



## Legislation Details (With Text)

**File #:** 1898-2019      **Version:** 1

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

**File created:** 7/1/2019      **In control:** Public Service & Transportation Committee

**On agenda:** 7/29/2019      **Final action:** 7/31/2019

**Title:** To authorize the Director of the Department of Public Service (DPS) to execute those document(s) necessary to release and terminate the City's easement rights described and recorded in Deed Book 1587, Page 850, Recorder's Office, Delaware County, Ohio. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A - Recorded Access Easement

Date	Ver.	Action By	Action	Result
7/31/2019	1	CITY CLERK	Attest	
7/30/2019	1	MAYOR	Signed	
7/29/2019	1	COUNCIL PRESIDENT	Signed	
7/29/2019	1	Columbus City Council	Approved	Pass
7/22/2019	1	Columbus City Council	Read for the First Time	

**BACKGROUND:** The City possesses title to an Access Easement described and recorded in Deed Book 1587, Page 850, Recorder's Office, Delaware County, Ohio ("Easement"). The Easement burdens real property located near Tapestry Drive {Delaware County Tax Parcel 318-341-01-004-000} ("Servient Estate") currently owned by Tapestry Park Polaris, LLC., an Alabama limited liability company and provides secondary police and fire access. The City's Department of Public Service ("DPS") has reviewed the request by the property owner to vacate the existing easement and determined that the fire and police access route was relocated and the existing easement is no longer needed as a new easement has been recorded in Deed Book 1639, Page 1622 Recorder's Office, Delaware County, Ohio. DPS 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 Service (DPS) to execute those document(s) necessary to release and terminate the City's easement rights described and recorded in Deed Book 1587, Page 850, Recorder's Office, Delaware County, Ohio. (\$0.00)

**WHEREAS,** the City intends to release and terminate its Access Easement described and recorded in Deed Book 1587, Page 850, Recorder's Office, Delaware County, Ohio ("Easement"), because the Department of Public Service ("DPS") has reviewed the request and determined that the described 0.234 acre Access Easement is longer needed as the easement has been relocated and a new easement recorded in in Deed Book 1639, Page 1622 Recorder's Office, Delaware County,

Ohio; 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.** That the Director of the Department of Public Service (“DPS”) is authorized to execute any document(s) necessary to release and terminate only the 0.234 acre, more or less, tract of easement area described and recorded in Deed Book 1587, Page 850, Recorder’s Office, Delaware County, Ohio (“Easement”), which is also found in the four (4) 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 DPS 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.