



## Legislation Details (With Text)

**File #:** 1489-2021      **Version:** 1

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

**File created:** 6/3/2021      **In control:** Public Utilities Committee

**On agenda:** 7/19/2021      **Final action:** 7/22/2021

**Title:** To authorize the Director of the Department of Public Utilities to execute those document(s) necessary to release and terminate the City’s easement rights described and recorded in Instrument Numbers Instrument Numbers 197206300016750, 197206300016751, 198311150141825, 198311150141826, and storm sewer easement rights described and recorded in Instrument Numbers 198402160055091, 198402160055095, Recorder’s Office, Franklin County, Ohio. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A -Partial Easement Release legal description - Luxe 88 LLC

Date	Ver.	Action By	Action	Result
7/22/2021	1	CITY CLERK	Attest	
7/20/2021	1	MAYOR	Signed	
7/19/2021	1	COUNCIL PRESIDENT	Signed	
7/19/2021	1	Columbus City Council	Approved	Pass
7/12/2021	1	Columbus City Council	Read for the First Time	

**BACKGROUND:** The City possesses title to a sanitary sewer easements described and recorded in Instrument Numbers 197206300016750, 197206300016751, 198311150141825, 198311150141826, and storm sewer easements in Instrument Numbers 198402160055091 and 198402160055095, Recorder’s Office, Franklin County, Ohio (“Easements”). The Easements burden real property located near the intersection of Henderson Road and Kenny Road {Franklin County Tax Parcel 010-129871} (“Servient Estate”) currently owned by Luxe 88 LLC, an Ohio limited liability company. The City’s Department of Public Utilities (“DPU”) has reviewed the request by the property owner to vacate the existing easements and determined that the sanitary sewer was relocated under Sanitary CC 18444 and the storm sewer was relocated under Storm CC 18475. DPU has determined that terminating the City’s rights to the Easements 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 the City’s easement rights described and recorded in Instrument Numbers Instrument Numbers 197206300016750, 197206300016751, 198311150141825, 198311150141826, and storm sewer easement rights described and recorded in Instrument Numbers 198402160055091, 198402160055095, Recorder’s Office, Franklin County, Ohio. (\$0.00)

**WHEREAS**, the City intends to release and terminate only a 0.029 acre portion of its sanitary easement rights described and recorded in Instrument Number 197206300016750 and a 0.123 acre portion of its sanitary easement rights described and recorded in Instrument Number 197206300016751 along with all of its sanitary easement rights described and recorded in Instrument Numbers 198311150141825, 198311150141826, Recorder's Office, Franklin County, Ohio ("Easements"). The Department of Public Utilities ("DPU") has reviewed the request and determined that the existing sanitary sewer easements are no longer needed as the sewer has been relocated under Sanitary CC 18444 and a new easement was recorded in Instrument Number 201907230090821, Recorder's Office, Franklin County, Ohio.

**WHEREAS**, the City intends to release and terminate all of its storm easement rights described and recorded in Instrument Numbers 198402160055091, 198402160055095, Recorder's Office, Franklin County, Ohio ("Easements"). DPU has reviewed the request and determined that the existing storm sewer easements are no longer needed as the storm sewer has been relocated under Storm CC 18475 and a new easement was recorded in Instrument Number 201908020096594, Recorder's Office, Franklin County, Ohio.

**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 only a 0.029 acre portion of its sanitary easement rights described and recorded in Instrument Number 197206300016750 and a 0.123 acre portion of its sanitary easement rights described and recorded in Instrument Number 197206300016751 which are further described and depicted in the three (3) page attachment, Exhibit-A, and fully incorporated for reference as if rewritten, along with all of its sanitary easement rights described and recorded in Instrument Numbers 198311150141825, 198311150141826, Recorder's Office, Franklin County, Ohio

**SECTION 2.** That the Director of DPU is authorized to execute any document(s) necessary to release and terminate all of its storm easement rights described and recorded in Instrument Numbers 198402160055091, 198402160055095, Recorder's Office, Franklin County, Ohio

**SECTION 3.** 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 4.** That this ordinance shall take effect and be in full force and effect from and after the earliest period allowed by law.