



## Legislation Details (With Text)

**File #:** 0873-2010      **Version:** 1

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

**File created:** 6/3/2010      **In control:** Utilities Committee

**On agenda:** 6/28/2010      **Final action:** 7/1/2010

**Title:** To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release certain portions of an existing sanitary sewer line easement, located in the vicinity of Eakin Road and Harrisburg Pike, at the request of the grantor/developer Southwest Square II, an Ohio limited liability company, who proposes to relocate the sewer line and grant the City a replacement easement to provide for the relocated service line.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
7/1/2010	1	CITY CLERK	Attest	
6/30/2010	1	MAYOR	Signed	
6/28/2010	1	Columbus City Council	Approved	Pass
6/28/2010	1	COUNCIL PRESIDENT	Signed	
6/21/2010	1	Columbus City Council	Read for the First Time	
6/10/2010	1	Atty Drafter	Sent for Approval	
6/10/2010	1	CITY ATTORNEY	Reviewed and Approved	
6/10/2010	1	Atty Drafter	Sent to Clerk's Office for Council	
6/8/2010	1	Utilities Reviewer	Sent for Approval	
6/7/2010	1	UTILITIES DIRECTOR	Reviewed and Approved	
6/4/2010	1	Utilities Reviewer	Sent for Approval	
6/3/2010	1	Atty Drafter	Sent for Approval	
6/3/2010	1	Atty Reviewer	Reviewed and Approved	
6/3/2010	1	Atty Drafter	Sent for Approval	

Background: The City of Columbus, Ohio ("City") holds title to a sewer easement, located in the vicinity of Eakin Road and Harrisburg Pike. The Developer, Southwest Square II, LLC, an Ohio limited liability company, has requested that a portion of said recorded deed of easement be released, in part, as more particularly described in the body of this legislation. The developer desires to relocate a portion of the existing sanitary line and grant the City a replacement easement to provide for the relocated service line. The Department of Public Utilities, has determined that the partial release of said deed of easement in P.B. 67, Pg. 19, will not adversely affect the City of Columbus and should therefore be allowed. The following legislation authorizes the Director of the Department of Public Utilities to execute those instruments necessary to release certain portions of the subject sanitary sewer line 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 certain portions of an existing sanitary sewer line easement, located in the vicinity of Eakin Road and Harrisburg Pike, at the request of the grantor/developer Southwest Square II, an Ohio limited liability company, who proposes to relocate the sewer line and grant the City a replacement easement to provide for the relocated service line.

WHEREAS, the City of Columbus, Ohio, holds title to a sewer easement, located in the vicinity of Eakin Road and Harrisburg Pike, by virtue of a recorded deed of easement in P.B. 67, Pg. 19, Franklin County Recorder's Office, Ohio; and,

WHEREAS, Southwest Square II, LLC, an Ohio limited liability company, has requested that a portion of said recorded deed of easement be released, in part, as more particularly described below herein; and,

WHEREAS, the Department of Public Utilities, has determined that the partial release of said deed of easement in P.B. 67, Pg. 19, will not adversely affect 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, as approved by the Department of Law, Real Estate Division, necessary to release, in part, a portion of that deed of easement, recorded in Official Records, P. B 67, Page 19, in the Recorder's Office, Franklin County, Ohio, as more particularly described below:

RELEASE OF A PORTION OF A SANITARY SEWER EASEMENT  
NORTHERLY OF HARRISBURG PIKE,  
WESTERLY OF EAKIN ROAD,  
CITY OF COLUMBUS, FRANKLIN CO., OHIO

Situated in the State of Ohio, County of Franklin, City of Columbus, in Virginia Military Survey No. 717 and being a portion of an easement shown upon the plat entitled Vacation of a Portion of and Dedication of Easements for Southwest Square, of record in Plat Book 67, Page 19, said portion of said easement to be vacated crosses a 0.373 acre tract of land conveyed to Southwest Square II LLC, by deed of record in Instrument 200912110179566, all records referenced to the Recorder's Office, Franklin County, Ohio, said portion of said easement to be vacated bounded and described as follows:

Beginning at a point in the northeasterly line of said 0.373 acre tract and in the southwesterly line of an original 1.250 acre tract of land conveyed as Parcel "G" to Southwest Square II LLC, by deed of record in Instrument 200312090389659, said point being N 45° 15' 32" W a distance of 149.89 feet from a point in the centerline of Harrisburg Pike ~ State Route 62 (variable width), in the southeasterly line of a 1.0070 acre tract of land conveyed, as Parcel 35-WDV, for Harrisburg Pike right-of-way purposes, to the Ohio Department of Transportation by deed of record in Instrument 200708130142310 and at the southwesterly corner of said original 1.250 acre tract;

thence S 42° 11' 46" W crossing a portion of said 0.373 acre tract a distance of 76.37 feet to a point;

thence S 59° 36' 38" W crossing a portion of said 0.373 acre tract a distance of 16.70 feet to a point in the southwesterly line of said 0.373 acre tract and in the northeasterly line of an original 0.404 acre tract of land conveyed as Parcel "E" to Southwest Square II LLC, by deed of record in Instrument 200312090389659;

thence N 41° 32' 46" W along a portion of the southwesterly line of said 0.373 acre tract and along a portion of the northeasterly line of said original 0.404 acre tract a distance of 10.19 feet to a point;

thence N 59° 36' 38" E crossing a portion of said 0.373 acre tract a distance of 17.14 feet to a point;

thence N 42° 11' 46" E crossing a portion of said 0.373 acre tract a distance of 75.28 feet to a point in the northeasterly line of said 0.373 acre tract and in the southwesterly line of said original 1.250 acre tract;

thence S 45° 15' 32" E along a portion of the northeasterly line of said 0.373 acre tract and along a portion of the southwesterly line of said original 1.250 acre tract a distance of 10.01 feet to the place of beginning; containing 927 square feet (= 0.021 acre) of land, more or less.

The above description was prepared by Kevin L. Baxter, Ohio Surveyor No. 7697, of C.F. Bird & R.J. Bull, Inc. Consulting Engineers & Surveyors, Columbus, Ohio, from an actual field survey, under his supervision in

May, 2008. Basis of bearings is the centerline of Harrisburg Pike - U.S. Route 62, being S 44° 44' 15" W, as shown of record in Instrument 200705040078352, Recorder's Office, Franklin County, Ohio. Franklin County Tax Parcel Number: 570-207332. Prior Instrument Reference: 200912110179566. 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.