



Legislation Details (With Text)

File #: 1717-2016 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/21/2016 **In control:** Public Utilities Committee

On agenda: 7/18/2016 **Final action:** 7/21/2016

Title: To authorize the director of the Department of Public Utilities to execute those document(s), as approved by the City Attorney, necessary to release and terminate a portion of the City's easement rights described and recorded in Instrument Number 201512040170609, Recorder's Office, Franklin County, Ohio. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ex A; Ord 2717-2016; 6.21.2016

Date	Ver.	Action By	Action	Result
7/21/2016	1	CITY CLERK	Attest	
7/20/2016	1	MAYOR	Signed	
7/18/2016	1	COUNCIL PRESIDENT	Signed	
7/18/2016	1	Columbus City Council	Approved	Pass
7/11/2016	1	Columbus City Council	Read for the First Time	

BACKGROUND:

The City possesses title to a sewer utility easement described and recorded in Instrument Number 201512040170609, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located at 6717-77 Birchton Street, Dublin, Ohio 43017 {Franklin County Tax Parcel 010-260456} ("Servient Estate"). The existing owner of the Servient Estate, Friendship Village of Dublin, Ohio, Inc., an Ohio nonprofit corporation ("Property Owner" - see Ins. 200110290248366, Recorder's Office, Franklin County, Ohio), requested the City to release and terminate a portion of its rights to the Easement in order to clean the Servient Estate's title. The City's Department of Public Utilities (DPU) reviewed the Property Owner's request and determined releasing and terminating a portion of the City's rights to the Easement does not adversely affect the City and should be granted at no monetary cost, because the Property Owner granted the City a new replacement easement described and recorded in Instrument Number 201606140075425, Recorder's Office, Franklin County, Ohio.

FISCAL IMPACT:

Not applicable.

EMERGENCY JUSTIFICATION:

Not applicable.

To authorize the director of the Department of Public Utilities to execute those document(s), as approved by the City

Attorney, necessary to release and terminate a portion of the City's easement rights described and recorded in Instrument Number 201512040170609, Recorder's Office, Franklin County, Ohio. (\$0.00)

WHEREAS, the City intends to release and terminate a portion of its water utility easement rights described and recorded in Instrument Number 201512040170609, Recorder's Office, Franklin County, Ohio (*i.e.* Easement), because the City acquired a new replacement easement described and recorded in Instrument Number 201606140075425, Recorder's Office, Franklin County, Ohio;

WHEREAS, the City intends for the City Attorney to approve of all document(s) associated with this ordinance; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Utilities to authorize the Director to execute those documents necessary to release and terminate a portion of the City's easement rights; **now, therefore,**

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

SECTION 1. The director of the Department of Public Utilities (DPU) is authorized to execute any document(s) necessary to release and terminate only the 0.206 acre, more or less, tract of easement area described and recorded in Instrument Number 201512040170609, Recorder's Office, Franklin County, Ohio (*i.e.* Easement), which is also found in the two (2) page attachment, Exhibit-A, and fully incorporated for reference as if rewritten.

SECTION 2. The City Attorney is required to approve all document(s) associated with this ordinance prior to the director of CRPD executing and acknowledging any of those document(s).

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