



Legislation Details (With Text)

File #: 0514-2017 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 2/21/2017 **In control:** Public Utilities Committee
On agenda: 4/3/2017 **Final action:** 4/5/2017

Title: To authorize the director of the Department of Public Utilities to execute those document(s), as approved by the City Attorney, necessary to release and terminate a portion of the City's easement rights described and recorded in Deed Book 778, Page 320, Recorder's Office, Franklin County, Ohio. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 4895 Olentangy Blvd. easement release legal description

Date	Ver.	Action By	Action	Result
4/5/2017	1	CITY CLERK	Attest	
4/5/2017	1	ACTING MAYOR	Signed	
4/3/2017	1	COUNCIL PRESIDENT	Signed	
4/3/2017	1	Columbus City Council	Approved	Pass
3/27/2017	1	Columbus City Council	Read for the First Time	

BACKGROUND:

The City possesses title to a sanitary sewer utility easement described and recorded in Deed Book 778, Page 320, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located at 4895 Olentangy Blvd, Columbus, OH 43214 {Franklin County Tax Parcels 010-083914 and 010-083915} ("Servient Estate"). The existing owner of the Servient Estate, Patrick Bigler and Annette Bigler, Ohio residents "Property Owner" requested the City to release and terminate a portion of its rights to the Easement in order to clean the Servient Estate's title. The City's Department of Public Utilities (DPU) reviewed the Property Owner's request and determined releasing and terminating a portion of the City's rights to the Easement does not adversely affect the City and should be granted at no monetary cost because the infrastructure was relocated with a portion of the Easement under an easement granted in Instrument Number 201611220161232.

FISCAL IMPACT:

Not applicable.

EMERGENCY JUSTIFICATION:

Not applicable.

To authorize the director of the Department of Public Utilities to execute those document(s), as approved by the City Attorney, necessary to release and terminate a portion of the City's easement rights described and recorded in Deed Book

778, Page 320, Recorder's Office, Franklin County, Ohio. (\$0.00)

WHEREAS, the City intends to release and terminate a portion of its sewer easement rights described and recorded in Deed Book 778, Page 320, Recorder's Office, Franklin County, Ohio (*i.e.* Easement), because the infrastructure was relocated with a portion of the Easement under an easement granted in Instrument Number 201611220161232;

WHEREAS, the City intends for the City Attorney to approve of all document(s) associated with this ordinance; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Utilities to authorize the Director to execute those document(s), as approved by the City Attorney, necessary to release and terminate a portion of the City's easement rights; **now, therefore**,

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

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 the 0.073 acre, more or less, tract of easement area described and recorded in Deed Book 778, Page 320, Recorder's Office, Franklin County, Ohio (*i.e.* Easement), which is also found 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.