



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 9/21/2010 **In control:** Utilities Committee

On agenda: 10/25/2010 **Final action:** 10/27/2010

Title: To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release portions of certain sewer easements, located in the vicinity of New Bond Street and Easton Loop West, at the request of Easton Town Center II, LLC, a Delaware Limited Liability Company in exchange for replacement easements previously granted to the City of Columbus, Ohio.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
10/27/2010	1	CITY CLERK	Attest	
10/26/2010	1	ACTING MAYOR	Signed	
10/25/2010	1	Columbus City Council	Approved	Pass
10/25/2010	1	COUNCIL PRESIDENT	Signed	
10/18/2010	1	Columbus City Council	Read for the First Time	
10/4/2010	1	Utilities Reviewer	Sent for Approval	
10/4/2010	1	Atty Drafter	Sent for Approval	
10/4/2010	1	CITY ATTORNEY	Reviewed and Approved	
10/4/2010	1	Atty Drafter	Sent to Clerk's Office for Council	
9/30/2010	1	Utilities Reviewer	Reviewed and Approved	
9/30/2010	1	UTILITIES DIRECTOR	Reviewed and Approved	
9/24/2010	1	Atty Reviewer	Reviewed and Approved	
9/24/2010	1	Atty Drafter	Sent for Approval	
9/21/2010	1	Atty Drafter	Sent for Approval	

Background: The City of Columbus, Ohio, holds title to fifteen (15) foot wide sanitary easements, located in the vicinity of New Bond Street and Easton Loop West, by virtue of recorded easements in Instrument Numbers 200003310062721 and 200006230124652, Franklin County Recorder's Office, Ohio. Easton Town Center II, LLC, a Delaware limited liability company, has requested that portions of said recorded easements be released, as more particularly described below herein, in exchange for replacement easements previously granted to the City of Columbus, Ohio by Morso Holding Co., a Delaware corporation, in Instrument Number 200011060224044, Franklin County Recorder's Office, Ohio. The Department of Public Utilities, Division of Sewerage and Drainage, has determined that the partial release of said easements will not adversely affect the City of Columbus, Ohio. The following legislation authorizes the Director of the Department of Public Utilities to execute those instruments necessary to release the aforementioned sewer easements 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 portions of certain sewer easements, located in the vicinity of New Bond Street and Easton Loop West, at the request of Easton Town Center II, LLC, a Delaware Limited Liability Company in exchange for replacement easements previously granted to the City of Columbus, Ohio. WHEREAS, The City of Columbus, Ohio, holds title to fifteen (15) foot wide sanitary easements, located in the vicinity of New Bond Street and Easton Loop West, by virtue of recorded easements in Instrument Numbers 200003310062721 and 200006230124652, Franklin County Recorder's Office, Ohio; and,

WHEREAS, Easton Town Center II, LLC, a Delaware limited liability company, has requested that portions of said recorded easements be released, as more particularly described below herein, in exchange for replacement easements previously granted to the City of Columbus, Ohio by Morso Holding Co., a Delaware corporation, in Instrument Number 200011060224044, Franklin County Recorder's Office, Ohio; and,

WHEREAS, the Department of Public Utilities, Division of Sewerage and Drainage, has determined that the partial release of said easements will not adversely affect the City of Columbus, Ohio; 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 and/or approved by the Department of Law, Real Estate Division, necessary to release certain sanitary easement rights in and to the following described real property, unto Easton Town Center II, LLC:

RELEASE OF SANITARY SEWER EASEMENT
0.084 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 2, Township 1, Range 17, United States Military Lands and being a 15.00 foot wide strip of land across Parcel 9 as conveyed to MORSO Holding Co. by deed of record in Official Record 30846G11 (all deed references refer to records of the Recorder's Office, Franklin County, Ohio) and described as follows:

Beginning, for reference, at the centerline intersection of Gramercy Street and Chagrin Drive;
thence North 30°53'33" West, across Grantor's tract, a distance of 333.04 feet to the True Point of Beginning for this description;
thence North 87°41'34" West, across Grantor's tract, a distance of 159.29 feet to a point on the westerly line of an existing 15.00 Sanitary Sewer Easement as conveyed to the City of Columbus of record in Instrument Number 200003310062721;
thence North 02°18'27" East, with said westerly line, a distance of 15.00 feet to a point;
thence across said existing Easement, the following courses and distances:
South 87°41'34" East, a distance of 155.71 feet to a point;
North 65°28'36" East, a distance of 86.41 feet to a point on the northerly line of said Easement;
thence South 11°06'29" East, across said Easement, a distance of 15.42 feet to a point on the southerly line of said Easement;
thence South 65°28'36" West, across Grantor's tract, a distance of 86.41 feet to the True Point of Beginning and containing 0.084 acre of land, more or less.

