



Legislation Details (With Text)

File #: 2151-2004 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/19/2004 **In control:** Utilities Committee

On agenda: 12/13/2004 **Final action:** 12/15/2004

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 Winchester Crossing and Hamilton Road, at the request of Triangle Real Estate Services, Inc.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
12/15/2004	1	CITY CLERK	Attest	
12/13/2004	1	Columbus City Council	Approved	Pass
12/13/2004	1	COUNCIL PRESIDENT	Signed	
12/13/2004	1	MAYOR	Signed	
12/6/2004	1	Columbus City Council	Read for the First Time	
11/23/2004	1	UTILITIES DIRECTOR	Reviewed and Approved	
11/23/2004	1	Atty Drafter	Sent for Approval	
11/23/2004	1	CITY ATTORNEY	Reviewed and Approved	
11/23/2004	1	Atty Drafter	Sent to Clerk's Office for Council	
11/22/2004	1	Atty Reviewer	Reviewed and Approved	
11/22/2004	1	Atty Drafter	Sent for Approval	
11/22/2004	1	UTILITIES DIRECTOR	Reviewed and Approved	
11/19/2004	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 Winchester Pike and Hamilton Road, by virtue of a recorded deed of easement. The subject real property is more fully described within the body of this legislation. Triangle Real Estate Services, Inc., has requested the City release the aforementioned sewer easements. After investigation, the Department of Public Utilities has determined 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.

Fiscal Impact....The \$510.00 to be received by the City of Columbus, Department of Public Utilities as consideration for the subject easement will be deposited into the Permanent Improvement Fund.

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 Winchester Crossing and Hamilton Road, at the request of Triangle Real Estate Services, Inc.

WHEREAS, the City of Columbus, Department of Public Utilities, is the owner of a certain sanitary sewer easement by virtue of a recorded deed of easement in the Franklin County Recorders Office; and

WHEREAS, Triangle Real Estate Services, Inc., the subject real property owner, has requested that the aforementioned sewer easement be released; and

WHEREAS, the Real Estate Division, Department of Law, has determined the value of the release of easements to be \$510.00 dollars now, therefore:

WHEREAS, the Department of Public Utilities, Division of Sewerage & Drainage, after investigation, has determined that the release of the subject easement rights will not adversely affect the operations of the City of Columbus; 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 200404210089847 in the Recorder's Office, Franklin County, Ohio, to wit:

**SANITARY SEWER EASEMENT
1.63 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 9, Township 11, Range 21, Congress Lands, being a strip of land across that tract of land conveyed to Ebright Investment Co. LLC by deeds of record in Instrument Number 199903310079450 and Instrument Number 199903310079447 (all references refer to the records of the Recorder's Office, Franklin County, Ohio unless noted otherwise) and described as follows:

Beginning, for reference, at the intersection of the westerly right-of-way line for Hamilton Road, as shown on plan FRA-317-0.19(B), with the southerly right-of-way line for Winchester Pike, as shown on plan S.H.-49 SEC.-D(1) Pt. (said plans being on file with the Ohio Department of Transportation);

Thence across the Grantor's tract with said southerly right-of-way line, the following courses:

Northwesterly, with the arc of a curve to the right, having a central angle of 02°02'03", a radius of 3729.72 feet, a chord bearing and chord distance of North 69°18'00" West, 132.41 feet to a point of tangency;

North 70° 19' 02" West, a distance of 495.36 feet to a point of curvature to the right;

Northwesterly, with the arc to the right, having a central angle of 04°27'08", a radius of 3909.72 feet, a chord bearing and chord distance of North 68°05'28" West, 303.74 feet to the True Point of Beginning;

Thence leaving said southerly right-of-way line and across the Grantor's tracts, the following courses:

South 00°28'32" East, a distance of 133.28 feet;
South 79°41'12" East, a distance of 166.01 feet;
South 04°49'37" West, a distance of 224.80 feet;
South 63°40'12" West, a distance of 201.59 feet;
South 04°05'48" West, a distance of 124.50 feet;
South 18°34'03" West, a distance of 282.83 feet;
South 34°40'40" West, a distance of 216.67 feet;
South 53°00'00" West, a distance of 282.34 feet;
South 73°40'20" West, a distance of 156.04 feet;
South 04°38'48" West, a distance of 284.06 feet;
North 85°22'12" West, a distance of 20.00 feet;
North 04°37'48" East, a distance of 297.81 feet;

North 73°40'20" East, a distance of 155.51 feet;
North 28°49'18" West, a distance of 159.82 feet;
South 87°02'13" West, a distance of 629.91 feet;
South 69°41'49" West, a distance of 364.36 feet;
South 74°21'13" West, a distance of 154.79 feet;
North 14°51'24" West, a distance of 20.00 feet;
North 69°41'49" East, a distance of 366.50 feet;
North 87°02'13" East, a distance of 645.49 feet;
South 28°49'18" East, a distance of 173.27 feet;
North 53°00'00" East, a distance of 265.75 feet;
North 34°40'40" East, a distance of 210.61 feet;
North 18°34'03" East, a distance of 277.46 feet;
North 04°05'48" East, a distance of 133.41 feet;
North 63°40'12" East, a distance of 186.23 feet;
North 04°57'56" East, a distance of 204.61 feet;
North 79°41'12" West, a distance of 151.54 feet;
North 00°28'32" West, a distance of 159.05 feet to a point on a curve in said southerly right of way line;
with said southerly right of way line, with the arc of a curve to the left , a central angel of 00°19'22", a radius of 3909.72 feet, a chord bearing and chord distance of South 65°42'13"East, 22.03 feet to the True Point of Beginning and containing 1.623 acres more or less.

EVANS MERCHANT HAMBLETON & TILTON, INC.

John C. Didigion, Registered Surveyor No.8069

Section 2. That the Five Hundred Ten Dollars (\$510.00), to be received by the City as consideration for the easement rights to be released, be and is hereby authorized to be deposited in Fund # 671, 60-05 Permanent Improvement Fund.

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