



## Legislation Text

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**File #:** 0535-2024, **Version:** 1

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**BACKGROUND:** The City possesses title to a sanitary sewer easement described and recorded in Instrument Number 197911150033209, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located in the vicinity of the intersection of 1564 McNaughten Road {Franklin County Tax Parcel 550-156222} ("Servient Estate") currently owned by Waldren Woods LLC, an Ohio limited liability company. The City's Department of Public Utilities ("DPU") has reviewed a request by the owner of the Servient Estate to vacate a 0.224 acre portion of the existing Easement and determined that the portion of the Easement is no longer needed as the sewer in CC-4866 was never constructed. DPU has determined that terminating the City's rights to the portion of 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 a portion the City's utility easement rights described and recorded in Instrument Number 197911150033209, Recorder's Office, Franklin County, Ohio. (\$0.00)

**WHEREAS,** the Department of Public Utilities ("DPU") received a request from Waldren Woods LLC, an Ohio limited liability company, to vacate a 0.224 acre portion of a sanitary sewer easement recorded in Instrument Number 197911150033209, Recorder's Office, Franklin County, Ohio ("Easement"); and

**WHEREAS,** DPU reviewed the request and determined that the 0.224 acre portion of the Easement is no longer needed as the sanitary sewer was never constructed and the 0.224 acre portion of the Easement should be released at no monetary cost; and

**WHEREAS,** the City intends for the City Attorney to approve all document(s) associated with this ordinance; **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") be, and hereby is, authorized to execute any document(s) necessary to release and terminate only a 0.224 acre portion of the sanitary sewer easement recorded in Instrument Number 197911150033209, Recorder's Office, Franklin County, Ohio, 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.