



Legislation Text

File #: 1304-2019, **Version:** 1

BACKGROUND: The City possesses title to a sanitary and storm sewer easement described and recorded in Instrument Number 201609300133520, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located near Central College Road and New Albany Road {Franklin County Tax Parcels 010-234598 and 010-294085} ("Servient Estate") currently owned by LC Exchange II, Ltd., an Ohio limited liability company. The City's Department of Public Utilities ("DPU") has reviewed the request by the property owner to vacate the existing easement and determined that the sanitary and storm sewer was relocated under CC 17711, and the existing easement is no longer needed as a new easement has been recorded in Instrument Number 201707120095263. DPU has determined that terminating the City's rights to the Easement does not adversely affect the City and should be granted at no monetary cost.

FISCAL IMPACT: Not applicable.

EMERGENCY JUSTIFICATION: Not applicable.

To authorize the Director of the Department of Public Utilities to execute those documents necessary to release and terminate the City's easement rights described and recorded in Instrument Number 201609300133520, Recorder's Office, Franklin County, Ohio. (\$0.00)

WHEREAS, the City intends to release and terminate its sanitary and storm easement rights described and recorded in Instrument Number 201609300133520, Recorder's Office, Franklin County, Ohio ("Easement"), because The Department of Public Utilities ("DPU") has reviewed the request and determined that the described 1.497 acre sanitary and storm sewer easement is longer needed as the sewer has been relocated under Sanitary Plan CC 17711 (now Record Plan 18813-17) and a new easement recorded in Instrument Number 201707120095263; and

WHEREAS, the City intends for the City Attorney to approve all document(s) associated with this ordinance; 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 release and terminate only the 1.497 acre, more or less, tract of easement area described and recorded in Instrument Number 201609300133520, Recorder's Office, Franklin County, Ohio ("Easement"), which is also found in the eight (8) page attachment, Exhibit-A, and fully incorporated for reference as if rewritten.

SECTION 2. That 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. That this ordinance shall take effect and be in full force and effect from and after the earliest period allowed by law.