



Legislation Details (With Text)

File #: 0654-2008 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 4/4/2008 **In control:** Judiciary And Court Administration Committee
On agenda: 5/19/2008 **Final action:** 5/21/2008

Title: To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release certain portions of an existing sewer storm sewer line easement, located in the vicinity of North High Street and Olentangy Street, at the request of Charlotte P. Kessler and The Park National Bank Co-Trustees, in exchange for a replacement easement previously granted to the City of Columbus, Ohio.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
5/21/2008	1	ACTING CITY CLERK	Attest	
5/20/2008	1	MAYOR	Signed	
5/19/2008	1	Columbus City Council	Approved	
5/19/2008	1	COUNCIL PRESIDENT	Signed	
5/12/2008	1	Columbus City Council	Read for the First Time	
5/2/2008	1	Atty Drafter	Sent to Clerk's Office for Council	
5/1/2008	1	Atty Reviewer	Reviewed and Approved	
5/1/2008	1	Atty Drafter	Sent for Approval	
5/1/2008	1	CITY ATTORNEY	Reviewed and Approved	
4/4/2008	1	Atty Drafter	Sent for Approval	

Background: The City of Columbus, Ohio is the holder of a certain storm sewer easement by virtue of a recorded storm sewer line easement located in the vicinity of North High Street and Olentangy Street. Charlotte P. Kessler and The Park National Bank, Co-Trustees, have requested the City release certain portions of its sewer easement, no longer necessary to the property, in exchange for a previously granted replacement easement. After investigation, it has been determined that the proposed exchange of easements will not adversely affect the City and therefore should be granted at no charge. The following legislation authorizes the Director of the Department of Public Utilities to execute those instruments necessary to release portions of the aforementioned sewer easement.

Fiscal Impact: N/A

Emergency Justification: N/A

To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release certain portions of an existing sewer storm sewer line easement, located in the vicinity of North High Street and Olentangy

Street, at the request of **Charlotte P. Kessler and The Park National Bank Co-Trustees**, in exchange for a replacement easement previously granted to the City of Columbus, Ohio.

WHEREAS, the City of Columbus, Department of Public Utilities, is the owner of a certain sewer easement by virtue of recorded instrument Vol. 08001, Page F17 in the Franklin County Recorders Office; and

WHEREAS, **Charlotte P. Kessler and The Park National Bank Co-Trustees**, has requested that portion of the aforementioned sewer easement be released in exchange for a replacement easement previously granted to the City of Columbus; and

WHEREAS, the Division of Sewerage & Drainage, after investigation, has determined that the release of said easement rights will not adversely affect the operations of the City of Columbus; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Public Utilities be, and hereby is authorized to execute those documents, as approved by the Department of Law, Real Estate Division, necessary to release a certain sewer easement in and to the following described real property, acquire by virtue of a storm sewer line easement recorded in Official Records, Vol. 08001, Page F17 in the Recorder's Office, Franklin County, Ohio, to wit:

**STORM SEWER EASEMENT VACATION
0.018 ACRE**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 1, Range 18, United States Military Lands, being a 10 foot strip of land on, over, and across the 4.79 acre tract conveyed to Charlotte P. Kessler and The Park National Bank, Co-Trustee by deed of record in Instrument Number 199705280009077, (all references are to the records of the Recorder's Office, Franklin County, Ohio) being more particularly described as follows:

Beginning for reference in the westerly right-of-way line of High Street, at the northeasterly corner of said 4.79 acre tract and in the southerly line of the 22.623 acre tract conveyed to Olentangy Village Associates II, Ltd. by deed of record in Instrument Number 200603030041224;

Thence South 11° 07' 21" East, a distance of 67.03 feet, with the easterly line of said 4.79 acre tract, and said westerly right-of-way line, to a point in the northerly line of the existing 10 foot wide Storm Sewer Easement conveyed to the City of Columbus, Ohio by deed of record in Official Record 8001 F17;

Thence across said 4.79 acre tract, the following courses and distances:

South 72° 22' 29" West, a distance of 24.09 feet, with the northerly line of said existing 10 foot wide Storm Sewer Easement, to the TRUE POINT OF BEGINNING;

South 11° 07' 21" East, a distance of 10.06 feet, to a point in the southerly line of said existing 10 foot wide Storm Sewer Easement;

South 72° 22' 29" West, a distance of 44.63 feet, with the southerly line of said existing 10 foot wide Storm Sewer Easement, to a point;

North 88° 16' 11" West, a distance of 34.82 feet, with the southerly line of said existing 10 foot wide Storm Sewer Easement, to a point;

North 11° 07' 21" West, a distance of 10.26 feet, to a point in the northerly line of said existing 10 foot wide Storm Sewer Easement;

South 88° 16' 11" East, a distance of 35.39 feet, with the northerly line of said existing 10 foot wide Storm Sewer Easement, to a point;

North 72° 22' 29" East, a distance of 44.07 feet, with the northerly line of said existing 10 foot wide Storm Sewer Easement, to the TRUE POINT OF BEGINNING and containing 0.018 acre, more or less.

EVANS, MECHWART, HAMBLETON, & TILTON, INC.

James M. Pearsall

Date

Professional Surveyor No. 7840,

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.