



Legislation Details (With Text)

File #: 0506-2007 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 3/22/2007 **In control:** Utilities Committee
On agenda: 4/16/2007 **Final action:** 4/19/2007
Title: To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release a certain sewer easement, located in the vicinity of Leppert Road and Hayden Run Road, at the request of Steve Newcomb, the property owner.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
4/19/2007	1	CITY CLERK	Attest	
4/18/2007	1	MAYOR	Signed	
4/16/2007	1	Columbus City Council	Approved	Pass
4/16/2007	1	COUNCIL PRESIDENT	Signed	
4/9/2007	1	Columbus City Council	Read for the First Time	
3/28/2007	1	CITY ATTORNEY	Reviewed and Approved	
3/28/2007	1	Atty Drafter	Sent to Clerk's Office for Council	
3/27/2007	1	Utilities Reviewer	Reviewed and Approved	
3/27/2007	1	Atty Drafter	Sent for Approval	
3/23/2007	1	UTILITIES DIRECTOR	Reviewed and Approved	
3/22/2007	1	Atty Drafter	Sent for Approval	
3/22/2007	1	Atty Reviewer	Reviewed and Approved	
3/22/2007	1	Atty Drafter	Sent for Approval	
3/22/2007	1	Utilities Reviewer	Sent for Approval	

Background: The City of Columbus, Ohio is the holder of a certain sewer easement located in the vicinity of Leppert Road and Hayden Run Road, by virtue of a recorded deed of easement. Steve Newcomb, the property owner, has requested the City release the sewer easement to accommodate a design change in the development area. After investigation, it has been determined that the proposed release of the easement, more fully described in the body, of this legislation will not adversely affect the City and therefore should be granted. The following legislation authorizes the Director of the Department of Public Utilities to execute those instruments necessary to release the aforementioned easement.

Fiscal Impact: The Real Estate Division, Department of Law has established \$600.00 as the value of such easement. Once the Department of Public Utilities has been received, it shall be deposited into the proper fund as set forth in the body of this legislation.

Emergency Justification: N/A

To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release a certain sewer easement, located in the vicinity of Leppert Road and Hayden Run Road, at the request of Steve Newcomb, the property owner.

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

WHEREAS, Steve Newcomb, the property owner, has requested the City release the sewer easement to accommodate a design change in the development area; and

WHEREAS, After investigation, the Division of Sewerage & Drainage, has determined that the release of said easement rights will not adversely affect the operations of the City of Columbus and should be granted; and

WHEREAS, the Real Estate Division, Department of Law, has determined the value of the release of easement to be \$600.00 dollars 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, prepared 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 deed of easement recorded in Official Records, Recorded in the Recorder's Office, Franklin County, Ohio, to wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Virginia Military Survey Number 3453, and being across that 16.005 acre tract of land conveyed to Hayden's Reserve, L.P. by deed of record in Instrument Number 200512280272351 (all references are to the records of the Recorder's Office, Franklin County, Ohio), and being more particularly described as follows:

Beginning, for reference, at a northwesterly corner of Grantor's Tract, at the northeasterly corner of 26.412 acre tract conveyed to Huntington Tower Associates, LLC by deed of record in Instrument Number 200507220145574;

thence South 49° 24' 38" East, with the southerly right-of-way line of said Hayden Run Road, a distance of 259.47 feet to a point of curvature of a curve to the left;

thence continuing with said southerly right-of-way line, with the arc of a curve to the left with a central angle of 05° 48' 01", a radius of 1687.02 feet, an arc length of 170.78 feet, having a chord bearing and distance of South 52° 18' 43" East, 170.71 feet to the TRUE POINT OF BEGINNING;

thence continuing with said southerly right-of-way line, with the arc of a curve to the left with a central angle of 00° 40' 45", a radius of 1687.02 feet, an arc length of 20.00 feet, having a chord bearing and distance of South 55° 33' 06" East, 20.00 feet to a point;

thence across Grantor's tract, the following courses and distances:

South 34° 25' 06" West, a distance of 16.54 feet to a point;

South 58° 02' 24" East, a distance of 65.94 feet to a point;

South 31° 57' 36" West, a distance of 165.38 feet to a point;

South 03° 52' 34" East, a distance of 176.62 feet to a point;

South 85° 16' 53" West, a distance of 20.00 feet to a point;

North 03° 52' 34" West, a distance of 183.38 feet to a point;

North 31° 57' 36" East, a distance of 151.85 feet to a point;

North 58° 02' 24" West, a distance of 66.81 feet to a point;

North 34° 25' 06" East, a distance of 37.43 feet to the TRUE POINT OF BEGINNING and containing 0.198 acres of land, more or less.

Bearings are based on the Ohio State Plane Coordinate System - South Zone as per NAD83. Control for bearings was from coordinates of monuments FCGS 8876 & FCGS 2221, having a bearing of North 88° 53' 20"

East, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment. **EVANS, MECHWART, HAMBLETON & TILTON, INC.**
Edward J. Miller, Registered Surveyor No. 8250

Section 2. That the City Auditor be, and hereby is authorized and directed to deposit the Six Hundred Dollars (\$600.00), to be received by the City as consideration for the release of the above described easement in the proper fund as determined by the City Auditor.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.