



Legislation Text

File #: 0248-2019, **Version:** 1

BACKGROUND: The City possesses title to a sanitary sewer easements described and recorded in Plat Book 66, Page 76, Plat Book 3797, Page 734, and Official Record 2688H12 & 3297I16, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located at Bent Tree Lane {Franklin County Tax Parcels 590-297811, 590-208808, and 590-297810} ("Servient Estate") currently owned by Graham Park, LLC, Harper House, LLC, and Luxe Twelve5, LLC, respectively, Ohio limited liability companies. The City's Department of Public Utilities (DPU) has reviewed the request by the property owner to vacate a portion of the existing easement and determined that the sanitary sewer was relocated under CC 17891, and portions of the existing easement are 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 (DPU) to execute those document(s) necessary to release and terminate portions of the City's easement rights described and recorded in Plat Book 66, Page 76, Plat Book 3797, Page 734, and Official Record 2688H12 & 3297I16, 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 Plat Book 66, Page 76, Plat Book 3797, Page 734, and Official Record 2688H12 & 3297I16, Recorder's Office, Franklin County, Ohio (*i.e.* Easement), because DPU has reviewed the request and determined that the described 0.012, 0.132, 0.046, and 0.707 acre portions of the sanitary sewer easement are longer needed as the sewer has been relocated under Sanitary Plan CC 17891 and new easements recorded in the following instruments Graham Park LLC - 201712010169580, Luxe Telve5 LLC - 201712010169581 and Harper House LLC - 201712010169582; 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 0.012, 0.132, 0.046, and 0.707 acre portions, more or less, tract of easement area described and recorded in Plat Book 66, Page 76, Plat Book 3797, Page 734, and Official Record 2688H12 & 3297I16, Recorder's Office, Franklin County, Ohio (*i.e.* Easement), which is also found in the eight (8) 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.