



## Legislation Details (With Text)

**File #:** 1980-2020      **Version:** 1

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

**File created:** 8/28/2020      **In control:** Public Utilities Committee

**On agenda:** 5/17/2021      **Final action:** 5/20/2021

**Title:** To authorize the director of the Department of Public Utilities to execute those document(s) necessary to release and terminate a portion of the City's easement rights described and recorded in Instrument Number 201803280040299, Recorder's Office, Franklin County, Ohio. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Easement Release Exhibit Cannon and 12th Ave. 0.072 State of Ohio

Date	Ver.	Action By	Action	Result
5/20/2021	1	CITY CLERK	Attest	
5/18/2021	1	MAYOR	Signed	
5/17/2021	1	COUNCIL PRESIDENT PRO-TEM	Signed	
5/17/2021	1	Columbus City Council	Approved	Pass
5/10/2021	1	Columbus City Council	Read for the First Time	

**BACKGROUND:** The City possesses title to a sanitary sewer easement described and recorded in Instrument Number, 201803280040299 Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located in the vicinity of Cannon Drive and West 12<sup>th</sup> Avenue {Franklin County Tax Parcel 010-067007} ("Servient Estate") currently owned by the State of Ohio. The City's Department of Public Utilities ("DPU") has reviewed the request by the property owner to vacate a 0.072 acre portion of the existing easement and determined that the sewer will be relocated and the easement is no longer needed. DPU has determined that terminating a portion of the City's rights to the Easement does not adversely affect the City and 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 to execute those document(s) necessary to release and terminate a portion of the City's easement rights described and recorded in Instrument Number 201803280040299, Recorder's Office, Franklin County, Ohio. (\$0.00)

**WHEREAS,** the City intends to release and terminate a portion of its sewer easement rights described and recorded in Instrument Number 201803280040299, Recorder's Office, Franklin County, Ohio ("Easement"), because the Department of Public Utilities has reviewed a request from the owner and determined that the described 0.072 acre portion of the sanitary sewer easement is no longer needed as the sewer is being relocated and a new easement will be granted. The City intends to keep the existing easement in place until such time as a new easement has been granted and recorded; and

**WHEREAS**, the City intends for the City Attorney to approve all 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 only the described 0.072 acre, more or less, tract of easement area described and recorded in Instrument Number 201803280040299, Recorder’s Office, Franklin County, Ohio (“Easement”), which is further described and depicted in the two (2) page attachment, Exhibit-A, and fully incorporated for reference as if rewritten.

**SECTION 2.** That the City Attorney is required to approve all document(s) associated with this ordinance prior to the director of DPU executing and acknowledging any of those document(s).

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