



## Legislation Details (With Text)

**File #:** 2185-2022      **Version:** 1

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

**File created:** 7/18/2022      **In control:** Public Utilities Committee

**On agenda:** 9/19/2022      **Final action:** 9/21/2022

**Title:** To authorize the Director of the Department of Public Utilities to execute those document(s) necessary to release the City's sewer easement rights described and recorded in Deed Book 3118, Page 603 and Deed Book 3118, Page 619 as amended in Deed Book 3200, Page 286, Recorder's Office, Franklin County, Ohio. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

| Date      | Ver. | Action By             | Action                  | Result |
|-----------|------|-----------------------|-------------------------|--------|
| 9/21/2022 | 1    | CITY CLERK            | Attest                  |        |
| 9/20/2022 | 1    | MAYOR                 | Signed                  |        |
| 9/19/2022 | 1    | COUNCIL PRESIDENT     | Signed                  |        |
| 9/19/2022 | 1    | Columbus City Council | Approved                | Pass   |
| 9/12/2022 | 1    | Columbus City Council | Read for the First Time |        |

**BACKGROUND:** The City possesses title to utility easements described and recorded in Deed Book 3118, Page 603 and Deed Book 3118, Page 619 as amended in Deed Book 3200, Page 286, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located in the vicinity of 3100 Olentangy River Road {Franklin County Tax Parcel 010-117351} ("Servient Estate") currently owned by UPH Holdings, 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 a new easement was recorded in Instrument Number 201512290181395. 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 sewer easement rights described and recorded in Deed Book 3118, Page 603 and Deed Book 3118, Page 619 as amended in Deed Book 3200, Page 286, Recorder's Office, Franklin County, Ohio. (\$0.00)

**WHEREAS,** the Department of Public Utilities ("DPU") received a request from UPH Holdings, LLC, to vacate utility easements recorded in Deed Book 3118, Page 603 and Deed Book 3118, Page 619 as amended in Deed Book 3200, Page 286, Recorder's Office, Franklin County, Ohio ("Easement"); and

**WHEREAS**, DPU reviewed the request and determined that the Easement is no longer needed as a new easement was recorded in Instrument Number 201512290181395 and 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”) is authorized to execute any document(s) necessary to release and terminate the utility easements recorded in Deed Book 3118, Page 603 and Deed Book 3118, Page 619 as amended in Deed Book 3200, Page 286, 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.