



## Legislation Text

File #: 2867-2017, Version: 1

### 1. BACKGROUND:

In 2005, pursuant to the recording of a plat known as The Lakes of Worthington Section 2 recorded within Plat Book 106, Pages 48 and 49 accepted the easements within the dedicated plat. The Department of Public Service recently received a request from the property owner Steve S. Smith asking that the City release a five-foot easement along the north side of lot thirty-eight within the referenced recorded plat to clear title. After receipt of this request the Department of Public Service, Division of Infrastructure Management, verified with all 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 the easement being released. The following legislation authorizes the Director of the Department of Public Service to execute those documents necessary to release the easement areas as described below to allow the transfer of the real property.

### 2. FISCAL IMPACT

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

To authorize the Director of the Department of Public Service to execute those documents necessary to release a five-foot easement across Lot 38 of the subdivision entitled "Lakes of Worthington, Section 2". (\$0.00)

**WHEREAS**, in 2005, pursuant to the recording of a plat known as The Lakes of Worthington Section 2 recorded within Plat Book 106, Pages 48 and 49 accepted the easements within the dedicated plat; and

**WHEREAS**, the Department of Public Service recently received a request from the property owner Steve S. Smith asking that the City release a five-foot easement long the north side of lot thirty-eight within the referenced recorded plat to clear title; and

**WHEREAS**, 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 the easement being released; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Service to authorize the Director to execute those documents necessary to release the easement areas as described below to allow the transfer of the real property; and **NOW, THEREFORE;**

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

**Section 1.** To authorize the Director of the Department of Public Service to execute those documents necessary to release the easement areas as described below to execute the document as necessary and approved by the Real Estate Department, City Attorney's Office, to release the easement area as described below to allow the transfer of the real property:

#### **Easement Area to be released:**

**Five (5) foot Easement  
0.010 Acre**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 1, Township 2, Range 16, United

States Military Lands, being a 5' Easement across Lot 38 of that subdivision entitled "Lakes of Worthington, Section 2" of record in Plat Book 106, Page 48, as conveyed to Steve S. Smith by deed of record in Instrument Number 201611020151333 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the corner common to said Lot 38 and Lot 37 of that subdivision entitled "Lakes of Worthington, Section 2", of record in Plat Book 106, Page 48, being the easterly right of way line of Antrim Ridge Street; Thence North 75° 27' 25" East, with said common line, a distance of 25.44 feet to a point in the easterly line of an existing 25' easement as shown on said "Lakes of Worthington, Section 2", the TRUE POINT OF BEGINNING; Thence North 75° 27' 25" East, with said common to lot line, a distance of 86.47 feet to a point in the westerly line of an existing 10' easement as shown on said "Lakes of Worthington, Section 2" Thence South 25° 07' 00" East, with the westerly line of said existing 10' easement, across said Lot 38, a distance of 5.09 feet to a point; Thence South 75° 27' 25" West, across said Lot 38, a distance of 86.47 feet to a point in the easterly line of said existing 25' easement; Thence North 25° 07' 00" West, with the easterly line of said 25' easement, across said Lot 38, a distance of 5.09 feet to the TRUE POINT OF BEGINNING, and containing 0.010 acre of land, more or less.

EVANS, MECHWART, HAMBLETON, AND TILTON, INC.

**SECTION 2.** The City is to receive \$500.00 for releasing this easement, to be deposited in Fund 7748, Project P537650.

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