



Legislation Text

File #: 2873-2022, **Version:** 1

BACKGROUND: The City possesses title to a perpetual sanitary easement described and recorded in Instrument Number 199409120209622, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located in the vicinity of Souder Avenue and Mount Carmel Mall Columbus, Ohio 43215 {Franklin County Tax Parcel 010-305927} ("Servient Estate") currently owned by Franklinton Apartments I QOZB, LLC, an Ohio limited liability company. The City's Department of Public Utilities ("DPU") has reviewed a request by the owners of the Servient Estate to vacate a existing Easement and determined that the portion of the Easement is no longer needed as a new easement has been recorded in Instrument Number 202209220134914. DPU has determined that terminating the City's rights to the portion of 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 a portion the City's utility easement rights. (\$0.00)

WHEREAS, the Department of Public Utilities ("DPU") received a request from Franklinton Apartments I QOZB, LLC, an Ohio limited liability company, to vacate a portion of a sanitary easement recorded in Instrument Number 199409120209622, Recorder's Office, Franklin County, Ohio ("Easement"); and

WHEREAS, DPU reviewed the request and determined that the 0.009 acre portion of the Easement is no longer needed as a new easement was recorded in Instrument Number 202209220134914 and the 0.009 acre portion of the Easement should be released at no monetary cost; and

WHEREAS, the City intends for the City Attorney to approve all document(s) associated with this ordinance; and **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 a 0.009 acre portion of the sanitary easement recorded in Instrument Number 199409120209622, Recorder's Office, Franklin County, Ohio, 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.