



Legislation Text

File #: 0716-2020, **Version:** 1

BACKGROUND: The City possesses title to sanitary and storm sewer easements described and recorded in Deed Book 2313, Page 530 Strip #1, #2, #3, #4, and #5, Deed Book 1573, Page 105, and Deed Book 2392, Page 418, Recorder's Office, Franklin County, Ohio ("Easements"). These Easements burden real property located in the vicinity of the intersection of Ackerman Road and Olentangy River Road {Franklin County Tax Parcel 010-103163} ("Servient Estate") currently owned by Prospect Wango, LLC, an Ohio limited liability company. The City's Department of Public Utilities ("DPU") has reviewed a request by the property owner to vacate a portion of some of the Easements and vacate all of others and determined that the sewers were relocated under CC 17975 (now RP 21054 thru 21058) and a new easement was recorded in Instrument Number 201803230038016, therefore some of the Easements and portions of others are no longer needed. DPU has determined that terminating the City's rights to the easements recorded in Deed Book 2392, Page 418, and Deed Book 2313, Page 530 Strips #3, #4, and #5 as well as portions of the City's rights to the easements recorded in Deed Book 2313, Page 530 Strips #1, #2 and Deed Book 1573, Page 105 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 document(s) necessary to release and terminate portions of the City's easement rights described and recorded in Deed Book 2313, Page 530 Strips #1, #2 and Deed Book 1573, Page 105 and all of the City's easement rights described and recorded in Deed Book 2392, Page 418, and Deed Book 2313, Page 530 Strips #3, #4, and #5, Recorder's Office, Franklin County, Ohio. (\$0.00)

WHEREAS, the City intends to release and terminate portions of its sewer easement rights described and recorded in Deed Book 2313, Page 530 Strips #1, #2 and Deed Book 1573, Page 105 and all of the City's easement rights described and recorded in Deed Book 2392, Page 418, and Deed Book 2313, Page 530 Strips #3, #4, and #5, Recorder's Office, Franklin County, Ohio ("Easements"), because DPU has reviewed a request from the owner and determined that the described 0.153, 0.170, and 0.817 acre portions of the sewer easements and the additional entire easements are no longer needed as the sewer has been relocated under Sanitary Plan CC 17975 (now RP 21054 thru 21058) and a new easement was recorded in Instrument Number 201803230038016; 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 described 0.153, 0.170, and 0.817 acre, more or less, tracts of easement area described and recorded in Deed Book 2313, Page 530 Strips #1, #2 and Deed Book 1573, Page 105, Recorder's Office, Franklin County, Ohio which are described and depicted in the nine (9) page attachment, Exhibit-A, and fully incorporated for reference as if rewritten, as well as all easement rights recorded in Deed Book 2392, Page 418, and Deed Book 2313, Page 530 Strips #3, #4, and #5 Recorder's Office, Franklin County, Ohio.

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.