



## Legislation Details (With Text)

**File #:** 2462-2019      **Version:** 1

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

**File created:** 9/17/2019      **In control:** Public Service & Transportation Committee

**On agenda:** 10/28/2019      **Final action:** 10/31/2019

**Title:** To authorize the Director of the Department of Public Service to execute those documents necessary to release the easement for a portion of right-of-way formerly known as West State Street, between Green Street and State Route 315, to allow the property a clear title. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit

Date	Ver.	Action By	Action	Result
10/31/2019	1	CITY CLERK	Attest	
10/30/2019	1	MAYOR	Signed	
10/28/2019	1	COUNCIL PRESIDENT	Signed	
10/28/2019	1	Columbus City Council	Approved	Pass
10/14/2019	1	Columbus City Council	Read for the First Time	

### 1. BACKGROUND:

In 1993, pursuant to Ordinance 2030-93, the City of Columbus transferred a portion of right-of-way known as West State Street between Green Street and State Route 315 and reserved a utility easement for existing utilities. The Department of Public Service recently received a request from the property owner, Near East Side Holdings LLC, asking that the City release the reserved easement over this area to clear title for this site. After receipt of this request the Department of Public Service, Division of Infrastructure Management, verified with all public and private utility companies that there are no public utilities or need for this easement, located within the requested area, and that they have no objections to this portion of the easement being released. The following legislation authorizes the Director of the Department of Public Service to execute those documents necessary to release the portions of easement as described below and on the attached exhibit to allow the area to clear title for this site.

### 2. FISCAL IMPACT

The City will receive a total of \$500.00 to be deposited in Fund 7748, Project P537650, for releasing the easement.

To authorize the Director of the Department of Public Service to execute those documents necessary to release the easement for a portion of right-of-way formerly known as West State Street, between Green Street and State Route 315, to allow the property a clear title. (\$0.00)

**WHEREAS**, in 1993, pursuant to Ordinance 2030-93, the City of Columbus transferred a portion of right-of-way known as West State Street between Green Street and State Route 315 and reserved a utility easement for existing utilities; and

**WHEREAS**, the Department of Public Service recently received a request from the property owner, Near East Side Holdings LLC, asking that the City release the reserved easement over this area to clear title for this site; and

**WHEREAS**, the Department of Public Service, Division of Infrastructure Management, verified with all the public and

private utility companies that there are no public utilities or need for this easement and that they have no objections to this portion of the easement being released; and

**WHEREAS**, the Director of the Department of Public Service needs Council authorization to execute those documents necessary to release the easement areas as described below and on the attached exhibit to allow the area to clear title for this site; and **NOW, THEREFORE**;

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** The Director of the Department of Public Service is authorized to execute documents as necessary and approved by the City Attorney's Office to release the portion of easement areas as described below and on the attached exhibit:

**Easement Areas to be released:**

**0.334 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Virginia Military District Survey 1393, being all of that general utility easement retained in Official Record 25548C02, being on, over, and across that 3.284 acre tract conveyed to Near East Side Holdings LLC by deed of record in Instrument Number 201902220020867, and that portion of West State Street, as authorized to be sold by City of Columbus Ordinance Number 2030-93, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

**BEGINNING** in the easterly right-of-way line of Green Street (50 feet wide), at the common corner of said 3.284 acre tract and the remainder of Lot 1 of that subdivision entitled "Festus Nichols Subdivision", of record in Plat Book 4, Page 157;

**Thence** North 08° 32' 27" West, with the easterly right-of-way line of said Green Street, the westerly line of said 3.284 acre tract, a distance of 69.26 feet to a point on the arc of a curve;

**Thence** across said 3.284 acre tract, with the arc of a curve to the left, having a central angle of 45° 12' 28", a radius of 66.89 feet, an arc length of 52.77 feet, a chord bearing of South 76° 02' 08" East and chord distance of 51.42 feet to a point;

**Thence** North 81° 21' 38" East, across said 3.284 acre tract, a distance of 240.41 feet to a point in the limited access right-of-way line of State Route 315;

**Thence** South 08° 38' 22" East, with a easterly line of said 3.284 acre tract, the westerly limited access right-of-way line of said State Route 315, a distance of 49.50 feet to the southeasterly corner of said 3.284 acre tract;

**Thence** South 81° 21' 38" West, with the southerly lines of said 3.284 acre tract, the northerly line of that 0.434 acre tract conveyed to Mount Carmel Health by deed of record in Instrument Number 200306090171649 and said "Festus Nichols Subdivision", a distance of 287.99 feet to the POINT OF BEGINNING, containing 0.334 acre, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

**SECTION 2.** That the City will receive a total of \$500.00 to be deposited in Fund 7748, Project P537650, for releasing the easement.

**SECTION 3.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.