



## Legislation Details (With Text)

**File #:** 0524-2017      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 2/22/2017      **In control:** Public Utilities Committee

**On agenda:** 4/3/2017      **Final action:** 4/5/2017

**Title:** To authorize the director of the Department of Public Utilities (DPU) 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 Numbers 201701130007565 and 200806300100270, Recorder's Office, Franklin County, Ohio. (\$0.00)

### Sponsors:

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### Code sections:

**Attachments:** 1. Partial Easment Release DPU CC 16766 4800 Roberts Road, 2. CC 16766 DPU 4800 Roberts Road Exhibit

Date	Ver.	Action By	Action	Result
4/5/2017	1	CITY CLERK	Attest	
4/5/2017	1	ACTING MAYOR	Signed	
4/3/2017	1	COUNCIL PRESIDENT	Signed	
4/3/2017	1	Columbus City Council	Approved	Pass
3/27/2017	1	Columbus City Council	Read for the First Time	

### BACKGROUND:

The City possesses title to a sanitary sewer easement described and recorded in Instrument Numbers 201701130007565 and 200806300100270, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located along Roberts Road, Columbus, OH 43228 {Franklin County Tax Parcel 560-193791} ("Servient Estate") currently owned by PEDC Property Management Inc. The City's Department of Public Utilities (DPU) has reviewed the request by the property owner to vacate the existing easement and determined that this easement was for future sanitary expansion and is no longer needed. DPU has determined that 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 (DPU) 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 Numbers 201701130007565 and 200806300100270, 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 Instrument Numbers 201701130007565 and 200806300100270, Recorder's Office, Franklin County, Ohio (*i.e.* Easement), because DPU has reviewed the request and determined that this sanitary sewer easement was for future expansion and the City no longer requires the described portion of the Easement;

**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 document(s), as approved by the City Attorney, 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.** That the Director of the Department of Public Utilities (DPU) is authorized to execute any document(s) necessary to release and terminate only the 0.205 acre, more or less, tract of easement area described and recorded in Instrument Numbers 201701130007565 and 200806300100270, 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.** That 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.** That this ordinance shall take effect and be in full force and effect from and after the earliest period allowed by law.