



## Legislation Text

**File #:** 1877-2018, **Version:** 1

### 1. BACKGROUND

In 1980, pursuant to Ordinance 572-80, the City of Columbus vacated a portion of the first alley east of Kerr Street and adjacent to lot 1 within the John W Yost's Subdivision, and reserved a utility easement for existing utilities. The Department of Public Service recently received a request from John Michael Holsinger asking that the City release the reserved easement over this area to clear title for this site. After receipt of this request the 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 this portion of the easement being released. The following legislation authorizes the Director of the Department of Public Service to execute those documents necessary to release the portions of easement described below and on the attached exhibit to allow the area to clear title for this site in order to construct a residential garage at a future date.

### 2. Fiscal Impact

The City will receive a total of \$500.00 to be deposited in Fund 7748, project P537650, for release of the easement so the property can clear title.

To authorize the Director of the Department of Public Service to execute those documents necessary to release the easement located on a vacated portion of the first alley east of Kerr Street and adjacent to lot 1 within the John W Yost's Subdivision; and to authorize the City to receive \$500.00 for releasing the easement. (\$0.00)

**WHEREAS**, in 1980, pursuant to Ordinance 572-80, the City of Columbus vacated a portion of the first alley east of Kerr Street and adjacent to lot 1 within the John W Yost's Subdivision, and reserved a utility easement for existing utilities; and

**WHEREAS**, the Department of Public Service recently received a request from John Michael Holsinger asking that the City release the reserved easement over this area to clear title for this site; and

**WHEREAS**, 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 this portion of the easement being released; and

**WHEREAS**, the City will receive a total of \$500.00, to be deposited in Fund 7748, project P537650, for releasing the easement so the property can be clear title; 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 and in the attached exhibit to allow the area to clear title for this site; **NOW, THEREFORE;**

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

**SECTION 1.** That the Director of the Department of Public Service is authorized to execute those documents necessary and approved by the Real Estate Department, City Attorney's Office, to release the portion of easement areas as described below and on the attached exhibit:

#### **Easement Areas to be released:**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Half Section 10, Township 5, Range 22, Refugee Lands, being part of the 18 foot alley shown on the recorded plat of the “Yost Sub.,” of record in Plat Book 2, Page 146 (record references recited herein are to those of the Recorder’s Office, Franklin County, Ohio), and being more particularly described as follows:

Beginning at the southeasterly corner of Lot #1 of said “Yost Sub.,” being the southwest corner of said 18 foot alley;

thence northerly with the westerly line of said alley, being the easterly line of said Lot #1, a distance of 26 feet, more or less, to the easterly corner common to Lots #1 & #2 of said Sub.;

thence easterly along the eastwardly projection of the line common to said Lots #1 & #2 of said Sub., 18.3 feet, more or less, to the easterly line of said 18 foot alley;

thence southerly along said easterly line of the 18 foot alley, 26 feet, more or less, to the southeasterly corner of said alley;

thence westerly along the southerly end of said alley, being the eastwardly extension of the southerly line of said Lot #1, 18.3 feet, more or less, returning to the ‘Point of Beginning,’ as described in June of 2018, from records only, by Carl E. Turner Jr., Registered Professional Surveyor No. S-6702.

**SECTION 2.** That the City will receive \$500.00 for granting the release of the 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.