



Legislation Details (With Text)

File #: 2248-2013 **Version:** 1

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File created: 9/16/2013 **In control:** Public Utilities Committee

On agenda: 10/7/2013 **Final action:** 10/10/2013

Title: To authorize the Director of the Department of Public Utilities on behalf of the City of Columbus, Ohio, to execute those documents, as prepared by the Columbus City Attorney, necessary to release to Albany Glen, LLC, an Ohio limited liability company, certain portions of the City's sewer utility easement rights described and recorded in Instrument Number 200505100088050, Recorder's Office, Franklin County, Ohio. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
10/10/2013	1	ACTING CITY CLERK	Attest	
10/10/2013	1	MAYOR	Signed	
10/7/2013	1	COUNCIL PRESIDENT	Signed	
10/7/2013	1	Columbus City Council	Approved	Pass
9/30/2013	1	Columbus City Council	Read for the First Time	

BACKGROUND:

The City of Columbus, Ohio ("City") holds title to a sewer utility easement described and recorded in Instrument Number 200505100088050 ("Easement"), Recorder's Office, Franklin County, Ohio. As successor-Grantor of the Easement, Albany Glen, LLC ("AG"), an Ohio limited liability company, requests the City to release certain portions of the City's easement rights in the Easement that were removed, abandoned, and relocated under Sanitary CC-16369. 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 Easement do not adversely affect the City and should be granted at no cost, because the City removed, abandoned, and relocated the infrastructure in the easement area AG requests released. Therefore, this legislation authorizes the Director of the Department of Public Utilities to execute those documents, as prepared and approved by the Columbus City Attorney, necessary to release to AG certain portions of the City's easement rights in the Easement.

FISCAL IMPACT: Not applicable.

EMERGENCY JUSTIFICATION: Not applicable.

To authorize the Director of the Department of Public Utilities on behalf of the City of Columbus, Ohio, to execute those documents, as prepared by the Columbus City Attorney, necessary to release to Albany Glen, LLC, an Ohio limited liability company, certain portions of the City's sewer utility easement rights described and recorded in Instrument Number 200505100088050, Recorder's Office, Franklin County, Ohio. (\$0.00)

WHEREAS, the City of Columbus, Ohio ("City") holds title to a sewer utility easement described and recorded in Instrument Number 200505100088050 ("Easement"), Recorder's Office, Franklin County, Ohio;

WHEREAS, as successor-Grantor of the Easement, Albany Glen, LLC ("AG"), an Ohio limited liability company, requests the City to release certain portions of the City's easement rights in the Easement that were removed, abandoned, and relocated under Sanitary CC-16369;

WHEREAS, the 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 Easement do not adversely affect the City and should be granted at no cost, because the City removed, abandoned, and relocated the infrastructure in the easement area AG requests released; **now, therefore:**

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

SECTION 1. That 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 and approved by the Columbus City Attorney, to forever release, relinquish, and discharge to Albany Glen, LLC ("AG"), an Ohio limited liability company, the City's easement rights in only the following described easement area:

0.074 ACRE EASEMENT AREA RELEASE

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 2, Range 16, United States Military Lands, being on, over, and across that 61.829 acre tract of land conveyed to Albany Glen, LLC by deed of record in Instrument Number 201212270199165 (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 common northerly corner of said 61.829 acre tract with that tract of land conveyed to Warren Roberts and Carolyn M. Roberts by deeds of record in Official Record 7620D04 and Official Record 11254A18 and being in the southerly line of the remainder of that 26.445 acre tract of land conveyed to Villages at Preserve Crossing, LTD by deed of record in Instrument Number 200409280225616;

Thence **South 87° 06' 34" East**, with said southerly line and a northerly line of said 61.829 acre tract, a distance of **193.34 feet** to a point in an easterly line of an existing 20 feet Sanitary Sewer Easement of record in Instrument Number 200505100088050;

Thence **South 03° 10' 53" West**, leaving said southerly right-of-way line and northerly line, across said 61.829 acre tract and with said easterly line, a distance of 653.73 feet to the **TRUE POINT OF BEGINNING**;

Thence continuing across said 61.829 acre tract and with easterly lines of said existing 20 feet Sanitary Sewer Easement, the following courses and distances:

- **South 59° 50' 52" East**, a distance of **133.40 feet** to a point; and
- **South 03° 10' 56" West**, a distance of **51.07 feet** to a point;

Thence **North 82° 47' 50" West**, across said existing easement, a distance of **20.05 feet** to a point in a westerly line of said existing easement;

Thence continuing across said 61.829 acre tract and with westerly lines of said existing easement, the following courses and distances:

- **North 03° 10' 56" East**, a distance of **37.40 feet** to a point; and
- **North 59° 50' 52" West**, a distance of **102.22 feet** to a point;

Thence **North 13° 15' 00" West**, across said existing easement, a distance of **27.53 feet** to the **TRUE POINT OF BEGINNING** and containing **0.074 acre**, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.
Daniel A. Neer, Professional Surveyor № 8533; 3/13/2013

SECTION 2. That the City's remaining easement rights in the easement described and recorded in Instrument Number 200505100088050, Recorder's Office, Franklin County, Ohio, not released by this ordinance continues to remain effective against AG and its successors and assigns.

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