



Legislation Details (With Text)

File #: 1434-2008 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 9/4/2008 **In control:** Judiciary And Court Administration Committee

On agenda: 10/6/2008 **Final action:** 10/8/2008

Title: To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release certain City owned sewer easements, located in the vicinity of Olentangy River Road and Stinchcomb Drive, at the request of JAP GURU LLC, in exchange for replacement easements previously granted to the City of Columbus, Ohio.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
10/8/2008	1	CITY CLERK	Attest	
10/7/2008	1	MAYOR	Signed	
10/6/2008	1	Columbus City Council	Approved	Pass
10/6/2008	1	COUNCIL PRESIDENT	Signed	
9/29/2008	1	Columbus City Council	Read for the First Time	
9/19/2008	1	Atty Drafter	Sent to Clerk's Office for Council	
9/17/2008	1	Atty Drafter	Sent for Approval	
9/17/2008	1	CITY ATTORNEY	Reviewed and Approved	
9/16/2008	1	Utilities Reviewer	Reviewed and Approved	
9/12/2008	1	Utilities Reviewer	Sent for Approval	
9/12/2008	1	UTILITIES DIRECTOR	Reviewed and Approved	
9/9/2008	1	Atty Reviewer	Reviewed and Approved	
9/9/2008	1	Atty Drafter	Sent for Approval	
9/4/2008	1	Atty Drafter	Sent for Approval	

Background: The City of Columbus, Ohio is the owner of certain sewer easements, located in the vicinity of Olentangy River Road and Stinchcomb Drive, by virtue of certain recorded deeds of easement. **JAP GURU LLC** (Grantor/Developer) has requested the City release those easement, as described fully within the body of this legislation, in exchange for previously granted replacement easements. 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 certain sewer easement in exchange for previously granted replacement easements.

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 certain City owned sewer easements, located in the vicinity of Olentangy River Road and Stinchcomb Drive, at the request of **JAP GURU LLC**, in exchange for replacement easements previously granted to the City of Columbus, Ohio.

WHEREAS, the City of Columbus, Department of Public Utilities, is the owner of certain sewer easement by virtue of recorded instruments: Vol. 2367, Page 292, and Vol. 1573, Page 105 in the Franklin County Recorders Office; and

WHEREAS, **JAP GURU LLC** (Grantor/Developer) has requested that certain sewer easements rights be released in exchange for replacement easements previously granted to the City of Columbus; and

WHEREAS, the Division of Sewerage & Drainage, after investigation, has determined that the release of said easement rights, as fully described within the body of this legislation, will not adversely affect the operations of the City of Columbus; 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 a certain portion of those sewer easement rights in and to the following described real property, acquire by virtue of a deed of easement recorded in Official Records, Recorded Instrument Number Vol. 2367, Page 292 in the Recorder's Office, Franklin County, Ohio, to wit:

(CC15221)

DESCRIPTION OF 0.013 ACRE TRACT
WEST OF OLENTANGY RIVER ROAD
NORTH OF STINCHCOMB DRIVE

Situated in the State of Ohio, County of Franklin, City of Columbus, being a part of Section 3, Township 1, Range 18, United States Military Lands, being 0.013 acres of part of Dedication of Olentangy River Road, Stinchcomb Drive, Stadium Drive, Harley Drive, Ackerman Road and Utility Easements (PB 33, Pg 52) as conveyed to JAP Guru LLC as recorded in IN 200710150179989 (all references refer to records in the Franklin County Recorder's Office, Ohio) and being more fully described as follows:

Beginning for reference at the southwest property corner of said JAP Guru LLC on the northerly right of way of said Stinchcomb Drive;

Thence North 13°44'31" West a distance of 35.59 feet, along the westerly property line of said JAP Guru LLC, to a point;

Thence North 29°37'42" East a distance of 75.43 feet to a point;

Thence North 2°52'57" West a distance of 98.06 feet to a point in a southwesterly line of a ten foot easement to the City of Columbus (DB 2367, Pg 292) being the Point of Beginning;

Thence North 2°52'57" West a distance of 6.81 feet to a point;

Thence North 89°55'15" East a distance of 8.57 feet to a point in the northeasterly line of said ten foot easement;

Thence South 60°17'00" East a distance of 53.92 feet, along a northeasterly line of said ten foot easement, to a point;

Thence South 29°37'42" West a distance of 10.00 feet, along a southeasterly line of said ten foot easement, to a point;

Thence North 60°17'00" West a distance of 57.70 feet to the Point of Beginning containing 587 square feet or 0.013 acres more or less according to an actual field survey made by Hockaden and Associates, Inc. in April of 2000 and October of 2007.

