



## Legislation Details (With Text)

**File #:** 1657-2005      **Version:** 2

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

**File created:** 9/29/2005      **In control:** Public Service & Transportation Committee

**On agenda:** 10/17/2005      **Final action:** 10/20/2005

**Title:** To authorize the Director of the Public Service Department to execute those documents required to release 5 feet of the 25 foot wide platted easement in Lots 37 and 38 of the subdivision titled "Lakes of Worthington, Section 2", as shown on the plat of record in Plat Book 106, Page 48 of the Franklin County, Ohio, Recorder's Office and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord 1657-2005 release of easement @ lakes of worthington .pdf

Date	Ver.	Action By	Action	Result
10/20/2005	2	ACTING CITY CLERK	Attest	
10/19/2005	2	MAYOR	Signed	
10/17/2005	1	Columbus City Council	Read for the First Time	
10/17/2005	2	Columbus City Council	Amended to Emergency	Pass
10/17/2005	2	Columbus City Council	Approved as Amended	Pass
10/17/2005	2	COUNCIL PRESIDENT	Signed	
10/4/2005	1	Service Reviewer	Reviewed and Approved	
10/4/2005	1	SERVICE DIRECTOR	Reviewed and Approved	
10/4/2005	1	SERVICE DIRECTOR	Sent to Clerk's Office for Council	
9/29/2005	1	Service Drafter	Sent for Approval	

The Public Service Department, Transportation Division, recently received a request asking that the City release five feet of the 25 foot wide easement in Lots 37 and 38 of the subdivision titled "Lakes of Worthington, Section 2" as shown on the plat of record in Plat Book 106, Page 48, of the Franklin County, Ohio Recorder's Office. Grading issues require the release of the requested 5 feet of this platted easement and a building setback variance to develop these two lots. After receipt of this request the Transportation Division verified with all the public and private utility companies that there are no utilities located within this five-foot portion of the platted easement and that they have no objections to the release of this platted easement. A value of \$500.00 was established for the release of this 5 foot wide portion of the platted easement. The following legislation authorizes the Director of the Public Service Department to execute those documents necessary to release five feet of the 25 foot wide platted easement in Lots 37 and 38 of the subdivision titled "Lakes of Worthington, Section 2".

The City will receive a total of \$500.00, to be deposited in Fund 748, Project 537650, as consideration for the release of the requested portion of this platted easement.

To authorize the Director of the Public Service Department to execute those documents required to release 5 feet of the 25 foot wide platted easement in Lots 37 and 38 of the subdivision titled "Lakes of Worthington, Section 2", as shown on the plat of record in Plat Book 106, Page 48 of the Franklin County, Ohio, Recorder's Office **and to declare an emergency.**

**WHEREAS**, the City of Columbus, Public Service Department, Transportation Division, recently received a request asking that the City release five feet of the 25 foot wide easement in Lots 37 and 38 of the subdivision titled "Lakes of Worthington, Section 2" as shown on the plat of record in Plat Book 106, Page 48, of the Franklin County, Ohio Recorder's Office; and

**WHEREAS**, grading issues require the release of the requested 5 feet of this platted easement and a building setback variance to develop these two lots; and

**WHEREAS**, after receipt of this request the Transportation Division verified with all the public and private utility companies that there are no utilities located within this five foot wide portion of the 25 foot wide platted easement and that they have no objections to the release of this portion of the platted easement; and

**WHEREAS**, a value of \$500.00 has been established for the release of this 5 foot wide portion of the 25 foot wide platted easement; ~~and now, therefore~~

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service & Transportation in that it is immediately necessary to pass this ordinance as an emergency measure because of the need to allow for the construction of the homes to be started before the winter months; for the preservation of the public health, peace, property, safety, and welfare; ~~now, therefore~~

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

**Section 1.** That the Director of the Public Service Department be and is hereby authorized to execute those documents necessary to release the following described five foot wide portion of the 25 foot wide platted easement in Lots 37 and 38 of the subdivision titled "Lakes of Worthington, Section 2" as shown on the plat of record in Plat Book 106, Page 48 of the Franklin County, Ohio, Recorder's Office; to-wit

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 1, Township 2, Range 16, United States Military Land and being a strip of land across Lot 37 and Lot 38 of that subdivision entitled "Lakes of Worthington, Section 2" of record in Plat Book 106, Page 48 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) being more particularly bounded and described as follows:

Beginning, for reference, in the easterly right-of-way line of Antrim Ridge Street and being the southwesterly corner of said Lot 38;

Thence North 64°53'00" East, with the southerly line of said Lot 38, a distance of 20.00 feet to the TRUE POINT OF BEGINNING;

Thence North 25°07'00" West, across said Lot 37 and Lot 38, a distance of 88.00 feet to the southerly line of said Lot 37 at a point of curvature to the right;

Thence across said Lot 37 with the arc of said curve, having a central angle of 82°16'58", a radius of 105.00 feet, an arc length of 150.79 feet and a chord which bears North 16°01'29" East, a distance of 138.16 feet to an easterly line of Lot 37, a westerly line of that tract conveyed to M/I Homes of Central Ohio, LLC, by deed of record in Instrument Number 200403170057866;

Thence South 42°09'02" East, with said easterly line, the westerly line of said M/I Homes of Central Ohio, LLC, tract a distance of 5.07 feet to a point;

Thence across said Lot 37, with the arc of a curve to the left, having a central angle of 82°45'11" a radius of 100.00 feet, an arc length of 144.43 feet and a chord which bears South 16°15'36" West, a distance of 132.20 feet to a point of tangency;

Thence South 25°07'00" east, across said Lot 38, a distance of 88.00 feet to a point in the northerly line of Lot 39 of said "Lakes of Worthington, Section 2";

Thence South 64°53'00" West, with said northerly line a distance of 5.00 feet to the TRUE POINT OF BEGINNING and containing 0.027 acre of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Edward J. Miller, registered Surveyor No. 8250

**Section 2.** That the \$500.00 to be received by the City as consideration for the above referenced release shall be deposited in Fund 748, Project 537650.

**Section 3.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days

**after passage if the Mayor neither approves nor vetoes the same.**