RELEASE OF 0.646 ACRE SANITARY SEWER EASEMENT

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Quarter Township 2, Township 1, Range 17, United States Military Land and being a 15 foot wide strip of land across those tracts as conveyed to Morso Holding Co. by deeds of record in Official Record 30846G11 and Instrument Number 199711190147984, al references begin to records of the Recorder's Office, Franklin County, Ohio and being described as follows:

Beginning for reference at the centerline intersection of Gramercy Street and Easton Loop East, of record in Plat Book 93, Pages 1 & 2;
thence North 22°39'33" West, across said roads and across Grantor's tracts, a distance of 350.42 feet to the

True Point of Beginning for the strip herein intended to be described;
thence across Grantor's tracts the following courses and distances;
North 87°41'34" West, a distance of 270.13 feet to a point;
South 71°12'26" West, a distance of 75.00 feet to a point;
North 87°41'34" West, a distance of 138.90 feet to a point;
South 2°18'27" West, a distance of 215.00 feet to a point;
North 87°41'33" West, a distance of 15.00 feet to a point;
North 2°18'27" East, a distance of 230.00 feet to a point;
South 87°41'34" East, a distance of 151.10 feet to a point;
North 71°12'26" East, a distance of 75.00 feet to a point;
South 87°41'34" East, a distance of 257.93 feet to a point;
North 2°18'26" East, a distance of 324.50 feet to a point;
North 87°41'34" West, a distance of 292.50 feet to a point;
North 87°41'33" West, a distance of 186.50 feet to a point;
North 2°18'27" East, a distance of 265.00 feet to a point;
South 87°41'33" East, a distance of 15.00 feet to a point;
South 2°18'27" West, a distance of 250.00 feet to a point;
South 87°41'33" East, a distance of 171.50 feet to a point;
South 87°41'34" East, a distance of 307.50 feet to a point;
South 2°18'26" West, a distance of 124.07 feet to a point; and
South 87°41'34" East, a distance of 96.29 feet to a point in Grantor's easterly line, being the westerly line of that original 17.509 acre tract as conveyed to Robert E. Lindeman, Trustee by deed of record in Official Record 7958H04;
thence South 4°46'39" West, along Grantor's easterly line, being the westerly line of said Lindeman tract, a distance of 15.01 feet to the southwesterly corner of said Lindeman tract;
thence crossing Grantor's tracts, the following courses and distances;
North 87°41'34" West, a distance of 95.65 feet to a point; and
South 2°18'26" West, a distance of 215.43 feet to the True Point of Beginning, and containing 0.646 acres of land, more or less.

RELEASE OF SANITARY SEWER EASEMENT
0.130 ACRE

Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 2, Township 1, Range 17, United States Military Lands, being on, over and across that 47.580 acre tract conveyed as Parcel Two and that 2.512 acre tract conveyed as Parcel Sixteen to Easton Town Center II, LLC by deed of record in Instrument Number 200707250130050, and Easton Loop West, a roadway dedicated in Plat Book 99, Pages 55-58, being a portion of that 15 feet wide Sanitary Sewer Easement conveyed to City of Columbus by deed of record in Instrument Number 200003310062721 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) being more particularly described as follows:

Beginning, for reference, at the centerline intersection of said Easton Loop West with New Bond Street, of record in Plat Book 99, Pages 55-58;
Thence South 02° 18' 27" West, with the centerline of said Easton Loop West, a distance of 13.22 feet to a point in the northerly line of said Sanitary Sewer Easement, the TRUE POINT OF BEGINNING;
Thence North 80° 39' 52" East, with a northerly line of said Sanitary Sewer Easement, a distance of 62.94 feet to a point;
Thence South 89° 17' 49" East, continuing with the northerly line of said Sanitary Sewer Easement, a distance of 243.37 feet to a point;
Thence South 02° 18' 27" West, across said Sanitary Sewer Easement, a distance of 15.01 feet to a point on a southerly line thereof;
Thence North 89° 17' 49" West, with a southerly line of said Sanitary Sewer Easement, a distance of 241.63 feet to a point;
Thence South 80° 39' 52" West, continuing with a southerly line of said Sanitary Sewer Easement, a distance of 133.35 feet to a point;
Thence North 11° 56' 23" West, across said Sanitary Sewer Easement, a distance of 15.02 feet to a point in the northerly line thereof, being the southeasterly corner of that 15 feet wide Sanitary Sewer Easement conveyed to City of Columbus by deed of record in Instrument Number 200006230124652;
Thence North 80° 39' 52" East, with said Sanitary Sewer Easement (Instrument Number

200003310062721), a distance of 72.41 feet to the TRUE POINT OF BEGINNING, containing 0.130 acre, more or less.

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