



## Legislation Text

**File #:** 0138-2017, **Version:** 1

### **BACKGROUND:**

The City possesses title to a sewer utility easement described and recorded in Instrument Number 201602050014969, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located along Hamilton Road, Columbus, OH 43054 {Franklin County Tax Parcel 545-295304} ("Servient Estate") currently owned by Wesley Woods At New Albany LLC. The City's Department of Public Utilities (DPU) has revised its plans for sewer relocation and determined that a portion of the 18" inch sanitary mainline that was installed under RP 8632 no longer needs to be relocated and that terminating a portion of the City's rights to the Easement that was acquired for this relocation does not adversely affect the City and should be granted at no monetary cost, because the City no longer needs this portion of the Easement.

### **FISCAL IMPACT:**

Not applicable.

### **EMERGENCY JUSTIFICATION:**

Not applicable.

To authorize the director of the Department of Public Utilities to execute those document(s), as approved by the City Attorney, necessary to release and terminate a portion of the City's easement rights described and recorded in Instrument Number 201602050014969, Recorder's Office, Franklin County, Ohio. (\$0.00)

**WHEREAS**, the City intends to release and terminate a portion of its sewer easement rights described and recorded in Instrument Number 201602050014969, Recorder's Office, Franklin County, Ohio (*i.e.* Easement), because DPU's revised plan does not require relocation of the existing 18" sanitary mainline and therefore the City no longer requires the described portion of the Easement;

**WHEREAS**, the City intends for the City Attorney to approve of all document(s) 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 the easement rights; **now, therefore**,

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

**SECTION 1.** The director of the Department of Public Utilities (DPU) is authorized to execute any document(s) necessary to release and terminate only the 0.177 acre, more or less, tract of easement area described and recorded in Instrument Number 201602050014969, Recorder's Office, Franklin County, Ohio (*i.e.* Easement), which is also found in the two (2) page attachment, Exhibit-A, and fully incorporated for reference as if rewritten.

**SECTION 2.** 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.**  
allowed by law.

This ordinance shall take effect and be in full force and effect from and after the earliest period