



Legislation Details (With Text)

File #: 3384-2018 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 11/27/2018 **In control:** Public Utilities Committee
On agenda: 2/11/2019 **Final action:** 2/13/2019

Title: To authorize the director of the Department of Public Utilities (DPU) to execute any document(s) necessary to release the City's easement rights described and recorded in Deed Book 2470, Page 187 Recorder's Office, Franklin County, Ohio and to transfer ownership of all existing storm sewers within that Easement to Chemical Abstracts. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. CC 18253 Chemical Abstracts Services Easement to be released

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|-------------------------|--------|
| 2/13/2019 | 1 | CITY CLERK | Attest | |
| 2/12/2019 | 1 | MAYOR | Signed | |
| 2/11/2019 | 1 | COUNCIL PRESIDENT | Signed | |
| 2/11/2019 | 1 | Columbus City Council | Approved | Pass |
| 2/4/2019 | 1 | Columbus City Council | Read for the First Time | |

Background: The City possesses title to a storm sewer easement described and recorded in Deed Book 2470, Page 187 Recorder's Office, Franklin County, Ohio ("Easements") known as storm sewer MM1091. The Easement burdens real property located in the vicinity of 2540 Olentangy River Road, Columbus, Ohio 43202 {Franklin County Tax Parcels 010-103298, 010-003249 and 010-103169} ("Servient Estate") currently owned by American Chemical Society, a D.C. for profit corporation a.k.a Chemical Abstracts Services ("Owner"). In conjunction with CC18253 the City's Department of Public Utilities (DPU) has reviewed a request by the property owner to vacate the existing easement recorded in Deed Book 2470, Page 187 and determined that the release of the easement does not adversely affect the City because the existing storm sewer only drains private property and, provided Owner assumes all responsibility and liability for the existing storm sewer, should be granted at no monetary cost.

Fiscal Impact: Not Applicable

Emergency Justification: Not Applicable

To authorize the director of the Department of Public Utilities (DPU) to execute any document(s) necessary to release the City's easement rights described and recorded in Deed Book 2470, Page 187 Recorder's Office, Franklin County, Ohio and to transfer ownership of all existing storm sewers within that Easement to Chemical Abstracts. (\$0.00)

WHEREAS, the City intends to release and terminate its storm sewer easement rights described and recorded in Deed Book 2470, Page 187, Recorder's Office, Franklin County, Ohio (*i.e.* Easement), because DPU has reviewed the request

and determined that the described storm sewer easement is no longer needed as the existing sewer only drains private property; and

WHEREAS, the City intends to transfer all ownership, responsibility, and liability for the continued operation of the existing storm sewer to the current owner American Chemical Society, a D.C. for profit corporation a.k.a Chemical Abstracts Services; and

WHEREAS, the City intends for the City Attorney to approve any document(s) associated with this ordinance; and **now, therefore:**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of the Department of Public Utilities (DPU) is authorized to execute any document(s) necessary to release and terminate the easement described and recorded in Deed Book 2470, Page 187, Recorder's Office, Franklin County, Ohio (*i.e.* Easement), which is also found in the four (4) page attachment, Exhibit-A, and fully incorporated for reference as if rewritten.

SECTION 2. That the Director of the Department of Public Utilities (DPU) is authorized to execute any document(s) necessary to transfer ownership and responsibility for the existing storm sewer to the current owner American Chemical Society, a D.C. for profit corporation a.k.a Chemical Abstracts Services.

SECTION 3. That the City Attorney's Office, Real Estate Division is required to approve all instrument(s), associated with this ordinance.

SECTION 4. That this ordinance shall take effect and be in full force and effect from and after the earliest period allowed by law.