



Legislation Details (With Text)

File #: 2940-2022 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 10/25/2022 **In control:** Public Service & Transportation Committee

On agenda: 11/14/2022 **Final action:** 11/16/2022

Title: To authorize the Director of the Department of Public Service to execute those documents necessary to release the portions of easements known as a north/south alley and a small portion of an east/west alley north of Price Avenue and west of High Street to allow the area to clear title for this site. (\$500.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD. 2940-2022 Exhibit

Date	Ver.	Action By	Action	Result
11/16/2022	1	CITY CLERK	Attest	
11/15/2022	1	ACTING MAYOR	Signed	
11/14/2022	1	COUNCIL PRESIDENT	Signed	
11/14/2022	1	Columbus City Council	Approved	Pass
11/7/2022	1	Columbus City Council	Read for the First Time	

1. BACKGROUND

In 1977, pursuant to Ordinances 2009-77, the City of Columbus vacated a portion of right-of-way known as a north/south alley and a small portion of an east/west alley north of Price Avenue and west of High Street and reserved utility easements for existing utilities.

The Department of Public Service recently received a request from the current property owners, Greenhouse Short North, LLC., asking that the City release the reserved easements 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 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 easements as described below and attached exhibit to allow the area to clear title for this site.

2. FISCAL IMPACT

The City will receive a total of \$500.00, to be deposited in Fund 7748, Project P537650, for granting the requested encroachment easements.

To authorize the Director of the Department of Public Service to execute those documents necessary to release the portions of easements known as a north/south alley and a small portion of an east/west alley north of Price Avenue and west of High Street to allow the area to clear title for this site. (\$500.00)

WHEREAS, in 1977, pursuant to Ordinances 2009-77, the City of Columbus vacated a portion of right-of-way known as a north/south alley and a small portion of an east/west alley north of Price Avenue and west of High Street and reserved utility easements for existing utilities; and

WHEREAS, the Department of Public Service recently received a request from the current property owners, Greenhouse Short North, LLC., 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 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 easement being released; and

WHEREAS, a value of \$500.00 to be deposited in Fund 7748, Project P537650, for the encroachment easements was established; 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 portions of easements as described below and 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. To authorize the Director of the Department of Public Service to execute the documents as necessary and approved by the Real Estate Department, City Attorney's Office, to release the portions of easement areas as described below and attached exhibit:

Easement Area to be released:

DESCRIPTION OF 0.051 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Section 5, Township 5, Range 22, Refugee Lands, being all of those ten-foot wide and twelve-foot wide alleys as vacated by City of Columbus Ordinance Number 2009-77, said alleys originally dedicated by David Price's Subdivision, recorded in Plat Book 4, Page 11, and being part of that tract of land described in a deed to **Greenhouse Short North, LLC** of record in Instrument Number 20211190211935, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, and being further bounded and described as follows:

BEGINNING at a southwest corner of said twelve-foot wide vacated alley, being the southeast corner of Lot 11 of said David Price's Subdivision, being on the existing north right-of-way line for Price Avenue (50 feet wide - public) and being on the south line of said Greenhouse Short North tract;

Thence **North 03 degrees 21 minutes 17 seconds East**, along a west line of said twelve-foot wide vacated alley, along the east line of said Lot 11 and across said Greenhouse Short North tract, a distance of **149.24 feet** to the northeast corner of Lot 11, being the intersection of the west line of said twelve-foot wide vacated alley and the south line of said ten-foot wide vacated alley;

Thence **North 86 degrees 37 minutes 49 seconds West**, along a south line of said ten-foot wide vacated alley, along the north line of said Lot 11 and continuing across said Greenhouse Short North tract, a distance of **31.00 feet** to the southwest corner of said ten-foot wide vacated alley, being the intersection of the existing east right-of-way line for a fifteen-foot wide alley and the existing south right-of-way line for twenty-foot wide alley;

Thence **North 03 degrees 22 minutes 11 seconds East**, along the existing east right-of-way line for a fifteen-foot wide alley, along the west line of said ten-foot wide vacated alley and along a west line of said Greenhouse Short North tract, a distance of **10.00 feet** to the northwest corner of said ten-foot wide vacated alley, being the southwest corner of Reserve "A" of J.R. Hughes Subdivision of Lot No. 3 of Starr Adm's' Subdivision, recorded in Plat Book 3, Page 345;

Thence **South 86 degrees 37 minutes 49 seconds East**, along the north line of said ten-foot wide vacated alley, along the south line of said Reserve "A" and across said Greenhouse Short North tract, a distance of **43.00 feet** to the intersection of the north line of said ten-foot wide vacated alley and the east line of said twelve-foot wide vacated alley;

Thence **South 03 degrees 21 minutes 17 seconds West**, along the east line of said twelve-foot wide vacated alley and across said Greenhouse Short North tract, a distance of **159.24 feet** to the intersection of the east line of said twelve-foot wide vacated alley and the existing north right-of-way line for Price Avenue, being on the south line of said Greenhouse Short North tract;

Thence **North 86 degrees 37 minutes 49 seconds West**, along the existing north right-of-way line for Price Avenue, along the south line of said twelve-foot wide vacated alley and along the south line of said Greenhouse Short North tract, a distance of **12.00 feet** to the **POINT OF BEGINNING** for this decription.

The above description contains a total area of **0.051 acres**, all of which is located within Franklin County Auditor's parcel number 010-023218.

Bearings described herein are based on Grid North, as measured from Grid North, referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

This description was prepared under the direct supervision of Michael J. Ward, Registered Professional Surveyor No. 8808, is based on an actual field survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.
American Structurepoint, Inc.

SECTION 2. That the City will receive a total of \$500.00 to be deposited in Fund 7748, Project P537650, for granting the requested encroachments.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.