



Legislation Details (With Text)

File #: 0797-2023 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 3/7/2023 **In control:** Public Utilities Committee
On agenda: 4/17/2023 **Final action:** 4/20/2023
Title: To authorize the director of the Department of Public Utilities to execute those document(s) necessary to release and terminate a portion of the City's utility easement rights described and recorded in Instrument Number 202210170145472, Recorder's Office, Franklin County, Ohio. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit -A SCP Vacation 0.003 Acre Easement, 2. Exhibit A Description - SCP Vacation 0.003 Ac

Date	Ver.	Action By	Action	Result
4/20/2023	1	CITY CLERK	Attest	
4/19/2023	1	MAYOR	Signed	
4/17/2023	1	COUNCIL PRESIDENT PRO-TEM	Signed	
4/17/2023	1	COUNCIL PRESIDENT PRO-TEM	Signed	
4/17/2023	1	Columbus City Council	Approved	Pass
4/3/2023	1	Columbus City Council	Read for the First Time	

BACKGROUND: The City possesses title to a stormwater easement described and recorded in Instrument Number 202210170145472, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located in the vicinity of Buttles Avenue Columbus, Ohio 43215 {Franklin County Tax Parcel 010-315723} ("Servient Estate") currently owned by TV Residential, LLC, an Ohio limited liability company. The City's Department of Public Utilities ("DPU") has reviewed a request by the owners of the Servient Estate to vacate a 0.003 acre portion of the existing Easement and determined that the portion of the Easement is no longer needed. DPU has determined that terminating the City's rights to a portion of 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 and terminate a portion of the City's utility easement rights described and recorded in Instrument Number 202210170145472, Recorder's Office, Franklin County, Ohio. (\$0.00)

WHEREAS, the Department of Public Utilities ("DPU") received a request from TV Residential, LLC, to vacate a portion of the stormwater easement recorded in Instrument Number 202210170145472, Recorder's Office, Franklin County, Ohio ("Easement"); and

WHEREAS, DPU reviewed the request and determined that the portion of the Easement is no longer needed and that the

requested portion of the Easement should be released at no monetary cost; and

WHEREAS, the City intends to release and terminate a portion of its stormwater easement rights described and recorded in Instrument Number 202210170145472, Recorder's Office, Franklin County, Ohio ("Easement"); and

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 0.003 acre, more or less, portion of the stormwater easement recorded in Instrument Number 202210170145472, Recorder's Office, Franklin County, Ohio, which is further described and depicted in the two (2) page attachment, Exhibit-A, and fully incorporated for reference as if rewritten.

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.