



## Legislation Details (With Text)

**File #:** 2872-2022      **Version:** 1

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

**File created:** 10/18/2022      **In control:** Public Utilities Committee

**On agenda:** 11/14/2022      **Final action:** 11/16/2022

**Title:** To authorize the director of the Department of Public Utilities to execute those document(s) necessary to release the City's utility easement rights. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
11/16/2022	1	CITY CLERK	Attest	
11/15/2022	1	ACTING MAYOR	Signed	
11/14/2022	1	COUNCIL PRESIDENT	Signed	
11/14/2022	1	Columbus City Council	Approved	Pass
11/7/2022	1	Columbus City Council	Read for the First Time	

**BACKGROUND:** The City possesses title to a perpetual water and sanitary easement described and recorded in Instrument Number 200701190011563, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located in the vicinity of Souder Avenue and Mount Carmel Mall Columbus, Ohio 43215 {Franklin County Tax Parcel 010-305927} ("Servient Estate") currently owned by Franklinton Apartments I QOZB, 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 the existing Easement and determined that the Easement is no longer needed as a new easement has been recorded in Instrument Number 202209220134914. 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 utility easement rights. (\$0.00)

**WHEREAS,** the Department of Public Utilities ("DPU") received a request from Franklinton Apartments I QOZB, LLC, an Ohio limited liability company, to vacate a utility easement recorded in Instrument Number 200701190011563, 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 202209220134914 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; 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 the utility easement recorded in Instrument Number 200701190011563, 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.