



Legislation Details (With Text)

File #: 2907-2019 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 10/31/2019 **In control:** Public Utilities Committee
On agenda: 1/27/2020 **Final action:** 1/30/2020
Title: To authorize the director of the Department of Public Utilities to execute those document(s) necessary to release and terminate portions of the City's easement rights described and recorded in Instrument Number 200403250065159, Recorder's Office, Franklin County, Ohio. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A 0.227 and 0.032 acre Partial Easement Release - Belmont House LLC

Date	Ver.	Action By	Action	Result
1/30/2020	1	CITY CLERK	Attest	
1/29/2020	1	MAYOR	Signed	
1/27/2020	1	COUNCIL PRESIDENT	Signed	
1/27/2020	1	Columbus City Council	Approved	Pass
1/13/2020	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 200403250065159, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located in the vicinity of 3255 McKinley Avenue {Franklin County Tax Parcels 010-298035 and 010-261453} ("Servient Estate") currently owned by Belmont House LLC, an Ohio limited liability company and Dallas Mobile Home Village Inc., an Ohio for profit corporation. 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 18011 and new easements were recorded in Instrument Numbers 201806060075355 and 201806060075356, therefore 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 to execute those document(s) necessary to release and terminate portions of the City's easement rights described and recorded in Instrument Number 200403250065159, Recorder's Office, Franklin County, Ohio. (\$0.00)

WHEREAS, the City intends to release and terminate portions of its sewer easement rights described and recorded in Instrument Number 200403250065159, Recorder's Office, Franklin County, Ohio ("Easement"), because DPU has reviewed a request from the owner and determined that the described 0.227 and 0.032 acre portions of the sanitary sewer easement are no longer needed as the sewer has been relocated under Sanitary Plan CC 18011 and new easements

recorded in Instrument Numbers 201806060075355 and 201806060075356; 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 Utilities (“DPU”) is authorized to execute any document(s) necessary to release and terminate only the described 0.227 and 0.032 acre, more or less, tracts of easement area described and recorded in Instrument Number 200403250065159, Recorder’s Office, Franklin County, Ohio (“Easement”), which are generally described and depicted in the six (6) 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.