



Legislation Details (With Text)

File #: 2945-2016 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/9/2016 **In control:** Public Utilities Committee

On agenda: 12/12/2016 **Final action:** 12/15/2016

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 201203020029173, Recorder's Office, Franklin County, Ohio. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. CC 17624 Scioto Downs 0.0574 AC release

Date	Ver.	Action By	Action	Result
12/15/2016	1	CITY CLERK	Attest	
12/14/2016	1	MAYOR	Signed	
12/12/2016	1	COUNCIL PRESIDENT	Signed	
12/12/2016	1	Columbus City Council	Approved	Pass
12/5/2016	1	Columbus City Council	Read for the First Time	

BACKGROUND:

The City possesses easement rights to a sewer utility easement described and recorded in Instrument Number 201203020029173, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located at 6000 S. High Street, Columbus, Ohio 43207 {Franklin County Tax Parcel 495-291118} ("Servient Estate"). The existing owner of the Servient Estate, Scioto Downs, Inc., an Ohio corporation, ("Property Owner" - see Instrument Number 200308080251644, 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.

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 201203020029173, Recorder's Office, Franklin County, Ohio. (\$0.00)

WHEREAS, the City intends to release and terminate a portion of its sewer utility easement rights described and recorded in Instrument Number 201203020029173, Recorder's Office, Franklin County, Ohio (*i.e.* Easement), because the Department of Public Utilities (DPU) reviewed the easement and determined releasing and terminating a portion of the City's rights does not adversely affect the City;

WHEREAS, the City intends for the City Attorney to approve of all document(s) associated with this ordinance; and **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 a 0.0574 acre, more or less, portion of easement area described and recorded in Instrument Number 201203020029173, Recorder's Office, Franklin County, Ohio (*i.e.* Easement), which is also described in the two (2) page attachment 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 DPU 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.