



Legislation Details (With Text)

File #: 0634-2008 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 4/2/2008 **In control:** Judiciary And Court Administration Committee
On agenda: 5/5/2008 **Final action:** 5/7/2008
Title: To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release a certain sanitary sewer easement, located in the vicinity south west of England Drive, Delaware County, Ohio, at the request of the Lakes at Polaris, LLC, an Ohio limited liability company 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
5/7/2008	1	CITY CLERK	Attest	
5/6/2008	1	MAYOR	Signed	
5/5/2008	1	Columbus City Council	Approved	Pass
5/5/2008	1	COUNCIL PRESIDENT	Signed	
4/21/2008	1	Columbus City Council	Read for the First Time	
4/9/2008	1	Atty Drafter	Sent to Clerk's Office for Council	
4/8/2008	1	Utilities Reviewer	Reviewed and Approved	
4/8/2008	1	Atty Drafter	Sent for Approval	
4/8/2008	1	CITY ATTORNEY	Reviewed and Approved	
4/5/2008	1	UTILITIES DIRECTOR	Reviewed and Approved	
4/4/2008	1	Atty Drafter	Sent for Approval	
4/4/2008	1	Atty Reviewer	Reviewed and Approved	
4/4/2008	1	Atty Drafter	Sent for Approval	
4/4/2008	1	Utilities Reviewer	Sent for Approval	

Background: The City of Columbus, Ohio is the owner of a certain sanitary sewer easement located in the vicinity south west of England Drive, Delaware County, Ohio of by virtue of a recorded easement. The Lakes at Polaris, LLC, an Ohio limited liability company is changing its sanitary sewer alignment and has therefore requested the City release its existing sewer easement in exchange for a previously granted replacement easement. After investigation, it has been determined that the proposed exchange of easements 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 sewer easement at no charge 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 certain sanitary sewer easement, located in the vicinity south west of England Drive, Delaware County, Ohio, at the request of the Lakes at Polaris, LLC, an Ohio limited liability company in exchange for a replacement easement previously granted to the City of Columbus, Ohio.

WHEREAS, the City of Columbus, Department of Public Utilities, is the owner of a sanitary sewer easement by virtue of recorded instrument, Vol. 0757, Page 1471 Delaware County Recorders Office; and

WHEREAS, the Lakes at Polaris, LLC, an Ohio limited liability company, is relocating its sanitary sewer line and has therefore requested the City release its existing sewer easement in exchange for a previously granted replacement easement to relocate the sewer line; and

WHEREAS, the Division of Sewerage & Drainage, after investigation, has determined that the release of said easement rights will not adversely affect the operations of the City of Columbus; and should be granted at no charge in exchange for a previously granted easement 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 the sanitary easement in and to the following described real property:

0.631 ACRE

Situated in the State of Ohio, County of Delaware, City of Columbus, located in Farm Lot 15, Section 4, Township 3, Range 18, United States Military Lands, and being part of that original 120.00-acre tract conveyed to Christ the King Lutheran Church by deed of record in Deed Book 521, Page 348 and described as follows:

Beginning in an east line of said 120.00 acre tract, the same being a west line of that 15.306 acre tract conveyed to Polaris CW, LLC of record in Official Record 686, Page 2084, and being S 02° 57' 42" W, with said east line 220.45 feet from the southeast corner of that 3.440 acre tract conveyed to Bennett and Kimberly S. Smith of record in Official Record 675, Page 2326;

Thence S 02° 57' 42" W, with said common line, 70.60 feet;

Thence across said 120.00-acre tract, the following courses and distances;

N 86° 38' 19" W, 435.85 feet;
N 03° 21' 41" E, 25.30 feet;
N 74° 02' 58" W, 77.92 feet;
N 03° 21' 41" E, 212.92 feet;
N 68° 44' 15" W, 156.61 feet;
S 63° 51' 26" W, 123.13 feet;
N 26° 08' 34" W, 25.00 feet;
N 63° 51' 26" E, 134.10 feet;
S 68° 44' 15" E, 185.78 feet;
S 03° 21' 41" W, 211.08 feet;
S 74° 02' 58" E, 171.21 feet;
S 86° 38' 19" E, 292.49 feet;

N 33° 49' 42" E, 52.91 feet to the Point of Beginning, and containing 0.631 acre, more or less. The above description was written by John C. Dodgion, P.S. 8069 on October 09, 2006.

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

