



## Legislation Details (With Text)

**File #:** 0530-2017      **Version:** 1

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

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

**On agenda:** 6/5/2017      **Final action:** 6/8/2017

**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 Number 200607280148539, Recorder's Office, Franklin County, Ohio. (\$0.00)

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**Attachments:** 1. CC 14687 East Broad Street Bedford Place Phase 2

Date	Ver.	Action By	Action	Result
6/8/2017	1	CITY CLERK	Attest	
6/7/2017	1	MAYOR	Signed	
6/5/2017	1	COUNCIL PRESIDENT	Signed	
6/5/2017	1	Columbus City Council	Approved	Pass
5/22/2017	1	Columbus City Council	Read for the First Time	

### BACKGROUND:

The City possesses title to a sanitary sewer easement described and recorded in Instrument Number 200607280148539, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located along East Broad Street, Columbus, OH 43068 {Franklin County Tax Parcel 515-222047} ("Servient Estate") currently owned by Bedford Place 2, LLC, an Ohio limited liability company. The City's Department of Public Utilities (DPU) has reviewed the request by the property owner to vacate the existing sanitary sewer easement and determined that CC 14687 Phase 2 was revised. As a part of that revision, a new sanitary sewer easement was recorded in Instrument Number 201710200010880, Recorder's Office, Franklin County, Ohio, replacing a portion of the prior easement and therefore it 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 Number 200607280148539, 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 Number 200607280148539, Recorder's Office, Franklin County, Ohio (*i.e.* Easement), because DPU has reviewed the request and determined that the described 0.825 acre portion of the sanitary sewer easement is no longer needed as a replacement sanitary easement has been recorded in Instrument Number 201701200010880.

**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 0.825 acre, more or less, tract of easement area described and recorded in Instrument Number 200607280148539, Recorder's Office, Franklin County, Ohio (*i.e.* Easement), which is also found in the three (3) 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.