



Legislation Details (With Text)

File #: 1803-2008 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/5/2008 **In control:** Utilities Committee

On agenda: 12/1/2008 **Final action:** 12/3/2008

Title: To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release a sanitary sewer easement at the request of the Waterford Place Housing L.P., in exchange for a replacement easement previously granted to the City of Columbus, Ohio.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
12/3/2008	1	CITY CLERK	Attest	
12/2/2008	1	MAYOR	Signed	
12/1/2008	1	Columbus City Council	Approved	Pass
12/1/2008	1	COUNCIL PRESIDENT	Signed	
11/24/2008	1	Columbus City Council	Read for the First Time	
11/13/2008	1	CITY ATTORNEY	Reviewed and Approved	
11/13/2008	1	Atty Drafter	Sent to Clerk's Office for Council	
11/12/2008	1	Atty Drafter	Sent for Approval	
11/11/2008	1	Utilities Drafter	Sent for Approval	
11/11/2008	1	Utilities Reviewer	Sent for Approval	
11/11/2008	1	UTILITIES DIRECTOR	Reviewed and Approved	
11/11/2008	1	Utilities Drafter	Sent for Approval	
11/7/2008	1	Atty Reviewer	Reviewed and Approved	
11/7/2008	1	Atty Drafter	Sent for Approval	
11/6/2008	1	Atty Drafter	Sent for Approval	

Background

The City of Columbus, Ohio, holds title to an easement by virtue of a recorded deed of easement. Waterford Place Housing L.P., an Ohio limited partnership, has requested that said easement be released, in part, as described below in exchange for a previously granted replacement easement given to the City of Columbus, Ohio. After investigation by the Division of Sewerage and Drainage, it has been determined that the proposed exchange of easements will not adversely affect the City and therefore should be granted at no charge. The following legislation authorizes the Director of the Department of Public Utilities to execute those instruments necessary to release the desired sewer easement in exchange for a previously granted replacement easement.

Fiscal Impact: N/A

Emergency Justification: N/A

To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release a sanitary sewer easement at the request of the Waterford Place Housing L.P., in exchange for a replacement easement previously granted to the City of Columbus, Ohio.

WHEREAS, the City of Columbus, Ohio, holds title to an easement by virtue of a recorded deed of easement, Instrument Number 200602030022162; and

WHEREAS, Waterford Place Housing L.P., an Ohio limited partnership, has requested that said easement be released, in part, as described below in exchange for the replacement easement given to the City of Columbus, Ohio, Instrument Number 200808190126440; and

WHEREAS, the Division of Sewerage and Drainage has determined that the partial release of Instrument Number 200602030022162 will not adversely affect the City of Columbus and should be allowed at no charge; now and 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 the sewer easements rights in the following described real property:

**PARTIAL RELEASE OF EASEMENT
0.028 ACRE**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 10, Township 11, Range 21, Congress Lands, being a 15 foot strip of land on, over, and across the 7.994 acre tract conveyed to Waterford Place Housing L.P. by deed of record in Instrument Number 20080926014283, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, in an easterly line of said 7.994 acre tract, at a common corner of the 0.052 acre tract conveyed to Shannon Green LLC by deed of record in Instrument Number 200806260098699, and the original 16.511 acre tract conveyed to Shannon Green LLC by deed of record in Instrument Number 200105150106436;

Thence N 04°10'02" E, with said easterly line, a distance of 50.14 feet, to the TRUE POINT OF BEGINNING;

Thence across said 7.994 acre tract, the following courses and distances:

N 85°49'58" W, a distance of 80.08 feet, to a point;

N 04°10'02" E, a distance of 15.00 feet, to a point;

S 85°49'58" E, a distance of 80.08 feet, to a point in said easterly line;

Thence S 04°10'02" W, a distance of 15.00 feet, with said easterly line, to the TRUE POINT OF BEGINNING, containing 0.028 acre, more or less.

EVANS, MECHWART, HAMBLEON & TILTON, INC.

Edward J. Miller Professional Surveyor No. 8250

Franklin County Tax Parcel Number: 010-285932

Prior Instrument Reference: 200602030022162
Recorder's Office Franklin County, Ohio

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.