



## Legislation Details (With Text)

**File #:** 3230-2019      **Version:** 1

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

**File created:** 12/4/2019      **In control:** Public Service & Transportation Committee

**On agenda:** 12/16/2019      **Final action:** 12/18/2019

**Title:** To authorize the Director of the Department of Public Service to execute those documents necessary to release the easement at 5675 Holyoke Lane to allow the property owners to do an addition to their house; and to declare an emergency. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit

Date	Ver.	Action By	Action	Result
12/18/2019	1	CITY CLERK	Attest	
12/17/2019	1	MAYOR	Signed	
12/16/2019	1	COUNCIL PRESIDENT	Signed	
12/16/2019	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND:

The Department of Public Service recently received a request from the property owner, Gary F. and Amy M. Williams, asking that the City release a portion of a platted easement over an area of their property at 5675 Holyoke Lane to clear title so the property owners can add an addition on to their house. The easement was recorded in a plat known as Forest Hills East No. 2, Plat Book 49, Page 89. After receipt of this request 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 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 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 so the property can clear title.

To authorize the Director of the Department of Public Service to execute those documents necessary to release the easement at 5675 Holyoke Lane to allow the property owners to do an addition to their house; and to declare an emergency. (\$0.00)

**WHEREAS**, the Department of Public Service recently received a request from the property owner, Gary F. and Amy M. Williams, asking that the City release a portion of a platted easement over an area of their property at 5675 Holyoke Lane to clear title so they can add an addition on to their house; and

**WHEREAS**, the easement was recorded in a plat known as Forest Hills East No. 2, Plat Book 49, Page 89. After receipt of this request 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 located within the requested area and that they have no objections to this portion of the easement being released; and

**WHEREAS**, the City will receive a total of \$500.00 to be deposited in Fund 7748, Project P537650, for releasing the easement so the property can clear title; and

**WHEREAS**, the Director of the Department of Public Service must be authorized 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 so the owners can add an addition to their house; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to release the easement at 5675 Holyoke Lane so construction can begin on an addition to the house, thereby preserving the public health, peace, safety, and welfare; **now therefore:**

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

**SECTION 1.** That the Director of the Department of Public Service be and is hereby authorized to execute those 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 to Gary F. and Amy M. Williams; to-wit:

**0.030 ACRES**

Situate in the State of Ohio, County of Franklin, City of Columbus, lying on, over, and across an existing easement on lot 183 of Forest Hills East No. 2, as shown and delineated in Plat Book 49, Page 89, and being conveyed to Gary F. and Amy M. Williams, by deed of record in Instrument Number 200212010252364, Recorder's Office, Franklin County, Ohio, being bounded and more particularly described as follows:

**Beginning**, for reference, at a point, at the southwest corner of said Lot 183, and the southeast corner of Lot 184 of said Forest Hills East No. 2, and on the northerly line of Holyoke Lane;

**Thence** North 23° 21' 37" West, a distance of 87.85 feet, along the like common to said Lots 183 and 184, to the Point of True Beginning;

**Thence** North 23° 21' 37" West, a distance of 12.96 feet, along the line common to said Lots 183 and 184, to a point;

**Thence** North 81° 56' 58" East, a distance of 109.84 feet, across said easement and Lot 183, to a point, on the Easterly line of said Lot 183, and on the westerly line of Lot 182 of said Forest Hills East No. 2;

**Thence** South 13° 46' 49" West, a distance of 13.47 feet, along the line common to said Lots 182 and 183, to a point;

**Thence** South 81° 56' 58" West, a distance of 101.41 feet, across said Lot 183 and along the southerly line of said easement, to the Point of True Beginning, containing 0.030 acres more or less.

The bearings are based on the Ohio State Plane Coordinate System, south Zone, NAD83 (CORS). Said bearings originated from a field traverse which was referenced to said Coordinate System by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network. The portion of westerly line of Lot 138, having a bearing of North 23° 21' 37" West and monumented as shown hereon, is designated the "basis of bearing" for this description.

LANDMARK SURVEY GROUP, INC.

**SECTION 2.** The City will receive a total of \$500.00 to be deposited in Fund 7748, Project P537650, for releasing the easement so the property can clear title.

**SECTION 3.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.