



Legislation Details (With Text)

File #: 0927-2017 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 3/30/2017 **In control:** Public Utilities Committee

On agenda: 5/1/2017 **Final action:** 5/4/2017

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 the City's easement rights described and recorded in Instrument Number 199309130214489, Recorder's Office, Franklin County, Ohio. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
5/4/2017	1	CITY CLERK	Attest	
5/3/2017	1	MAYOR	Signed	
5/1/2017	1	COUNCIL PRESIDENT	Signed	
5/1/2017	1	Columbus City Council	Approved	Pass
4/17/2017	1	Columbus City Council	Read for the First Time	

BACKGROUND:

The City possesses title to a water line easement described and recorded in Instrument Number 199309130214489, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located along Hilliard Road, Columbus, OH 43026 {Franklin County Tax Parcels 560-168616 and 560-234235} ("Servient Estate") currently owned by Silver Horn II, LLC, a limited liability company. The City's Department of Public Utilities (DPU) has reviewed the request by the property owner to vacate the existing easement and determined that a replacement water line easement was obtained in 2005 and recorded in Instrument Number 200507190142594. As a result of obtaining the new easement the easement recorded in 1993 is no longer needed. DPU has determined that terminating 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 the City's easement rights described and recorded in Instrument Number 199309130214489, Recorder's Office, Franklin County, Ohio. (\$0.00)

WHEREAS, the City intends to release and terminate its water line easement rights described and recorded in Instrument Number 199309130214489, Recorder's Office, Franklin County, Ohio (*i.e.* Easement), because DPU has reviewed the request and determined that the described 1.091 acre water line easement is longer needed as the water line has been relocated under an easement recorded in Instrument Number 200507190142594; and

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:

SECTION 1. The director of the Department of Public Utilities (DPU) is authorized to execute any document(s) necessary to release and terminate the 1.091 acre, more or less, tract of easement area described and recorded in Instrument Number 199309130214489, Recorder's Office, Franklin County, Ohio (*i.e.* Easement),

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.