



## Legislation Text

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**File #:** 2042-2013, **Version:** 1

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### **BACKGROUND:**

The City of Columbus, Ohio ("City") holds title to a sewer utility easement described and recorded in Instrument Number 200108020176693 ("Easement"), Recorder's Office, Franklin County, Ohio. The successor-Grantor of the Easement, OhioHealth Corporation ("OhioHealth"), an Ohio nonprofit corporation, requests the City to release certain portions of the City's sewer easement rights in the Easement that were removed and abandoned under RP 16565-72. The City's Department of Public Utilities, Division of Sewerage and Drains, reviewed, approved, and determined releasing portions of the City's sewer utility easement rights in the Easement do not adversely affect the City and should be granted at no cost, because the City removed and abandoned infrastructure in the easement area OhioHealth requests released; and OhioHealth granted the City a new, replacement easement described and recorded in Instrument Number 201203160036376, Recorder's Office, Franklin County, Ohio. Therefore, this legislation authorizes the Director of the Department of Public Utilities to execute those documents, as prepared and approved by the Columbus City Attorney, necessary to release to OhioHealth certain portions of the City's sewer utility easement rights in the Easement.

**FISCAL IMPACT:** Not applicable.

**EMERGENCY JUSTIFICATION:** Not applicable.

To authorize the Director of the Department of Public Utilities on behalf of the City of Columbus, Ohio, to execute those documents, as prepared by the Columbus City Attorney, necessary to release to the OhioHealth Corporation, an Ohio nonprofit corporation, certain portions of the City's sewer utility easement rights described and recorded in Instrument Number 200108020176693, Recorder's Office, Franklin County, Ohio. (\$0.00)

**WHEREAS**, the City of Columbus, Ohio ("City") holds title to a sewer utility easement described and recorded in Instrument Number 200108020176693 ("Easement"), Recorder's Office, Franklin County, Ohio;

**WHEREAS**, the successor-Grantor of the Easement, OhioHealth Corporation ("OhioHealth"), an Ohio nonprofit corporation, requests the City to release portions of the City's sewer easement rights in the Easement that were removed and abandoned under RP 16565-72;

**WHEREAS**, the City's Department of Public Utilities, Division of Sewerage and Drains, reviewed, approved, and determined releasing portions of the City's sewer utility easement rights in the Easement do not adversely affect the City and should be granted at no cost, because the City removed and abandoned infrastructure in the easement area OhioHealth requests released; and OhioHealth granted the City a new, replacement easement described and recorded in Instrument Number 201203160036376, Recorder's Office, Franklin County, Ohio; and **NOW, THEREFORE:**

### **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:**

**SECTION 1.** That the Director of the Department of Public Utilities on behalf of the City of Columbus, Ohio ("City"), is authorized to execute those documents, as prepared and approved by the Columbus City Attorney, to forever release, relinquish, and discharge to the OhioHealth Corporation ("OhioHealth"), an Ohio nonprofit corporation, the City's sewer utility easement rights in only the following described easement area:

**0.174 ACRE EASEMENT AREA RELEASE**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 2, Township 1, Range 18, United States Military Lands, being across that tract conveyed to OhioHealth Corporation by deed of record in Instrument Number 200506170118147 and being part of that existing sanitary sewer easement of record in Instrument Number 200108020176693 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference, at the northerly right-of-way line of West North Broadway and the westerly right-of-way line of Olentangy River Road;

Thence South 52°02'02" West, with the northerly right-of-way line of West North Broadway, a distance of 189.89 feet to a point;

Thence South 59°05'29" West, with the northerly right-of-way line of West North Broadway, a distance of 244.18 feet to a point;

Thence South 67°57'00" West, with the northerly right-of-way line of West North Broadway, a distance of 188.39 feet to a point;

Thence South 77°28'02" West, with the northerly right-of-way line of West North Broadway, a distance of 188.68 feet to a point;

Thence South 85°34'00" West, with the northerly right-of-way line of West North Broadway, a distance of 287.72 feet to a point;

Thence North 87°00'53" West, with the northerly right-of-way line of West North Broadway, a distance of 304.28 feet to a point ;

Thence North 02°59'07" East, across said OhioHealth Corporation tract, a distance of 100.86 feet to a corner of said existing sanitary sewer easement, being the **TRUE POINT OF BEGINNING**;

Thence across said OhioHealth Corporation tract, with the perimeter of said existing sanitary sewer easement, the following courses and distances:

- **North 18°33'44" West**, a distance of **15.00 feet** to a point;
- **North 71°26'16" East**, a distance of **151.62 feet** to a point;
- **South 51°02'39" East**, a distance of **151.45 feet** to a point;
- **North 89°51'12" East**, a distance of **202.77 feet** to a point;
- **South 16°31'40" East**, across said existing sanitary sewer easement, a distance of **15.64 feet** to a point;
- **South 89°51'12" West**, a distance of **212.51 feet** to a point;
- **North 51°02'39" West**, a distance of **148.55 feet** to a point; and
- **South 71°26'16" West**, a distance of **143.38 feet** to **TRUE POINT OF BEGINNING**, and containing **0.174 acres** of land, more or less.

EVANS, MECHWART, HAMBLETON, & TILTON, INC.  
Edward J. Miller, Registered Surveyor № 8250

**SECTION 2.** That the City's remaining easement rights described and recorded in Instrument Number 200108020176693, Recorder's Office, Franklin County, Ohio, not released by this ordinance continues to remain effective against OhioHealth and its successors and assigns.

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