



Legislation Details (With Text)

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File created: 3/8/2024 **In control:** Public Utilities & Sustainability Committee

On agenda: 5/20/2024 **Final action:** 5/22/2024

Title: To authorize the Director of the Department of Public Utilities to execute those document(s) necessary to release a 2.480 acre portion the City’s storm easement rights described and recorded in Instrument Number 201910280142988, Recorder’s Office, Franklin County, Ohio. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Asherton Grove Easement Vacation Legal Description

Date	Ver.	Action By	Action	Result
5/22/2024	1	ACTING CITY CLERK	Attest	
5/21/2024	1	MAYOR	Signed	
5/20/2024	1	COUNCIL PRESIDENT	Signed	
5/20/2024	1	Columbus City Council	Approved	Pass
5/13/2024	1	Columbus City Council	Read for the First Time	

BACKGROUND: The City possesses title to a storm sewer easement described and recorded in Instrument Number 201910280142988, Recorder’s Office, Franklin County, Ohio (“Easement”). The Easement burdens real property located in the vicinity of the intersection of Central College Road and Ulry Road (“Servient Estate”) currently owned by Asherton Grove Condominium Association, an Ohio non-profit corporation. The City’s Department of Public Service (“DPS”) has obtained a new easement as part of its Northeast MOU - Central College Road Ulry Road Reconstruction Project (440106 -100000) and as part of that acquisition has reviewed a request by the owner of the Servient Estate to vacate a 2.480 acre portion of the existing Easement and determined, along with City’s Department of Public Utilities (“DPU”), that a portion of the Easement is no longer needed as a new 4.002 acre storm sewer easement was granted in Instrument Number 202402140015383 covering most of the same area. DPS and DPU have determined that terminating the City’s rights to the 2.480 acre portion of 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 a 2.480 acre portion the City’s storm easement rights described and recorded in Instrument Number 201910280142988, Recorder’s Office, Franklin County, Ohio. (\$0.00)

WHEREAS, the Department of Public Service (“DPS”) received a request from Asherton Grove Condominium Association, an Ohio non-profit corporation, to vacate a 2.480 acre portion of a storm sewer easement recorded in Instrument Number 2019102801422988, Recorder’s Office, Franklin County, Ohio (“Easement”); and

WHEREAS, DPS and the Department of Public Utilities (“DPU”) reviewed the request and determined that the 2.480 acre portion of the Easement is no longer needed as a new 4.002 acre storm easement covering most of the same area was granted in Instrument number 202402140015383 and the 2.480 acre portion of 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; **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”) be, and hereby is, authorized to execute any document(s) necessary to release and terminate only a 2.480 acre portion of the storm sewer easement recorded in Instrument Number 201910280142988, Recorder’s Office, Franklin County, Ohio, which is further described and depicted in the three (3) 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.