Legislation Details (With Text)

File #:	1243-2020 **Version:** 1		
Type:	Ordinance	**Status:**	Passed
File created:	5/19/2020	**In control:**	Public Utilities Committee
On agenda:	6/29/2020	**Final action:**	7/2/2020
Title:	To authorize the Director of the Department of Public Utilities ("DPU") to execute those documents necessary to release and terminate the City's easement rights described and recorded in Deed Book 2678, Page 20, Recorder's Office, Franklin County, Ohio. ($0.00)		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. Exhibit A DB 2678 Pg 20 Storm Easement		

Date	Ver.	Action By	Action	Result
7/2/2020	1	CITY CLERK	Attest	
7/1/2020	1	MAYOR	Signed	
6/29/2020	1	COUNCIL PRESIDENT	Signed	
6/29/2020	1	Columbus City Council	Approved	Pass
6/15/2020	1	Columbus City Council	Read for the First Time	

BACKGROUND: The City possesses title to a sanitary sewer easement described and recorded in Deed Book 2678, Page 20, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located near 2399 Eakin Road, Columbus, Ohio 43204 {Franklin County Tax Parcel 010-110899} ("Servient Estate") currently owned by Eakin Road Holdings, LLC, an Ohio limited liability company. The City's Department of Public Utilities ("DPU") has reviewed the request by the property owner to vacate the existing easement and determined that the storm sewer was removed under CC 6368 and the storm system is now a privately owned and maintained detention system therefore the existing easement is no longer needed. DPU 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 Utilities ("DPU") to execute those documents necessary to release and terminate the City's easement rights described and recorded in Deed Book 2678, Page 20, Recorder's Office, Franklin County, Ohio. ($0.00)

WHEREAS, the City intends to release and terminate its storm sewer easement rights described and recorded in Deed Book 2678, Page 20, Recorder's Office, Franklin County, Ohio ("Easement").

WHEREAS, the Department of Public Utilities has reviewed the request and determined that the storm sewer easement is no longer needed as the sewer was removed under CC 6368 and replaced with a privately owned and maintained

detention system.

WHEREAS, the City intends for the City Attorney to approve all documents associated with this ordinance; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Utilities to authorize the Director to execute those documents necessary to release and terminate the City's easement rights; **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 documents necessary to release and terminate only the storm sewer easement described and recorded in Deed Book 2678, Page 20, Recorder's Office, Franklin County, Ohio, which is also found in the one (1) page attachment, Exhibit-A, and fully incorporated for reference as if rewritten.

SECTION 2. That the City Attorney is required to approve all documents associated with this ordinance prior to the director of DPU executing and acknowledging any of those documents.

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

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