Record Volume 28141, Page C20, Recorder's Office, Franklin County, Ohio (*i.e.* Easement), because the City removed, abandoned, and relocated all of the City's infrastructure associated with the Easement; and secured a replacement easement described and recorded in Instrument Number 201412110164789, Recorder's Office, Franklin County Ohio; and, **now, therefore:**

### **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:**

**SECTION 1.** The director of the Department of Public Utilities is authorized to execute those documents, as approved by the Columbus City Attorney, to forever release all of the City's sewer utility easement rights described and recorded in Official Record Volume 28141, Page C20, Recorder's Office, Franklin County, Ohio, which is also found in the attachment, **Exhibit-A**, and fully incorporated for reference into this ordinance.

**SECTION 2.** This ordinance is required to take effect and be in force from and after the earliest period allowed by law.