



## Legislation Details (With Text)

**File #:** 2987-2016      **Version:** 1

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

**File created:** 11/14/2016      **In control:** Public Utilities Committee

**On agenda:** 12/12/2016      **Final action:** 12/15/2016

**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 Instrument Numbers 200511070234537, 200511070234564, and 200611130226621, Recorder's Office, Franklin County, Ohio. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. The Green II Easement Release Attachment

Date	Ver.	Action By	Action	Result
12/15/2016	1	CITY CLERK	Attest	
12/14/2016	1	MAYOR	Signed	
12/12/2016	1	COUNCIL PRESIDENT	Signed	
12/12/2016	1	Columbus City Council	Approved	Pass
12/5/2016	1	Columbus City Council	Read for the First Time	

**BACKGROUND:**

The City possesses easement rights to a sewer utility easement described and recorded in Instrument Numbers 200511070234537, 200511070234564, and 200611130226621, Recorder's Office, Franklin County, Ohio ("Easements"). The Easements burden real property located in the vicinity of Gender Road and Chelsea Glen Drive, Columbus, Ohio 43110 {Franklin County Tax Parcel 010-293786} ("Servient Estate"). The existing owner of the Servient Estate, The Greene II, Ltd., an Ohio limited liability company ("Property Owner"), requested the City release and terminate a portion of its rights to the Easements 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 Easements 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), as approved by the City Attorney, necessary to release and terminate a portion of the City's easement rights described and recorded in Instrument Numbers 200511070234537, 200511070234564, and 200611130226621, Recorder's Office, Franklin County, Ohio.

(\$0.00)

**WHEREAS**, it is necessary to authorize the Director of Public Utilities to release and terminate a portion of its sewer utility easement rights described and recorded in Instrument Numbers 200511070234537, 200511070234564, and 200611130226621, Recorder's Office, Franklin County, Ohio (*i.e.* Easements), because the Department of Public Utilities (DPU) reviewed the easements and determined releasing and terminating a portion of the City's rights does not adversely affect the City; and

**WHEREAS**, the City intends for the City Attorney to approve of all document(s) associated with this ordinance; **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 0.0524, 0.019, and 0.096 acre, more or less, portions of easement area described and recorded in Instrument Numbers 200511070234537, 200511070234564, and 200611130226621, Recorder's Office, Franklin County, Ohio (*i.e.* Easements), which is also described in the four (4) page attachment 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.