



Legislation Details (With Text)

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Title: To authorize the Director of the Department of Public Service to execute those documents necessary to release a portion of the general utility easement that was retained in 1987 pursuant to Ordinance 2365-87.

Sponsors:

Indexes:

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Date	Ver.	Action By	Action	Result
7/23/2014	1	CITY CLERK	Attest	
7/22/2014	1	MAYOR	Signed	
7/21/2014	1	COUNCIL PRESIDENT	Signed	
7/21/2014	1	Columbus City Council	Approved	Pass
7/14/2014	1	Columbus City Council	Read for the First Time	

1. BACKGROUND:

In 1987, pursuant to Ordinance 2365-87, the City of Columbus disposed of the alley south of Cherry Street, north of East Main Street and East of Ohio Avenue, located in the Near East Columbus Planning Area. The City reserved a general utility easement for those utilities located within the alley at that time. The subject parcel, now known as 1092 East Main Street, is scheduled for development by Core Resources on behalf of Family Dollar Stores.

The Department of Public Service recently received a request from Core Resources, developer of the property for this project, asking that the City release a portion of the reserved general utility easement from this property to help clear title and allow for the building development. After receipt of this request the Division of Planning and Operations verified with all the public and private utility companies that there are no public utilities located within this reserved general utility easement and that they have no objections to the release of the portion of this easement.

The following legislation authorizes the Director of the Department of Public Service to execute those documents necessary to release a portion of the general utility easement that was retained in 1987 pursuant to Ordinance 2365-87. A value of \$500.00 was established for the release of this portion of the general utility easement.

The City will receive a total of \$500.00, to be deposited in Fund 748, for granting the requested release of the general utility easement.

2. FISCAL IMPACT:

The City will receive a total of \$500.00, to be deposited in Fund 748, for granting this portion of easements to be released.

To authorize the Director of the Department of Public Service to execute those documents necessary to release a portion of the general utility easement that was retained in 1987 pursuant to Ordinance 2365-87.

WHEREAS, in 1987, pursuant to Ordinance 2365-87, the City of Columbus vacated an alley south of Cherry Street, north of East Main Street and East of Ohio Avenue, reserving a general utility easement for those utilities located within the alley at that time; and

WHEREAS, the subject parcel, now known as 1092 East Main Street; and

WHEREAS, the Department of Public Service recently received a request from Core Resources, developer of the property for this project, asking that the City release a portion of the reserved general utility easement from this property so that they can provide help clear title and allow for the building expansion; and

WHEREAS, after receipt of this request the Division of Planning and Operations verified with all public and private utility companies that there are no utilities located within this portion of reserved general utility easement and that they have no objections to the release of this portion of easement; now therefore

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

Section 1. That the Director of the Department of Public Service be and is hereby authorized to execute those documents necessary to release the general utility easement that was retained for the alley south of Cherry Street, north of East Main Street and East of Ohio Avenue. The portion to be released is described as follows; to-wit:

Being situated in the State of Ohio, County of Franklin, City of Columbus and being all of the Alley South of Cherry Street, North of East Main Street, and East of Ohio Avenue, and being further described as follows;

Beginning at the S.W. corner of Lot 15 as recorded in F. F. Hoffman, et al. Subdivision (P.B. 4, Page 136)

Thence Easterly, with the S. line of Lot 15, also being the N. line of a 13' alley, a distance of 134.32' to the S.E. corner of Lot 15;

Thence Northerly, with the E. line of Lot 15, also being the V. line of a 15' alley, a distance of 37.00' to the N.E. corner Lot 15, also being the S. line of Cherry Street;

Thence Easterly, with the S. line of Cherry Street, a distance of 15.00' to the N. line of said 15' alley, also being the N.W. corner of Lot 12, Hoffman & McGrews Subdivision:

Thence Southerly, with the E. line of said 15' alley, a distance of 50.00' to the S. line of the said 13' alley;

Thence Westerly with the S. Line of said 13' alley and the N. line of Lots 16, 17, 18 & 19 in the F.F. Hoffman et al Subdivision, a distance of 149.32' to the E. line of Ohio Avenue;

Thence Northerly, with the E. line of Ohio Avenue, 13.00' to the point of beginning, containing 2496.00 sq. ft.;

The foregoing described real property is subject to all conditions, restrictions and easements of record, and further the Grantor hereby retains a perpetual general utility easement in, over, under, across and through the entire described real property.

The foregoing legal description was written based upon existing records.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.