



## Legislation Details (With Text)

**File #:** 1012-2005      **Version:** 1

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

**File created:** 5/25/2005      **In control:** Utilities Committee

**On agenda:** 6/20/2005      **Final action:** 6/23/2005

**Title:** To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release certain sewer easements, located in the vicinity of Broadview Road and Hamilton Road, in exchange for replacement easements previously granted to the City of Columbus, Ohio.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
6/23/2005	1	CITY CLERK	Attest	
6/21/2005	1	MAYOR	Signed	
6/20/2005	1	Columbus City Council	Approved	Pass
6/20/2005	1	COUNCIL PRESIDENT	Signed	
6/13/2005	1	Columbus City Council	Read for the First Time	
6/1/2005	1	Atty Drafter	Sent to Clerk's Office for Council	
5/31/2005	1	Atty Drafter	Sent for Approval	
5/31/2005	1	CITY ATTORNEY	Reviewed and Approved	
5/27/2005	1	UTILITIES DIRECTOR	Reviewed and Approved	
5/26/2005	1	Utilities Reviewer	Sent for Approval	
5/25/2005	1	Atty Drafter	Sent for Approval	
5/25/2005	1	Atty Reviewer	Reviewed and Approved	
5/25/2005	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 Broadview Road and Hamilton Road, by virtue of certain recorded deeds of easement. The aforementioned easements have been replaced by sewer easements previously granted to the City. After investigation, the Department of Public Utilities has determined that the easements should be released and that the release of the subject sewer easements will not adversely affect the City. The following legislation authorizes the Director of the Department of Public Utilities to execute those instruments necessary to release the subject sewer 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 sewer easements, located in the vicinity of Broadview Road and Hamilton Road, 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 a certain sanitary sewer easements, located in the vicinity of Broadview Road and Hamilton Road, by virtue of a recorded deeds of easement in the Franklin County Recorders Office; and

WHEREAS, the aforementioned easements have been replaced by sewer easements previously granted to the City; and

WHEREAS, after investigation, the Department of Public Utilities has determined that the easements should be released and that the release of the subject sewer easements will not adversely affect the City; 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, approved by the Department of Law, Real Estate Division, necessary to release certain sanitary easement rights in and to the following described real property:

**CC11854-2**

**0.257-Acre Sanitary Sewer Easement**

Situated in the State of Ohio, County of Franklin, City of Columbus and being located in Quarter Township 4, Township 2, Range 17, United States Military Lands and being a strip of land across that tract as conveyed to Ben W. Hale, Jr. Trustee by deed of record in Official Record 34299G14, all references being to records of the Recorder's Office, Franklin County, Ohio said strip being described as follows:

Beginning, for reference, in Grantor's southerly line, being the northeasterly corner of that tract as conveyed to Thomas H. Lurie by deed of record in Deed Book 3578, Page 561;

Thence along Grantor's southerly line, being the northerly line of said Lurie tract, the following courses and distances:

Northwesterly, along the arc of a curve to the right (Delta=26°21'06", Radius=450.00 feet), a chord bearing and distance of North 51°07'06" West, 205.15 feet to a point of agency; and

North 37°56'34" West, a distance of 19.46 feet to the True Point of Beginning for the strip herein intended to be described;

Thence North 37°56'34" West, continuing along Grantor's southerly line, being the northerly line of said Lurie tract, a distance of 33.78 feet to a point;

Thence across Grantor's tract, the following courses and distances:

North 03°18'12" East, a distance of 139.38 feet to a point;

North 86°41'48" West, a distance of 15.00 feet to a point;

North 03°18'12" East, a distance of 20.00 feet to a point;

South 86°41'48" East, a distance of 15.00 feet to a point;

North 03° 18'12" East, a distance of 280.00 feet to a point;

North 86°41'48" West, a distance of 15.00 feet to a point;

North 03°18'12" East, a distance of 20.00 feet to a point;

South 86°41'48" East, a distance of 15.00 feet to a point; and

North 03°18'12" East, a distance of 50.04 feet to a point in Grantor's northerly line, being the southerly line of that tract as conveyed to Thomas H. Lurie by deed of record in Official Record 1878C15;

Thence South 86°27'02" East, along Grantor's line, being the southerly line of said Lurie tract, a distance of 20.00 feet to a point;

Thence South 03°18'12" West, across Grantor's tract, a distance of 359.89 feet to a point;

Thence South 02° 33'33" West, continuing across Grantor's tract, a distance of 174.85 feet to the True Point of Beginning, and containing 0.257 acre of land, more or less.

