



Legislation Details (With Text)

File #: 0711-2007 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 4/26/2007 **In control:** Utilities Committee
On agenda: 6/4/2007 **Final action:** 6/11/2007
Title: To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release a portion of a City owned sanitary sewer easement, located in the vicinity of Third Street and Main Street ~ U.S. Route 62, at the request of New Albany Exchange Partners, LLC.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/11/2007	1	CITY CLERK	Attest	
6/8/2007	1	MAYOR	Signed	
6/4/2007	1	Columbus City Council	Approved	Pass
6/4/2007	1	COUNCIL PRESIDENT	Signed	
5/21/2007	1	Columbus City Council	Read for the First Time	
5/10/2007	1	CITY ATTORNEY	Reviewed and Approved	
5/10/2007	1	Atty Drafter	Sent to Clerk's Office for Council	
5/9/2007	1	Utilities Reviewer	Reviewed and Approved	
5/9/2007	1	Atty Drafter	Sent for Approval	
5/3/2007	1	Utilities Reviewer	Sent for Approval	
5/3/2007	1	UTILITIES DIRECTOR	Reviewed and Approved	
5/2/2007	1	Atty Drafter	Sent for Approval	
5/1/2007	1	Atty Reviewer	Reviewed and Approved	
4/26/2007	1	Atty Drafter	Sent for Approval	

Background: The City of Columbus, Ohio is the holder of a certain sanitary sewer easement to real property located in the vicinity of Third Street and Main Street ~ U.S. Route 62. **New Albany Exchange Partners, LLC** has requested the City release a portion of the easement, more fully described in the body of this legislation. After investigation, it has been determined that the proposed release of the subject 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 aforementioned easement rights.

Fiscal Impact: The \$600.00 to be received by the City of Columbus, Department of Public Utilities as consideration for the subject easement will be deposited into the appropriate fund, to be identified by the City Auditor.

Emergency Justification: N/A

To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release a portion of a City owned sanitary sewer easement, located in the vicinity of Third Street and Main Street ~ U.S. Route 62, at the request of **New Albany Exchange Partners, LLC**.

WHEREAS, the City of Columbus, Department of Public Utilities, is the owner of a certain sanitary sewer easement, located in the vicinity of Third Street and Main Street ~ U.S. Route 62, of by virtue of a recorded instrument in the Franklin County Recorders Office; and

WHEREAS, **New Albany Exchange Partners, LLC** has requested that a certain portion of the sanitary easement be released; and

WHEREAS, after investigation, the Division of Sewerage & Drainage, has determined that the release of the easement will not adversely affect the operations of the City of Columbus; and

WHEREAS, the Real Estate Division, Department of Law, has determined the value of the release of easements to be \$600.00 dollars 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 portion of a certain sanitary easement in and to the following described real property:

0.081 ACRE
EASEMENT DESCRIPTION

Situated in the State of Ohio, County of Franklin, Village of New Albany, Quarter Township 4, Township 2, Range 16, United States Military District, and being a portion of a 20 foot wide sewer utility easement of record in Official Record Volume 23027 B13, said portion of the sewer utility easement being located within a 1.619 acre parcel conveyed to New Albany Exchange Partners, LLC of record in Instrument Number 200603030041179, all record references described herein being to records of the Franklin County Recorder's Office, Columbus, Ohio.

Beginning at an iron pin at the northeasterly corner of a 0.060 acre parcel, conveyed to the Village of New Albany in Instrument Number 200603030041182, and being on the northeasterly corner of the right-of-way line to Third Street (40' R/W), said iron pin also being at the southeasterly corner of a 1.718 acre parcel conveyed to Carl C. & Sandra J. Jooss in Deed Book 3804, Page 511, said iron pin also being on the westerly line of said 1.619 acre New Albany Exchange Partner's parcel and being the true point of beginning of the easement area described herein; Thence N 03° 13'27" E, along the easterly line of said 1.718 acre parcel and the westerly line of said 1.619 acre parcel, a distance of 20.00 feet to a point;

Thence into and through said 1.619 acre parcel, the following three (3) courses and distances:

S 87° 17'53" E, a distance of 19.96 feet to a point;

S 02° 53'13" W, a distance of 65.12 feet to a point;

S 86° 56'32" E, a distance of 100.77 feet to a point on the easterly line of said 1.619 acre parcel, said point also being on the westerly right-of-way line to Main Street (U.S. Route 62 ~ 80' R/W) and the westerly line of a 0.476 acre parcel conveyed to the Village of New Albany in Instrument Number 200603030041186;

Thence S 43° 04'25" W, along the easterly line of said 1.619 acre parcel, and the westerly right-of-way line to Main Street and the westerly line of said 0.476 acre parcel, a distance of 26.11 feet to a point;

Thence into said 1.619 acre parcel, the following two (2) courses and distances:

N 86° 56'32" W, a distance of 103.92 feet to a point;

N 02° 53'13" E, a distance of 65.00 feet to a point;

Thence N 87° 17'53" W, a distance of 0.08 feet to the true point of beginning, containing 0.081 acres, more or less, and being subject to all easements, restrictions, covenants, and rights-of-way of record.

The bearings described herein are based upon the westerly right-of-way line bearing of Main Street, assigned the bearing of S 43°04'25" W, as computed through GPS observations of Franklin County Survey Control monumentation and found Main Street right-of-way monuments. The Franklin County monuments observed for horizontal alignment were FCGS 7706 and FCGS 9917B.

PAGE 2 - 0.081 ACRE EASEMENT DESCRIPTION

This description was prepared by William Weber, Ohio Registered Surveyor # 7808, of P & L Systems, Inc. in December of 2006, from record information and an on-site survey of the premises conducted in July, August and September, 2005. P & L Systems, Inc.

Section 2. That the City Auditor be and hereby is authorized and directed to deposit the **Six Hundred Dollars (\$600.00)**, to be received by the City as consideration for the easement rights to be released, in the appropriate Department of Public Utilities fund.

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