



## Legislation Text

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**File #:** 2821-2021, **Version:** 1

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**BACKGROUND:** The City possesses title to a sanitary sewer easement described and recorded in Instrument Number 200708130142484, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located in the vicinity of 79 Blossom Field Boulevard {Franklin County Tax Parcel 520-269048} ("Servient Estate") currently owned by Columbus East Senior Living, LLC, an Ohio limited liability company. The City's Department of Public Utilities ("DPU") has reviewed the request by the property owner to vacate a portion of the existing easement and determined that a portion of the easement was relocated under CC-17565, now Record Plan 19800, and the portion of the easement is no longer needed as a new easement was recorded in Instrument Number 201710130143282. DPU has determined that terminating a portion of the City's rights to the Easement does not adversely affect the City and should be granted at no monetary cost.

**FISCAL IMPACT:** Not applicable.

**EMERGENCY JUSTIFICATION:** Not applicable.

To authorize the director of the Department of Public Utilities to execute those document(s) necessary to release and terminate a portion of the City's easement rights described and recorded in Instrument Number 200708130142484, Recorder's Office, Franklin County, Ohio. (\$0.00)

**WHEREAS,** the City intends to release and terminate portions of its sewer easement rights described and recorded in Instrument Number 200708130142484, Recorder's Office, Franklin County, Ohio ("Easement"), because DPU has reviewed a request from the owner and determined that the described 0.191 acre portion of the sanitary sewer easement is no longer needed as the sewer easement was relocated under Instrument Number 201710130143282; and

**WHEREAS,** the City intends for the City Attorney to approve all document(s) associated with this ordinance; and

**WHEREAS,** it has become necessary in the usual daily operation of the Department of Public Utilities to execute those document(s) necessary to release and terminate a portion of the City's easement rights; **now, therefore,**

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

**SECTION 1.** That the Director of the Department of Public Utilities ("DPU") is authorized to execute any document(s) necessary to release and terminate only the described 0.191 acre, more or less, tract of easement area described and recorded in Instrument Number 200708130142484, Recorder's Office, Franklin County, Ohio ("Easement"), which is further described and depicted in the two (2) page attachment, Exhibit-A, and fully incorporated for reference as if rewritten.

**SECTION 2.** That the City Attorney is required to approve all document(s) associated with this ordinance prior to the director of DPU executing and acknowledging any of those document(s).

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