**CC11854A**

**0.596 Acre Sanitary Sewer Easement**

Situated in the State of Ohio, County of Franklin, City of Columbus and being located in Quarter Township

4, Township 2, Range 17, United States Military Lands and strip of land across those tracts as conveyed to Thomas H. Lurie by deeds of record in Deed Book 3683, Page 111, Official Record 11850C17 and Official Record 18785C15, all references being to records of the Recorder's Office, Franklin County, Ohio, said strip being described as follows:

Beginning at a point in the westerly right-of-way line of Hamilton Road in Grantor's northerly line, being the southerly line of that tract as conveyed to Fred and Katie Hixon by deed record in Official Record 31411J10.

Thence South 03°19'23" West, along said westerly right-of-way line, a distance of 158.05 feet to a point;

Thence South 03°28'23" West, continuing along said westerly right-of-way line, a distance of 880.16 feet to a southerly line of Grantor's tract, being a northerly line of tract as conveyed to Woodland Manor Nursing Home by deed of record in Official Record 13709112;

Thence North 86°22'02" West, along Grantor's southerly line, being the northerly line of said Nursing Home tract, a distance of 25.00 feet to a point;

Thence North 03°28'23" East, being across Grantor's tracts and being 25.00 feet westerly from and parallel to said westerly right-of-way line, a distance 832.08 feet to a point;

Thence North 03°21'35" East, continuing across Grantor's tract, a distance of 206.39 feet to a point in Grantor's northerly line, being the southerly line of said Hixon's tract;

Thence South 85°46'09" East, along Grantor's northerly line, being the southerly line of said Hixon tract, a distance of 25.00 feet to the point of beginning, and containing 0.596 acre of land, more or less.

**CC11854-1**

**0.057 acre Sanitary Sewer Easement**

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Quarter Township 4, Township 2, Range 17, United States Military Lands and being a strip of land across that tract of land as conveyed to Thomas H. Lurie by deed of record in Deed Book 3578, Page 561, all references being to records of the Recorder's Office, Franklin County, Ohio, and being described as follows:

Beginning for reference at Grantor's northeasterly corner, being a southerly line of that tract as conveyed to Ben W. Hale Jr., Trustee by deed of record in Official Record 34299G14;

Thence along Grantor's northerly line, the following courses and distances;

Northwesterly, along the arc of a curve to the right (Delta=26°21'06", Radius=450.00 feet), a chord bearing and distance of North 51°07'06" West, 205.15 feet to a point of tangency; and

North 37°56'34" West, a distance of 19.46 feet to the True Point of Beginning for the strip herein intended to be described;

Thence across Grantor's tract, the following courses and distances:

South 02°33'33" West, a distance of 97.22 feet to a point;

North 86°41'48" West, a distance of 23.53 feet to a point; and

North 03°18'12" East, a distance of 122.61 feet to Grantor's northerly line, being the southerly line of said Hale tract;

Thence South 37°56'34" East, along Grantor's northerly line, being the southerly line of said Hale tract, a distance of 33.78 feet to the True Point of Beginning, and containing 0.057 acre of land, more or less.

**CC11854-1**

**0.523 Acre Sanitary Sewer Easement**

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Quarter Township 4, Township 2, Range 17, United States Military Lands and being a strip of land across those tracts as conveyed to Thomas H. Lurie by deeds of record of Deed Book 3683, Page 111 and Official Record 1878C15, all references being to records of the Recorder's Office, Franklin County, Ohio said strip being described as follows:

Beginning at a point in Grantor's easterly line, at the southwesterly corner of that tract as conveyed to the Woodland Manor Nursing Home by deed of record in Official Record 13709112;

Thence North 86°27'02" West, across Grantor's tract, a distance of 109.57 feet to a point;

Thence South 03°18'12" West, continuing across Grantor's tracts, a distance of 230.00 feet to a point in Grantor's southerly line, being the northerly line of tract as conveyed to Ben W. Hale Jr. Trustee by deed of record in Official Record 34299G14;

Thence North 86°27'02" West, along Grantor's southerly line, being the northerly line of said Hale tract, a distance of 20.00 feet to a point;

Thence crossing Grantor's tracts, the following courses and distances;

North 03°18'12" East, a distance of 250.00 feet to a point;

South 86°27'02" East, a distance of 99.63 feet to a point;  
North 03°28'21" East, a distance of 520.00 feet to a point; and  
South 86°27'02" East, a distance of 30.00 feet to a point;  
Thence South 03°28'21" West, continuing across Grantor's tracts and being along the westerly line of said Nursing Home tract, a distance of 540.00 feet to the point of beginning, and containing 0.523 acre of land, more or less.

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