



City Of Columbus
Mayor Michael B. Coleman

Public Service Department
Mark Kelsey, Director

MEMORANDUM

TO: Boyce Safford, III, Director
Department of Development

Attention: Donna Hunter, Administrator
Land Redevelopment Office

FROM: Mary Lu English *MLE*
Right-of-Way Coordinator

SUBJECT: SALE OF EXCESS RIGHT OF WAY - FILE # 02-33

DATE: January 10, 2008

Attached please find a request to sell a 20 foot X 60 foot portion off the north side of Frankfort Street from the alley east of Ebner Street to a point 60 feet west of the alley and a request to grant an encroachment easement for a corner of the existing building into the alley. Sale of this right-of-way and granting of the encroachment easement will clear a cloud on the title to the property created by the location of the existing building. The City Attorney's Real Estate Division has recommended accepting an offer of \$6,224.40 from the property owner to resolve this issue as indicated on the attached form and the property owner's attorney has returned a signed letter authorizing the Transportation Division to proceed with those steps necessary to transfer this excess right-of-way and grant the encroachment.

It is now necessary for the Development Department to review the attached information, complete the final portion of the attached Request for Conveyance form and place this item on the Land Review Commission agenda for their consideration.

If you have any questions or need additional information please call me at 5-5471.

Enclosure

cc: Patricia A. Austin, P.E., Administrator, Transportation Division
Randall J. Bowman, P.E., City Engineer & Assistant Administrator
Clyde R. Garrabrant, P. S., R/W Manager
P:\marylu\lrc letters\0233 transmittal.doc

614-645-8290	Director's Office	City Hall, 90 West Broad Street, 3 rd Floor, Columbus, Ohio 43215-9009	FAX: 614-645-7805
614-645-3111	311 Service Center	2100 Alum Creek Drive, Columbus, Ohio 43207-1705	FAX: 614-645-3053
614-645-6400	Parking Violations Bureau	400 W. Whittier Street, Columbus, Ohio 43215-5036	FAX: 614-645-7357
614-645-7620	Refuse Collection Division	2100 Alum Creek Drive, Columbus, Ohio 43207-1714	FAX: 614-645-7296
614-645-8376	Transportation Division	109 North Front Street, 3 rd Floor, Columbus, Ohio 43215-9023	FAX: 614-645-6938



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Public Service Department

Mark Kelsey, Director

REQUEST FOR CONVEYANCE OF CITY OWNED LAND By Division of Transportation

Name of Petitioner: Donald T. Plank, Esq.

File No. 02-33

REQUEST IS TO:

- | | |
|--------------------------------------------------------------|--------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Sell excess right-of-way | <input type="checkbox"/> Transfer excess right-of-way at no charge |
| <input type="checkbox"/> Vacate excess right-of-way | <input type="checkbox"/> Grant a lease |
| <input checked="" type="checkbox"/> Grant an easement | <input type="checkbox"/> Release an easement |

BRIEF DESCRIPTION OF AREA UNDER CONSIDERATION:

20foot X 60 foot portion off the north side of Frankfort Street from the alley east of Ebner Street to a point 60' west of the alley and an encroachment easement for the existing building into the alley.

PROPOSED USE OF AREA:

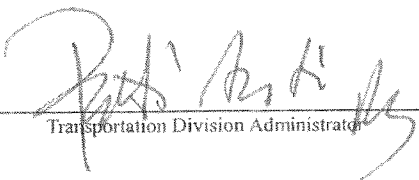
Clear cloud on the title to the property because of the existing building located thereon

ACTION BY DIVISION INITIATING REQUEST:

(Please CHECK the Correct Answer)

- | | | |
|---------------------------------------------------------------------------|-----------------------------------------|-----------------------------|
| All Departments and Divisions contacted for comments/approval of request: | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| All Utilities contacted for comments/approval of request: | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| Area Commission/Civic Association contacted for comments: | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| All abutting property owners notified of request: | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| Petitioner notified of need for survey and metes & bounds description: | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |

