



## Legislation Details (With Text)

**File #:** 1975-2013      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 8/7/2013      **In control:** Public Utilities Committee  
**On agenda:** 9/16/2013      **Final action:** 9/19/2013

**Title:** To authorize the Director of the Department of Public Utilities, City of Columbus, Ohio, to execute those documents necessary to release to The New Albany Company LLC, a Delaware limited liability company, portions of the City's sewer utility easement rights described and recorded in O.R.V. 34188, Page C08, and Instrument Number 199803270071832, Recorder's Office, Franklin County, Ohio. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
9/19/2013	1	ACTING CITY CLERK	Attest	
9/18/2013	1	MAYOR	Signed	
9/16/2013	1	COUNCIL PRESIDENT	Signed	
9/16/2013	1	Columbus City Council	Approved	Pass
9/9/2013	1	Columbus City Council	Read for the First Time	

**BACKGROUND:**

The City of Columbus, Ohio ("City") holds title to two (2) sewer utility easements described and recorded in O.R.V. 34188, Page C08, and Instrument Number 199803270071832 ("Easements"), Recorder's Office, Franklin County, Ohio. The successor-Grantor of Easements, The New Albany Company LLC ("NAC"), a Delaware limited liability company, requests the City to release portions of the City's sewer easement rights in the Easements. The City's Department of Public Utilities, Division of Sewerage and Drains, reviewed, approved, and determined releasing portions of the City's sewer utility easement rights in the Easements do not adversely affect the City and should be granted at no cost, because the City removed, abandoned, and no longer needs those sewer utility service lines for City operations. Therefore, this legislation authorizes the Director of the Department of Public Utilities to execute those documents, as prepared by the Columbus City Attorney, Real Estate Division, necessary to release to NAC portions of the City's sewer utility easement rights in the Easements.

**FISCAL IMPACT:** Not applicable.

**EMERGENCY JUSTIFICATION:** Not applicable.

To authorize the Director of the Department of Public Utilities, City of Columbus, Ohio, to execute those documents necessary to release to The New Albany Company LLC, a Delaware limited liability company, portions of the City's sewer utility easement rights described and recorded in O.R.V. 34188, Page C08, and Instrument Number 199803270071832, Recorder's Office, Franklin County, Ohio. (\$0.00)

**WHEREAS**, the City of Columbus, Ohio (“City”), holds title to two (2) sewer utility easements described and recorded in O.R.V. 34188, Page C08, and Instrument Number 199803270071832 (“Easements”), Recorder’s Office, Franklin County, Ohio;

**WHEREAS**, portions of the sewer utility service line in the Easements were abandoned, removed, and are no longer needed for City operations;

**WHEREAS**, the successor-Grantor of the Easements, The New Albany Company LLC (“NAC”), a Delaware limited liability company, requests the City to release portions of the City’s sewer easement rights in the Easements to NAC;

**WHEREAS**, the City’s Department of Public Utilities, Division of Sewerage and Drains, reviewed, approved, and determined releasing portions of the City’s sewer utility easement rights in the Easements do not adversely affect the City and should be granted at no cost; and **NOW, THEREFORE:**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:**

**SECTION 1.** The Director of the Department of Public Utilities on behalf of the City of Columbus, Ohio (“City”), is authorized to execute those documents, as prepared by the Columbus City Attorney, Real Estate Division, to forever release, relinquish, and discharge to The New Albany Company LLC, a Delaware limited liability company, the City’s sewer utility easement rights in the following two (2) described easement areas:

**TRACT 1:**

**0.009 ACRE EASEMENT AREA RELEASE**

Situated in the State of Ohio, County of Franklin, City of New Albany, lying in Quarter Township 4, Township 2, Range 16, United States Military Lands, being a 20 foot strip of land on, over, and across that 19.975 acre tract conveyed to The New Albany Company LLC by deeds of record in Official Record 13030C10 and Instrument Number 199811120289607, being part of the existing sanitary sewer easement of record in Instrument Number 199803270071832, (all references are to the records of the Recorder’s Office, Franklin County, Ohio) and being more particularly described as follows:

**BEGINNING** at the intersection of the northeasterly right-of-way line Market Street (80 feet wide), as dedicated in Plat Book 90, Page 53, with the northwesterly line of Lot 2 of “Russell Lee Manor”, a subdivision of record in Plat Book 24, Page 41;

Thence **North 53° 09’ 04” West**, with said northeasterly right-of-way line, a distance of **20.18 feet** to a point;

Thence **North 44° 25’ 19” East**, across said 19.975 acre tract, with the northwesterly line of said existing easement, a distance of **19.52 feet** to a point;

Thence **South 58° 23’ 03” East**, continuing across said 19.975 acre tract, with the northeasterly line of said existing easement, a distance of **20.51 feet** to a point in the northwesterly line of Lot 1 of said “Russell Lee Manor”;

Thence **South 44° 25’ 19” West**, with the northwesterly lines of said Lots 1 and 2, and the southeasterly line of said existing easement, a distance of **21.41 feet** to the **POINT OF BEGINNING**, containing **0.009 acre**, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.  
Heather L. King, Professional Surveyor № 8307

**TRACT 2:**

**0.077 ACRE EASEMENT AREA RELEASE**

Situated in the State of Ohio, County of Franklin, City of New Albany, lying in Quarter Township 4,

Township 2, Range 16, United States Military Lands, being a 20 foot strip of land on, over, and across that 4.986 acre tract conveyed to The New Albany Company LLC by deed of record in Instrument Number 200601190012026, being part of the existing sanitary sewer easement of record in Official Record 34188C08, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the northerly corner of that 0.514 acre tract conveyed to The New Albany Company LLC by deeds of record in Official Record 14698A16 and Instrument Number 199811120289607, being an angle point in the southerly line of said 4.986 acre tract;

Thence South 59° 55' 04" East, with the line common to said 4.986 and 0.514 acre tracts, a distance of 7.39 feet to the **TRUE POINT OF BEGINNING**;

Thence **North 59° 44' 16" East**, across said 4.986 acre tract, a distance of **174.06 feet** to a point in the westerly right-of-way line of Village Hall Road (width varies), as dedicated in Plat Book 110, Page 38;

Thence **South 26° 07' 27" East**, with the easterly line of said 4.986 acre tract and said westerly right-of-way line, a distance of **20.05 feet** to a point;

Thence **South 59° 44' 16" West**, across said 4.986 acre tract, a distance of **161.23 feet** to a point in the line common to said 4.986 and 0.514 acre tracts;

Thence **North 59° 55' 04" West**, with said common line, a distance of **23.02 feet**, to the **TRUE POINT OF BEGINNING**, containing **0.077 acre**, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.  
Heather L. King, Professional Surveyor № 8307

**SECTION 2.** This ordinance takes effect and is in force from and after the earliest period allowed by law.