



Legislation Details (With Text)

File #: 0426-2009 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 3/12/2009 **In control:** Public Service & Transportation Committee

On agenda: 4/13/2009 **Final action:** 4/15/2009

Title: To authorize the Director of the Department of Public Service to execute those documents required to release specific one (1) foot wide portions of a fifteen (15) foot wide platted easement across Lots 179 through 210 of the subdivision titled "Lakes of Worthington, Section 4", of record in Plat Book 108, Pages 89-90 of the Franklin County, Ohio, Recorder's Office.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Lakes of Worthington exhibit.pdf

Date	Ver.	Action By	Action	Result
4/15/2009	04 71	CITY CLERK	Attest	
4/14/2009	04 71	MAYOR	Signed	
4/13/2009	1	Columbus City Council	Approved	Pass
4/13/2009	04 71	COUNCIL PRESIDENT	Signed	
4/6/2009	1	Columbus City Council	Read for the First Time	
3/27/2009	1	Service Drafter	Sent for Approval	
3/27/2009	1	CITY ATTORNEY	Reviewed and Approved	
3/27/2009	1	Service Drafter	Sent to Clerk's Office for Council	
3/26/2009	1	SERVICE DIRECTOR	Reviewed and Approved	
3/20/2009	1	Service Drafter	Sent for Approval	
3/19/2009	1	Service Reviewer	Reviewed and Approved	
3/12/2009	1	Service Drafter	Sent for Approval	

1. Background

The Department of Public Service, Division of Design and Construction, has received a request from Evans, Mechwart, Hambleton and Tilton, Inc., (hereafter, E.M.H & T.) to release specific one (1) foot wide portions of a fifteen (15) foot wide platted easement adjacent to Lots 178 through 210 of the subdivision titled "Lakes of Worthington, Section 4" of record in Plat Book 108, Pages 89-90, of the Franklin County Ohio Recorder's Office. They are requesting the release of these portions of the easement, more fully described in Section 1 of this document, to allow single family dwellings to be constructed one (1) foot closer to the platted and approved building set back line. After receipt of this request the Division of Design and Construction has verified that there are no utilities located within these specific portions of the platted easement and that the release of these portions of the platted easement will not adversely affect any utilities now or in the future. A value of \$500.00 was established for the release of these portions of the platted easement. The following legislation authorizes the Director of the Department of Public Service to execute those documents necessary to release the requested portions of this platted easement.

2. Fiscal Impact

The City will receive a total of \$500.00, to be deposited in Fund 748, Project 537650, as consideration for the release of the requested portions of this platted easement.

To authorize the Director of the Department of Public Service to execute those documents required to release specific one (1) foot wide portions of a fifteen (15) foot wide platted easement across Lots 179 through 210 of the subdivision titled "Lakes of Worthington, Section 4", of record in Plat Book 108, Pages 89-90 of the Franklin County, Ohio, Recorder's Office.

WHEREAS, the City of Columbus, Department of Public Service, Division of Design and Construction, recently received a request from E.M.H & T. that the City release specific one (1) foot wide portions of a fifteen (15) foot wide platted easement in Lots 179 through 183 of the subdivision titled "Lakes of Worthington, Section 4" of record in Plat Book 108, Pages 89-90 of the Franklin County, Ohio, Recorder's Office; and

WHEREAS, the developer's desire to construct single family dwellings one (1) foot closer to the platted and approved building set back line across Lots 179 through 183 requires the release of the specific one (1) foot wide portions of the platted easement; and

WHEREAS, after receipt of this request The Division of Design and Construction verified that there are no utilities located with these one (1) foot wide portions of the platted easement and that the release of specific portions of the platted easement will not adversely affect any utilities in the future; and

WHEREAS, a value of \$500.00 has been established for the release of specific portions of the platted easement; now, therefore

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

Section 1. That the Director of the Department of Public Service be and is hereby authorized to execute those documents to release the following described one (1) foot wide portions of the fifteen (15) foot wide platted easement across Lots 179 through 183 of the subdivision titled "Lakes of Worthington, Section 4" of record in Plat Book 108, Pages 89-90 of the Franklin County Ohio, Recorder's Office; to-wit

