



## Legislation Details (With Text)

**File #:** 1025-2005      **Version:** 1

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

**File created:** 5/26/2005      **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 Lyra Drive and Polaris Parkway, 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	
6/2/2005	1	CITY ATTORNEY	Reviewed and Approved	
6/2/2005	1	Atty Drafter	Sent to Clerk's Office for Council	
6/1/2005	1	UTILITIES DIRECTOR	Reviewed and Approved	
6/1/2005	1	Atty Drafter	Sent for Approval	
5/31/2005	1	Utilities Reviewer	Sent for Approval	
5/26/2005	1	Atty Drafter	Sent for Approval	
5/26/2005	1	Atty Reviewer	Reviewed and Approved	

**Background:** The City of Columbus, Ohio is the holder of certain sanitary sewer easement rights, located in the vicinity of Lyra Drive and Polaris Parkway, by virtue of certain recorded deeds of easement. However, due to a new interchange north of Polaris Parkway and a subsequent change in the drainage pattern within the subject area, the aforementioned easements have been replaced by sewer easements, previously granted to the City.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 Lyra Drive and Polaris Parkway, 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 Lyra Drive and Polaris Parkway, 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:

**0.272 Acres**

Situated in the State of Ohio, County of Delaware, City of Columbus, Farm Lot 12, Section 4, Township 3, Range 18, United State Military Lands and being 0.272 acres out of said Farm Lot 12 and being 0.272 acres out of an 16.9397 acre tract as conveyed to N.P. Limited Partnership of record in Official Record Volume 268, Page 2268, (all records being of the Recorder's Office, Delaware County, Ohio) and being more particularly described as follows:

Beginning for reference at the centerline intersection of Polaris Parkway (164.00 feet wide) as recorded in Plat Book 24, Page 137 and with the centerline intersection of Lyra Drive (100.00 feet wide) as recorded in Plat Cabinet 2, Slide 396.

Thence North 06°28'33" West with said centerline, a distance of 82.00 feet to a point;

Thence North 83°31'27" East though said Lyra Drive and with the northerly right of way line of said Polaris Parkway, a distance of 550.00 feet to a point on the westerly line I-71 limited access right of way line as recorded in Deed Book 526 Page 125;

Thence North 06°28'33" West with said limited access line, a distance of 18.00 feet to a point;

Thence North 78°05'02" East with said access line, a distance of 60.90 feet to the true point of beginning;

Thence through said 16.939 acre tract and with the existing 60 foot drainage easement, the following three (3) courses;

- 1) North 11°28'33" West, a distance of 204.14 feet to a point;
- 2) South 89°29'20" East, a distance of 61.34 feet to a point;
- 3) South 11°28'33" East, a distance of 190.94 feet to a point on the northerly line of said limited access right of way line;

Thence South 78°05'02" West with said limited access right of way line a distance of 60.00 feet to the true point of beginning and containing 0.272 acres 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.