



Legislation Details (With Text)

File #: 2276-2013 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 9/19/2013 **In control:** Public Utilities Committee

On agenda: 10/21/2013 **Final action:** 10/23/2013

Title: To authorize the Director of the Department of Public Utilities on behalf of the City of Columbus, Ohio, to execute those documents prepared by the Columbus City Attorney, Real Estate Division, necessary to release to NRI Equity Land Investments, LLC, an Ohio limited liability company, certain portions of the City's sewer utility easement rights described and recorded in Instrument Number 201206080081614, Recorder's Office, Franklin County, Ohio. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
10/23/2013	1	CITY CLERK	Attest	
10/22/2013	1	MAYOR	Signed	
10/21/2013	1	COUNCIL PRESIDENT	Signed	
10/21/2013	1	Columbus City Council	Approved	Pass
10/7/2013	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 201206080081614 ("Easement"), Recorder's Office, Franklin County, Ohio. The Grantor of the Easement, NRI Equity Land Investments, LLC ("NRI"), an Ohio limited liability company, requests the City to release certain portions of the City's rights to the Easement that are unnecessary under the City's revised Sanitary CC-16521. The City's Department of Public Utilities, Division of Sewerage and Drains, reviewed, approved, and determined releasing portions of the City's rights to the Easement do not adversely affect the City and should be granted at no cost, because the easement area NRI requests released is excessive and unnecessary. Therefore, this ordinance authorizes the Director of the Department of Public Utilities to execute those documents prepared and approved by the Columbus City Attorney, Real Estate Division, necessary to release to NRI 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 prepared by the Columbus City Attorney, Real Estate Division, necessary to release to NRI Equity Land Investments, LLC, an Ohio limited liability company, certain portions of the City's sewer utility easement rights described and recorded in Instrument Number 201206080081614, 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 201206080081614 ("Easement"), Recorder's Office, Franklin County, Ohio;

WHEREAS, the Grantor of the Easement, NRI Equity Land Investments, LLC ("NRI"), an Ohio limited liability company, requests the City to release certain portions of the City's rights to the Easement that are unnecessary under the City's revised Sanitary CC-16521;

WHEREAS, the Department of Public Utilities, Division of Sewerage and Drains, reviewed, approved, and determined releasing portions of the City's rights to the Easement do not adversely affect the City and should be granted at no cost, because the easement area NRI requests released is unnecessary; and **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 prepared and approved by the Columbus City Attorney, Real Estate Division, to forever release, relinquish, vacate, and discharge to NRI Equity Land Investments, LLC ("NRI"), an Ohio limited liability company, the City's easement rights in only the following described easement area:

0.041 ACRE EASEMENT AREA RELEASE

Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Section 6, Township 5, Range 22, Refugee Lands, being part of that Sanitary Sewer Easement granted to the City of Columbus, Ohio, by document of record in Instrument Number 201206080081614, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) being more particularly described as follows:

BEGINNING, for reference, at the centerline intersection of Edgehill Road (60') and Third Avenue (60');

Thence **North 03° 19' 53" East**, with the centerline of said Edgehill Road, a distance of 402.31 feet to a point;

Thence **South 86° 40' 07" East**, across the right-of-way of said Edgehill Road, a distance of **30.00 feet** to an iron pin set in the easterly right-of-way line thereof, being the line common to that 11.100 acre tract conveyed to North of Third, LLC by deed of record in Instrument Number 201303270051087 and a remainder of that tract conveyed to The Northwest Boulevard Company by deed of record in Deed Book 590, Page 262, and the southwesterly corner of said Sanitary Sewer Easement;

Thence **North 62° 25' 54" East**, across said 11.100 acre tract, with the southerly line of said Sanitary Sewer Easement, a distance of **175.13 feet** to **TRUE POINT OF BEGINNING**;

Thence **North 27° 34' 06" West**, continuing across said 11.100 acre tract and across said Sanitary Sewer Easement, a distance of **25.00 feet** to a point in the northerly line thereof;

Thence continuing across said 11.100 acre tract and with the perimeter of said Sanitary Sewer Easement, the following courses and distances:

- **North 62° 25' 54" East**, a distance of **70.52 feet** to a point;
- **South 27° 34' 06" East**, a distance of **25.00 feet** to a point; and
- **South 62° 25' 54" West**, a distance of **70.52 feet** to the **TRUE POINT OF BEGINNING**, containing **0.041 acre**, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.
Heather L. King, Professional Surveyor № 8307

SECTION 2. That the City's remaining easement rights in the easement described and recorded in Instrument Number 201206080081614, Recorder's Office, Franklin County, Ohio, not released by this ordinance continues to remain effective against NRI 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.