Lots 179-180

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 1, Township 2, Range 19, United States Military lands, being on, over and across Lot 179 of that subdivision entitled "Lakes of Worthington, Section 4" of record in Plat Book 108, Pages 89 and 90 as conveyed to M/I Homes of Central Ohio, LLC by deed of record in Instrument Number 200403170057866 (all references to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, at the southwesterly corner of said Lot 179, at the southeasterly corner of Lot 178 of said "The Lakes of Worthington Section 4" as conveyed to M/I Homes of Central Ohio, LLC by deed of record in Instrument Number 200403170057866, being on the northerly right-of-way line of Overlook Pass Street in Plat Book 108, Pages 89 and 90;

thence North 05° 11' 45" West, with the line common to said Lots 178 and 179, a distance of 24.00 feet to the TRUE POINT OF BEGINNING;

thence North 05° 11' 45" West, continuing with the common line to said Lots 178 and 179, a distance of 1.00 foot to a point;

thence across said Lot 179, the following courses and distances;

North 84° 48' 15" East, with a northerly line of that existing easement of record in Plat Book 108, Pages 89

and 90, a distance of 5.00 feet to a point;

South 5° 11' 45" East, with an easterly line of said existing easement, a distance of 1.00 foot to a point;

South 84° 48' 15" West, a distance of 5.00 feet to the TRUE POINT OF BEGINNING and containing five (5) square feet of land, more or less; and

Lots 180-181

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 1, Township 2, Range 19, United States Military lands, being on, over and across Lot 180 and 181 of that subdivision entitled "Lakes of Worthington, Section 4" of record in Plat Book 108, Pages 89 and 90 as conveyed to M/I Homes of Central Ohio, LLC by deed of record in Instrument Number 200403170057866 (all references to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, at the southwesterly corner of said Lot 181, at the southeasterly corner of Lot 180 of said "The Lakes of Worthington Section 4" as conveyed to M/I Homes of Central Ohio, LLC by deed of record in Instrument Number 200403170057866, being on the northerly right-of-way line of Overlook Pass Street in Plat Book 108, Pages 89 and 90;

thence North 05° 11' 45" West, with the line common to said Lots 180 and 181, a distance of 24.00 feet to the TRUE POINT OF BEGINNING;

thence across said Lot 180 and 181, the following courses and distances;

South 84° 48' 15" West, a distance of 2.50 feet to a point;

North 5° 11' 45" West, with a westerly line of that existing easement of record in Plat Book 108, Pages 89 and 90, a distance of 1.00 foot to a point;

North 84° 48' 15" East, with a northerly line of said existing easement, a distance of 5.00 feet to a point;

South 05° 11' 45", with an easterly line of said existing easement, a distance of 1.00 foot to a point;

South 84° 48' 15" West, a distance of 2.50 feet to the TRUE POINT OF BEGINNING and containing five (5) square feet of land, more or less; and

Lots 182-183

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 1, Township 2, Range 19, United States Military lands, being on, over and across Lots 182 and 183 of that subdivision entitled "Lakes of Worthington, Section 4" of record in Plat Book 108, Pages 89 and 90 as conveyed to M/I Homes of Central Ohio, LLC by deed of record in Instrument Number 200403170057866 (all references to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, at the southwesterly corner of said Lot 183, at the southeasterly corner of Lot 182 of said "The Lakes of Worthington Section 4" as conveyed to M/I Homes of Central Ohio, LLC by deed of record in Instrument Number 200403170057866, being on the northerly right-of-way line of Overlook Pass Street in Plat Book 108, Pages 89 and 90;

thence North 05° 11' 45" West, with the line common to said Lots 182 and 183, a distance of 24.00 feet to the TRUE POINT OF BEGINNING;

thence across said Lot 182 and 183, the following courses and distances;

South 84° 48' 15" West, a distance of 2.50 feet to a point;

North 5° 11' 45" West, with a westerly line of that existing easement of record in Plat Book 108, Pages 89 and 90, a distance of 1.00 foot to a point;

North 84° 48' 15" East, with a northerly line of said existing easement, a distance of 5.00 feet to a point;

South 05° 11' 45", with an easterly line of said existing easement, a distance of 1.00 foot to a point;

South 84° 48' 15" West, a distance of 2.50 feet to the TRUE POINT OF BEGINNING and containing five (5) square feet of land, more or less.

Evans, Mechwart, Hambleton, & Tilton Inc.
Edward J. Miller, Registered Surveyor No. 8250

Section 2. That the \$500.00 to be received by the City as consideration for the above referenced releases shall be deposited in Fund 748, Project 537650.

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