



Legislation Details (With Text)

File #: 0930-2016 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 3/28/2016 **In control:** Recreation & Parks Committee

On agenda: 5/2/2016 **Final action:** 5/4/2016

Title: To authorize the director of the Recreation and Parks Department to execute those document(s), as approved by the City Attorney, necessary to release and terminate all of the City's easement rights described and recorded in Instrument Number 200809100137443, Recorder's Office, Franklin County, Ohio. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
5/4/2016	1	CITY CLERK	Attest	
5/3/2016	1	MAYOR	Signed	
5/2/2016	1	COUNCIL PRESIDENT	Signed	
5/2/2016	1	Columbus City Council	Approved	Pass
4/18/2016	1	Columbus City Council	Read for the First Time	

BACKGROUND:

The City possesses title to a parking and walkway easement described and recorded in Instrument Number 200809100137443, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located at 30 Graceland Boulevard, Columbus, OH 43214 {Franklin County Tax Parcel 010-110286} ("Servient Estate") for the benefit of the City's adjacent real property located along the Olentangy River at Franklin County Tax Parcels 010-013366 and 010-110681 ("Kenney Park"). The existing owner of the Servient Estate, Graceland Owner, LLC, an Ohio limited liability company ("Property Owner"), requested the City to release and terminate all its rights to the Easement in order to clean the Servient Estate's title. The City's Recreation and Parks Department (CRPD) reviewed the Property Owner's request and determined releasing and terminating all of the City's rights to the Easement does not adversely affect the City and should be granted at no monetary cost, because the City no longer needs the Easement to benefit Kenney Park as the Property Owner granted the City a new replacement access, parking, and walkway easement described and recorded in Instrument Number 201603140029936, Recorder's Office, Franklin County Ohio.

FISCAL IMPACT:

Not applicable.

EMERGENCY JUSTIFICATION:

Not applicable.

To authorize the director of the Recreation and Parks Department to execute those document(s), as approved by the City Attorney, necessary to release and terminate all of the City's easement rights described and recorded in Instrument Number 200809100137443, Recorder's Office, Franklin County, Ohio. (\$0.00)

WHEREAS, the City intends to release and terminate all its parking and walkway easement rights described and recorded in Instrument Number 200809100137443, Recorder's Office, Franklin County, Ohio (*i.e.* Easement), because the Easement is no longer needed in order to appropriately access the City's adjacent real property located along the Olentangy River at Franklin County Tax Parcels 010-013366 and 010-110681 (*i.e.* Kenney Park);

WHEREAS, the City intends to release and terminate the Easement in consideration that the property owner of the servient estate, Graceland Owner, LLC, an Ohio limited liability company (*i.e.* Property Owner), granted the City a new replacement access, parking, and walkway easement described and recorded in Instrument Number 201603140029936, Recorder's Office, Franklin County Ohio;

WHEREAS, the City intends for the City Attorney to approve of all document(s) associated with this ordinance; and

WHEREAS, it is necessary to authorize the Director to execute those documents to release the easement described above;
now, therefore,

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

SECTION 1. The director of the Recreation and Parks Department (CRPD) is authorized to execute any document(s) necessary to forever release and terminate all of the City's parking and walkway easement rights described and recorded in Instrument Number 200809100137443, Recorder's Office, Franklin County, Ohio (*i.e.* Easement).

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

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