



Legislation Details (With Text)

File #: 2181-2004 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/23/2004 **In control:** Utilities Committee

On agenda: 1/10/2005 **Final action:** 1/12/2005

Title: To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release certain City held sewer easements, located in the vicinity of Marcum Road and Mariposa Street, at the request of Lifestyle Communities, in exchange for replacement easements previously granted to the City.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
1/12/2005	1	MAYOR	Signed	
1/12/2005	1	CITY CLERK	Attest	
1/10/2005	1	Columbus City Council	Approved	Pass
1/10/2005	1	COUNCIL PRESIDENT	Signed	
12/13/2004	1	Columbus City Council	Read for the First Time	
12/2/2004	1	Atty Drafter	Sent for Approval	
12/2/2004	1	CITY ATTORNEY	Reviewed and Approved	
12/2/2004	1	Atty Drafter	Sent to Clerk's Office for Council	
11/30/2004	1	UTILITIES DIRECTOR	Reviewed and Approved	
11/29/2004	1	Atty Reviewer	Reviewed and Approved	
11/29/2004	1	Atty Drafter	Sent for Approval	
11/29/2004	1	UTILITIES DIRECTOR	Reviewed and Approved	
11/23/2004	1	Atty Drafter	Sent for Approval	

Background: The City of Columbus, Ohio is the holder of certain sanitary sewer easement rights, located in the vicinity of Marcum Road and Mariposa Street, by virtue of a recorded deed of easement. The subject real property is more fully described within the body of this legislation. Lifestyle Communities, has requested the City release the aforementioned sewer easement. After investigation, the Department of Public Utilities has determined that the intended sewer was never installed and that the release of the aforementioned easement 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 subject sewer easement in exchange for replacement easements previously granted to the City.

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 held sewer easements, located in the vicinity of Marcum Road and Mariposa Street, at the request of Lifestyle Communities, in exchange for replacement easements previously granted to the City.

WHEREAS, the City of Columbus, Ohio is the holder of certain sanitary sewer easement rights, located in the vicinity of Marcum Road and Mariposa Street, by virtue of a recorded deed of easement; and

WHEREAS, Lifestyle Communities, the subject real property owner, has requested that the aforementioned sewer easement be released; and

WHEREAS, the City has previously been granted replacement easements for the subject development area; and

WHEREAS, after investigation, the Department of Public Utilities has determined that the intended sewer was never installed and that the release of the aforementioned easement will not adversely affect the City and therefore should be granted, 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 certain sanitary 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 200005220100083 in the Recorder's Office, Franklin County, Ohio, to wit:

3.814 Acres
CC11692

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 4, Township 1, Range 16, United States Military Lands and Being all out of that tract as conveyed to Reyno Holding Co. of record in Official Record 30723107 (all deed references refer to the records of the Recorder's Office, Franklin County, Ohio) and described as follows:

Beginning, for reference at the southeast corner of Lot 153 of that plat entitled "The Woods At Jefferson Section 3," of record in Plat Book 85, Pages 56 and 57;

Thence South 86°24'53" East, across the Grantor's tract, a distance of 99.42 feet to a point;

Thence South 03°35'07" West, continuing across the Grantor's tract, a distance of 4.37 feet to the True Point of Beginning;

Thence across the Grantor's tract the following courses:

South 06°40'36" East, a distance of 386.07 feet to a point;

South 54°37'57" East, a distance of 502.67 feet to a point;

North 57°01'33" East, a distance of 178.60 feet to a point;

North 67°10'52" East, a distance of 198.52 feet to a point;

South 87°08'46" East, a distance of 582.72 feet to a point;

North 31°35'06" East, a distance of 100.56 feet to a point in the Grantor's northerly line;

Thence South 86°19'20" East, with said northerly line, a distance of 771.97 feet to the Grantor's northeasterly corner;

Thence South 03°28'21" West, with the Grantor's easterly line, a distance of 60.00 feet to a point;

Thence across the grantor's tract, the following courses;

North 86°19'20" West, a distance of 735.85 feet to a point;

South 31°35'06" West, a distance of 99.98 feet to a point;

North 87°08'46" West, a distance of 604.58 feet to a point;

South 67°10'52" West, a distance of 179.52 feet to a point;

South 57°01'33" West, a distance of 214.00 feet to a point;

North 54°37'57" West, a distance of 570.09 feet to a point;

North 06°40'36" West, a distance of 412.76 feet to a point;

North 83°19'24" East, a distance of 60.00 feet to the true point of beginning and containing 3.814 acres of land, more or less.

Evans Mechwart Hambleton & Titlon Inc.

Jeffrey A. Miller, Registered Surveyor No. 7211

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