



## Legislation Details (With Text)

**File #:** 2006-2013      **Version:** 1

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

**File created:** 8/15/2013      **In control:** Recreation & Parks Committee

**On agenda:** 9/16/2013      **Final action:** 9/19/2013

**Title:** To authorize the Director of the Recreation and Parks Department to execute those documents prepared by the City Attorney, Real Estate Division, to release to Burgess & Niple, Inc. the City's parking easement rights described and recorded in Deed Book 12191, Page D01, Recorder's Office, Franklin County, Ohio. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit-A, 2. Exhibit-B

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

**BACKGROUND:**

The City of Columbus, Ohio ("City") possesses parking easement rights described in an easement agreement between the City and Burgess & Niple, Limited, an Ohio limited partnership association, recorded in Deed Book 12191, Page D01 ("Old Easement"), Recorder's Office, Franklin County, Ohio. The successor-Grantor of the Old Easement, Burgess & Niple, Inc. ("B&N"), an Ohio corporation, requests the City to release the City's parking easement rights described in the Old Easement. The City's Recreation and Parks Department reviewed, approved, and determined releasing the City's parking easement rights in the Old Easement does not adversely affect the City and should be granted at no cost, because B&N granted the City new, replacement parking easement rights described and recorded in Instrument Number 201308020130311 ("New Easement"), Recorder's Office, Franklin County, Ohio. Therefore, this legislation authorizes the Director of the Recreation and Parks Department to execute those documents prepared by the Columbus City Attorney, Real Estate Division, necessary to release to B&N the City's parking easement rights in the Old Easement.

**FISCAL IMPACT:** Not applicable.

**EMERGENCY JUSTIFICATION:** Not applicable.

To authorize the Director of the Recreation and Parks Department to execute those documents prepared by the City Attorney, Real Estate Division, to release to Burgess & Niple, Inc. the City's parking easement rights described and recorded in Deed Book 12191, Page D01, Recorder's Office, Franklin County, Ohio. (\$0.00)

**WHEREAS**, the City of Columbus, Ohio ("City") possesses parking easement rights described in an easement agreement between the City and Burgess & Niple, Limited, an Ohio limited partnership association, and recorded in Deed Book

12191, Page D01 (“Old Easement”), Recorder's Office, Franklin County, Ohio;

**WHEREAS**, the Old Easement is attached to this ordinance as **Exhibit-A**;

**WHEREAS**, the successor-Grantor of the Old Easement, Burgess & Niple, Inc. (“B&N”), an Ohio corporation, requests the City to release the City’s parking easement rights described in the Old Easement;

**WHEREAS**, the City’s Recreation and Parks Department reviewed, approved, and determined releasing the City’s parking easement rights in the Old Easement does not adversely affect the City and should be granted at no cost, because B&N granted the City new, replacement parking easement rights described and recorded in Instrument Number 201308020130311 (“New Easement”), Recorder’s Office, Franklin County, Ohio;

**WHEREAS**, the New Easement is attached to this ordinance as **Exhibit-B**; **NOW, THEREFORE**:

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

**SECTION 1.** The Director of the Department of the Recreation and Parks Department on behalf of the City of Columbus, Ohio (“City”), is authorized to execute those documents prepared by the Columbus City Attorney, Real Estate Division, to forever release, relinquish, and discharge to Burgess & Niple, Inc., an Ohio corporation, the City’s parking easement rights described in an easement agreement between the City and Burgess & Niple, Limited, an Ohio limited partnership association, recorded in Deed Book 12191, Page D01, Recorder's Office, Franklin County, Ohio.

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