



Legislation Details (With Text)

File #: 1720-2015 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 6/19/2015 **In control:** Public Utilities Committee
On agenda: 7/20/2015 **Final action:**

Title: To authorize the director of the Department of Public Utilities to execute those document(s), as approved by the City Attorney, necessary to release all of the City's sewer utility easement rights and temporary construction easement rights described in easements recorded in Instrument Numbers 200905180070969 and 200905180070970, Recorder's Office, Franklin County, Ohio. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
7/23/2015	1	MAYOR	Signed	
7/23/2015	1	CITY CLERK	Attest	
7/20/2015	1	COUNCIL PRESIDENT	Signed	
7/20/2015	1	Columbus City Council	Approved	Pass
7/13/2015	1	Columbus City Council	Read for the First Time	

BACKGROUND:

The City possesses title to sewer utility easement rights and temporary construction easement rights described in easements recorded in Instrument Numbers 200905180070969 and 200905180070970, Recorder's Office, Franklin County, Ohio (collectively, "Easements"). The Easements are presently burdening real property located at 3499 Skyline Drive, Columbus, Ohio 43235 {Franklin County Tax Parcel 590-217437} ("Servient Estate"). The property owner requested the City to release its rights to the Easements, because the Easements unnecessarily burden the Servient Estate. The Department of Public Utilities, Division of Sewerage and Drainage, reviewed the request and determined releasing the City's rights to the Easements do not adversely affect the City and should be granted at no cost, because the Easements were donated to the City, and the City will not use the Easements to construct the Skyline Drive Stormwater System Improvement Project CIP 610985, which was the basis for acquiring the Easements. Accordingly, this ordinance authorizes the director of the Department of Public Utilities to execute any document(s), as approved by the City Attorney, necessary to release the City's rights to the Easements.

FISCAL IMPACT: Not applicable.

EMERGENCY JUSTIFICATION: Not applicable.

To authorize the director of the Department of Public Utilities to execute those document(s), as approved by the City Attorney, necessary to release all of the City's sewer utility easement rights and temporary construction easement rights described in easements recorded in Instrument Numbers 200905180070969 and 200905180070970, Recorder's Office, Franklin County, Ohio. (\$0.00)

WHEREAS, the City intends to release its sewer utility easement rights and temporary construction easements rights described in easements recorded in Instrument Numbers 200905180070969 and 200905180070970, Recorder's Office, Franklin County, Ohio (*i.e.* Easements), because the Easements were donated to the City, and the City will not use the Easements to construct the Skyline Drive Stormwater System Improvement Project CIP 610985; 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 any document(s) necessary to forever release all of the City's sewer utility easement rights and temporary construction easement rights described in easements recorded in Instrument Numbers 200905180070969 and 200905180070970, Recorder's Office, Franklin County, Ohio (*i.e.* Easements).

SECTION 2. The City Attorney is required to approve all document(s) associated with this ordinance prior to the director of the Department of Public Utilities executing and acknowledging any of those document(s).

SECTION 3. This ordinance is required to take effect and be in force from and after the earliest period allowed by law.