



Legislation Details (With Text)

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File created: 2/13/2024 **In control:** Public Utilities & Sustainability Committee

On agenda: 3/18/2024 **Final action:** 3/21/2024

Title: To authorize the Director of the Department of Public Utilities to execute those document(s) necessary to release the City's easement rights described and recorded in Instrument Number 198701280062191, Recorder's Office, Franklin County, Ohio. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
3/21/2024	1	CITY CLERK	Attest	
3/20/2024	1	MAYOR	Signed	
3/18/2024	1	COUNCIL PRESIDENT	Signed	
3/18/2024	1	Columbus City Council	Approved	Pass
3/4/2024	1	Columbus City Council	Read for the First Time	

BACKGROUND: The City possesses title to a sanitary sewer easement described and recorded in Instrument Number 198701280062191, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located in the vicinity of 7450 Huntington Park Drive, Columbus, Ohio {Franklin County Tax Parcel 610-205680} ("Servient Estate") currently owned by Kempton Apartments LLC, an Ohio limited liability company. The City's Department of Public Utilities ("DPU") has reviewed a request by the owner of the Servient Estate to vacate the existing easement and determined that the Easement is no longer needed as the sewer was never constructed. DPU has determined that terminating 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 the City's easement rights described and recorded in Instrument Number 198701280062191, Recorder's Office, Franklin County, Ohio. (\$0.00)

WHEREAS, the Department of Public Utilities ("DPU") received a request from Kempton Apartments LLC, to vacate a sanitary sewer easement recorded in Instrument Number 198701280062191, Recorder's Office, Franklin County, Ohio ("Easement"); and

WHEREAS, DPU reviewed the request and determined that the Easement is no longer needed and that 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; **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”) be, and hereby is, authorized to execute any document(s) necessary to release and terminate the easement recorded in Instrument Number 198701280062191, Recorder’s Office, Franklin County, Ohio.

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.