- Division Recommendation: SELL VACATE TRANSFER AT NO CHARGE
 GRANT EASEMENT GRANT LEASE RELEASE AN EASEMENT

Signature:  Date: 12/31/07
 Transportation Division Administrator

Estimated Value from County Tax Records: \$6,224.40
(Per City Attorneys Office Real Estate Division)

- | | | |
|--------------------------------------|-----------------------------------------|----------------------------------------|
| Easements to be retained: | <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO |
| Petitioner contacted for comments: | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| Petitioner agreed to purchase price: | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |

PAA/MLE

cc: File No. 02-33
K:\Right of Way & Utilities\Right-of-Way Sales etc\forms\REQUEST FOR CONVEYANCE.DOC

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City of Columbus
Mayor Michael B. Coleman

Public Service Department

Mark Kelsey, Director

December 24, 2007

Donald T. Plank, Esq.
Plank & Brahm
145 East Rich Street
Columbus, Ohio 43215-5240

Dear Mr. Plank:

The City of Columbus, Transportation Division, has reviewed the information you provided regarding the proposed transfer of a twenty (20) foot wide portion off the north side of Frankfort Street from the alley east of Ebner Street to a point sixty (60) feet \pm west thereof and an encroachment easement into the alley for the existing building. Columbus City Council Resolution Number 113X-86 provides for the sale of City owned property. After investigation, it was determined the City has no objections to the sale of this right-of-way or the granting of the requested encroachment easement. Based upon the advise of John Klein, Assistant City Attorney and Chief Real Estate Attorney for the City of Columbus, the Transportation Division would like to recommend to the Land Review Commission the acceptance of your offer of Six Thousand Two Hundred Twenty-Four and 40/100 Dollars (\$6,224.40) for the twenty (20) foot by sixty (60) foot area and the above referenced encroachment easement.

Please note your client will be responsible for providing a legal description and survey plat, prepared by a registered professional surveyor and pre-approved by the County, for the right-of-way and encroachment areas to be acquired. If your client, is still interested in acquiring this right-of-way and the associated encroachment easement, please have this "Authorization to Proceed" letter signed and dated in the space provided below then return, within thirty days, to Ms. Patricia A. Austin, P.E., Administrator, Transportation Division, Public Service Department, 109 North Front Street, 3rd Floor, Columbus, Ohio 43215, Attention: Mary Lu English.

Immediately upon receipt of the authorization to proceed I will forward the file with a recommendation to transfer at the stated price of \$6,224.40 to the Land Review Commission for their consideration.

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Mr. Plank
December 24, 2007
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If you have any questions concerning this matter please contact me at 645-5471.

Sincerely,



Mary Lu English
Right of Way Coordinator

AUTHORIZATION TO PROCEED

Donald Plank attorney
Print Name

Donald Plank 12/31/07
Signature Date

cc: Patricia A. Austin, P.E., Administrator, Transportation Division
Randall J. Bowman, P.E., City Engineer and Assistant Administrator
Clyde R. Garrabrant, P.S., Mapping & Graphics Manager
File 02-33
P:\marylu\lrc letters\0233 cl#1 authorization to proceed.doc

MEMORANDUM

TO: John C. Klein, Chief Real Estate Attorney
Real Estate Division

FROM: Richard W. Figley *RWF*

SUBJ.: Sale of Right-of-Way
360 Frankfort

DATE: December 10, 2007

The Department of Public Service, Transportation Division, has been asked to sell (brief description of the area to be sold) (see attached map). At this time please determine the per square foot value of this right-of-way both with the retention of a general utility easement and without the retention of such an easement then provide this information to me along with copies of the documents used to determine these values.

Thank you for your help in this matter.

Number of square feet to be sold: 1200+/-

Per square foot value without reserved general utility easement rights.
\$ 5.21 / #

Per square foot value with reserved general utility easement rights (for City Utilities only). \$ 2.60 / #

Richard Figley 12/10/07
Richard W. Figley Date

FOREST

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FRANKFORT

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