



Legislation Text

File #: 0607-2021, **Version:** 1

BACKGROUND: The City possesses title to a sanitary sewer easement described and recorded in Instrument Number 200403250065159, Recorder's Office, Franklin County, Ohio ("Easement"). The Easement burdens real property located in the vicinity of 3251-3255 McKinley Avenue {Franklin County Tax Parcel 010-261453} ("Servient Estate") currently owned by Hanover Park LLC, an Ohio limited liability company. The City previously vacated 0.032 and 0.227 acre portions of its sewer easement rights from RP 11334, as described and recorded in Instrument Number 200403250065159, pursuant to partial releases recorded in Instrument Numbers 202003260042202 and 202003260042203, under Ordinance Number 2907-2019. The City's Department of Public Utilities ("DPU") has reviewed the request by the property owner to vacate a portion of the existing easement and determined that the sanitary sewer was relocated under Sanitary Relocation Project CC 18011 and sanitary plan CC 18953 and new easements were recorded in Instrument Numbers 201806060075355 and 201806060075356, and therefore the remaining portion of the existing easement is no longer needed. DPU has determined that terminating a portion of 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 document(s) necessary to release and terminate a portion of the City's sewer easement rights described and recorded in Instrument Number 200403250065159, Recorder's Office, Franklin County, Ohio. (\$0.00)

WHEREAS, the City previously released and terminated 0.227 and 0.032 acre portions of its sewer easement rights described and recorded in Instrument Number 200403250065159, ("Easement") pursuant to partial releases recorded in Instrument Numbers 202003260042202 and 202003260042203, Recorder's Office, Franklin County, Ohio, under Ordinance Number 2907-2019 and now DPU received a request from the owner to release the remaining 0.014 acre easement; and

WHEREAS, DPU has reviewed a request from the owner and determined that the described 0.014 acre portion of the sanitary sewer easement is no longer needed as the sewer has been relocated under Sanitary Plan CC 18011 and CC 18953 and new easements recorded were in Instrument Numbers 201806060075355 and 201806060075356; 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 0.014 acre, more or less, tract of easement area described and recorded in Instrument Number 200403250065159, Recorder's Office, Franklin County, Ohio ("Easement"), and described and depicted in the three (3) page attachment, Exhibit-A, which is 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.