



## Legislation Details (With Text)

<b>File #:</b>	3383-2016	<b>Version:</b>	1
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed
<b>File created:</b>	12/27/2016	<b>In control:</b>	Public Utilities Committee
<b>On agenda:</b>	1/30/2017	<b>Final action:</b>	2/1/2017
<b>Title:</b>	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 Deed Book 2109, Page 510, Recorder's Office, Franklin County, Ohio. (\$0.00)		

### Sponsors:

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### Code sections:

**Attachments:** 1. CC 17799 Mount Carmel Health Easement Release Legal Description

Date	Ver.	Action By	Action	Result
2/1/2017	1	CITY CLERK	Attest	
1/31/2017	1	MAYOR	Signed	
1/30/2017	1	COUNCIL PRESIDENT	Signed	
1/30/2017	1	Columbus City Council	Approved	Pass
1/23/2017	1	Columbus City Council	Read for the First Time	

### BACKGROUND:

The City possesses title to a sewer utility easement described and recorded in Deed Book 2109, Page 510, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located at 6001 East Broad Street, Columbus, OH 43213 {Franklin County Tax Parcel 010-009790} ("Servient Estate"). The existing owner of the Servient Estate, Mount Carmel Health, an Ohio non-profit corporation ("Property Owner" - see O.R. 16070. Page D. 16, 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 City relocated the 24-inch sanitary sewer line associated with a portion of the Easement under CC Plan 17006 recorded in Instrument Number 201506180081858, 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 Deed Book 2109, Page 510, Recorder's Office, Franklin County, Ohio. (\$0.00)

**WHEREAS**, the City intends to release and terminate a portion of its sewer easement rights described and recorded in Deed Book 2109, Page 510, Recorder's Office, Franklin County, Ohio (*i.e.* Easement), because the City relocated the City's infrastructure associated with a portion of the Easement under CC Plan 17006 recorded in Instrument Number 201506180081858, 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 **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 0.176 acre, more or less, tract of easement area described and recorded in Deed Book 2109, Page 510, 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 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.