



## Legislation Details (With Text)

**File #:** 1606-2018      **Version:** 1

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

**File created:** 6/4/2018      **In control:** Public Utilities Committee

**On agenda:** 7/16/2018      **Final action:** 7/18/2018

**Title:** To authorize the Director of the Department of Public Utilities (DPU) to execute those document(s) necessary to release and terminate a portion of the City's easement rights described and recorded in Instrument Number 197208010020235, Recorder's Office, Franklin County, Ohio. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Easement Release CC17549

| Date      | Ver. | Action By             | Action                  | Result |
|-----------|------|-----------------------|-------------------------|--------|
| 7/18/2018 | 1    | CITY CLERK            | Attest                  |        |
| 7/17/2018 | 1    | MAYOR                 | Signed                  |        |
| 7/16/2018 | 1    | COUNCIL PRESIDENT     | Signed                  |        |
| 7/16/2018 | 1    | Columbus City Council | Approved                | Pass   |
| 7/9/2018  | 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 197208010020235, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located at 5101 Trabue Road {Franklin County Tax Parcel 560-205289} ("Servient Estate") currently owned by BT-OH LLC, a Delaware limited liability company. The City's Department of Public Utilities (DPU) has reviewed the request by the property owner to vacate a portion of the existing easement and determined that the sanitary sewer was relocated under CC 17549, and portions of the existing easement are 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) necessary to release and terminate a portion of the City's easement rights described and recorded in Instrument Number 197208010020235, 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 197208010020235, Recorder's Office, Franklin County, Ohio (*i.e.* Easement), because DPU has reviewed the request and determined that the described 0.269 acre portion of the sanitary sewer easement is longer needed as the sewer has been relocated under Sanitary Plan CC 17549 and a new easement recorded in Instrument Number 201703030029850; and

**WHEREAS**, the City intends for the City Attorney to approve 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 only the 0.269 acre, more or less, tract of easement area described and recorded in Instrument Number 197208010020235, 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.