



## Legislation Text

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**File #:** 0225-2019, **Version:** 1

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**Background:** The City possesses title to a sanitary sewer easement described and recorded in Deed Book 2529, Page 143, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located in the vicinity of 505 King Avenue, Columbus, Ohio 43201 {Franklin County Tax Parcel 010-052338} ("Servient Estate") currently owned by Battelle Memorial Institute, ("Battelle"). The City's Department of Public Utilities ("DPU") and Battelle have determined it is necessary to amend the existing easement to more accurately capture the location of the existing sanitary sewer.

This ordinance authorizes the Director of DPU to sign any documents, as approved by the City Attorney, necessary to amend the Easement.

**Fiscal Impact:** Not Applicable

**Emergency Justification:** Emergency action is requested so that the easement can be amended in order to allow DPU's sewer Franklin Main relining project to proceed without delay.

To authorize the Director of the Department of Public Utilities to execute those document(s) necessary to amend the City's easement rights described and recorded in Deed Book 2529, Page 143 Recorder's Office, Franklin County, Ohio; and to declare an emergency. (\$0.00)

**WHEREAS**, the city intends for the Director of the Department of Public Utilities ("DPU") to execute any document(s) necessary to amend the easement recorded in Deed Book 2529, Page 143, Recorder's Office, Franklin County, Ohio ("Easement"), to more accurately define the location of the existing sanitary sewer; and

**WHEREAS**, the City intends for the City Attorney to approve all document(s) associated with this ordinance; and

**WHEREAS**, an emergency exists in the usual daily operations of DPU in that it is immediately necessary to amend the easement to prevent unnecessary delay in completing the Franklin Main sewer relining project, which will preserve the public peace, property, health, welfare, and safety; and **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 document(s) necessary to amend the easement recorded in Deed Book 2529, Page 143, Recorder's Office, Franklin County, Ohio ("Easement").

**SECTION 2.** That the City Attorney's Office, Real Estate Division is required to approve all instrument(s), associated with this ordinance.

**SECTION 3.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval

by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same