The bearing meridian for this description is based on a bearing of North 20°21'30" West, along the centerline of Olentangy River Road as delineated on the plat "Dedication of Olentangy River Road, Stinchcomb Drive, Stadium Drive, Harley Drive, Ackerman Road and Utility Easements" of record in Plat Book 33, Page 52.

HOCKADEN AND ASSOCIATES, INC., Consulting Engineers and Surveyors, Frank C. Long, Professional Surveyor No. 6615, 42636/10.1-012308-L4

DESCRIPTION OF 0.030 ACRE TRACT
WEST OF OLENTANGY RIVER ROAD
NORTH OF STINCHCOMB DRIVE

Situated in the State of Ohio, County of Franklin, City of Columbus, being a part of Section 3, Township 1, Range 18, United

States Military Lands, being 0.030 acres of part of Dedication of Olentangy River Road, Stinchcomb Drive, Stadium Drive, Harley Drive, Ackerman Road and Utility Easements (PB 33, Pg 52) as conveyed to JAP Guru LLC as recorded in IN 200710150179989 (all references refer to records in the Franklin County Recorder's Office, Ohio) and being more fully described as follows:

Beginning for reference at the southwest property corner of said JAP Guru LLC on the northerly right of way of said Stinchcomb Drive;

Thence North 13°44'31" West a distance of 35.59 feet, along the westerly property line of said JAP Guru LLC, to a point;

Thence North 29°37'42" East a distance of 75.43 feet to a point in a northwesterly line of a ten foot easement to the City of Columbus (DB 2367, Pg 292) being the Point of Beginning;

Thence North 29°37'42" East a distance of 120.59 feet, along a northwesterly line of said ten foot easement, to a point;

Thence North 89°55'15" East a distance of 11.51 feet to a point in the southeasterly line of said ten foot easement;

Thence South 29°37'42" West a distance of 141.99 feet, along a southeasterly line of said ten foot easement, to a point;

Thence North 2°52'57" West a distance of 18.61 feet to the Point of Beginning containing 1,313 square feet or 0.030 acres more or less according to an actual field survey made by Hockaden and Associates, Inc. in April of 2000 and October of 2007.

The bearing meridian for this description is based on a bearing of North 20°21'30" West, along the centerline of Olentangy River Road as delineated on the plat "Dedication of Olentangy River Road, Stinchcomb Drive, Stadium Drive, Harley Drive, Ackerman Road and Utility Easements" of record in Plat Book 33, Page 52.

HOCKADEN AND ASSOCIATES, INC., Consulting Engineers and Surveyors

Frank C. Long, Professional Surveyor No. 6615, 42636/10.1-012308-L3

Section 2. 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 a certain portion of those sewer easement rights in and to the following described real property, acquire by virtue of a deed of easement recorded in Official Records, Recorded Instrument Number Vol. 1573, Page 105 in the Recorder's Office, Franklin County, Ohio, to wit:

(CC15222)
0.048 ACRE TRACT

Situated in the State of Ohio, County of Franklin, City of Columbus, being a part of Section 3, Township I, Range 18, United States Military Lands, being 0.048 acres of part of Dedication of Olentangy River Road, Stinchcomb Drive, Stadium Drive, Harley Drive, Ackerman Road and Utility Easements (PB 33, Pg 52) as conveyed to JAP Guru LLC as recorded in Instrument No. 200710150179989 (all references refer to records in the Franklin County Recorder's Office, Ohio) and being more fully described as follows:

Beginning for reference at the southwest property corner of said JAP Guru LLC on the northerly right of way of said Stinchcomb Drive;

Thence North 13°44' 31" West a distance of 10.23 feet, along the westerly property line of said JAP Guru LLC, to a point;

Thence North 82°21' 10" East a distance of 44.18 feet to a point in a northwesterly line of a ten foot easement to the City of Columbus (DB 1573, Pg 105) being the Point of Beginning;

Thence North 34°08'27" East a distance of 218.03 feet, along a northwesterly line of said ten foot easement, to a point;

Thence South 6°45' 47" East a distance of 15.27 feet to a point in the southeasterly line of said ten foot easement;

Thence South 34°08'27" West a distance of 197.55 feet, along a southeasterly line of said ten foot easement, to a point;

Thence South 82°21'10" West a distance of 13.41 feet to the Point of Beginning containing 2,078 square feet or 0.048 acres more or less according to an actual field survey made by Hockaden and Associates, Inc. in April of 2000 and October of 2007.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.