



City of Columbus  
Mayor Michael B. Coleman

## Public Service Department

Henry Guzmán, Director

### MEMORANDUM

**TO:** Mark Barbash, Director  
Development Department  
  
Attention: Donna Hunter, Administrator  
Land Management Office

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

**SUBJECT:** SALE OF EXCESS RIGHT OF WAY - FILE # 03-19

**DATE:** March 31, 2004

Attached please find a request to sell excess right-of-way identified as a portion of Charles Street from Park Street to the alley west thereof to Robert and Hilma Kriss. Sale of this excess right-of-way will provide necessary parking area that will allow the Kriss' to proceed with their plans to develop their adjacent property. The City Attorney's Office, Real Estate Division, has estimated a value of a value of \$23,413.50 for this right-of-way. This value reflects the City's need to retain easements for the I-670 retaining wall tiebacks and for any utilities currently located within this right-of-way. Robert and Hilma Kriss have provided a signed letter authorizing the City to proceed with those steps necessary to sell this excess right-of-way.

Robert and Hilma Kriss have also inquired about the possibility of acquiring a portion of excess I-670 right-of-way that is adjacent to and north of Charles Street. The City Attorney's Office, Real Estate Division has determined that the subject property is encumbered with a Highway Easement and that the residual value of the property is \$1.00. The Public Service Department has informed Mr. and Mrs. Kriss that upon their receipt of a release for the existing highway easement from the State of Ohio the City will transfer their interest in this property to them by Quitclaim deed.

It is now necessary for the Development Department to review the attached information and identify any factors that might justify mitigation of all or a portion of the \$23,413.50. When your review is complete and any outstanding issues have been resolved, please fill in the final portion of the 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: Pamela A. Clawson, P.E., Administrator, Transportation Division  
Randy Bowman, P.E., City Engineer  
Clyde R. Garrabrant, P. S., R/W Manager  
P:\marylu\letters\0319 transmittal.doc

614-645-8290 Director's Office  
614-645-7602 Facilities Management Division  
614-645-8281 Fleet Management Division  
614-645-7620 Refuse Collection Division  
614-645-8376 Transportation Division

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423 Short Street/Columbus, Ohio 43215-6614  
2100 Alum Creek Drive, Columbus, Ohio 43207-1714  
109 North Front Street, 3rd Floor/Columbus, Ohio 43215-9023

FAX: 645-7805  
FAX: 645-7180  
FAX: 645-7347  
FAX: 645-3053  
FAX: 645-6938



City of Columbus  
Mayor Michael B. Coleman

# Public Service Department

## REQUEST FOR CONVEYANCE OF CITY OWNED RIGHT-OF-WAY By Department of Public Service

Name of Petitioner: Ray J. King, counsel for  
Robert & Hilma Kriss

File No.03-19

**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 type="checkbox"/> Grant an easement                   | <input type="checkbox"/> Release an easement                       |

**BRIEF DESCRIPTION OF AREA UNDER CONSIDERATION:**

**a portion of Charles Street from Park Street to the alley west and a portion of "excess I-670 R/W adjacent to the north**

**PROPOSED USE OF AREA:**

parking

**DEPARTMENTAL ACTION BY DEPARTMENT 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 |

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

Signature:  \_\_\_\_\_  
Transportation Division Administrator

Date: 3/10/04

**REAL ESTATE DIVISION ACTION:**

Estimated Value from County Tax Records: \$ 23,413.50(2838sf\*+/-@8.25)  
Charles Street only I-670 excess @ \$1.00

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

PAC/JCL

cc: File No. 03-19

K:\Right of Way Information\Right-of-Way Sales etc\03\_VACATE\03-19\REQUEST FOR CONVEYANCE.DOC

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**DEPARTMENT OF DEVELOPMENT ACTION:**

(Please CHECK the correct answer)

Mitigating Circumstances Identified:  YES  NO

Recommended Action:  DISAPPROVED  TRANSFER AT NO CHARGE  SELL  
 VACATE  GRANT EASEMENT  RELEASE AN EASEMENT

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**IDENTIFICATION OF MITIGATING CIRCUMSTANCES  
AND BRIEF EXPLANATION OF EACH**

\_\_\_\_\_ The value of improvements undertaken by purchaser(s) upon property of the City which further the interest and welfare of the public.

\_\_\_\_\_ The value of land donations or other services being made to the City by the petitioner(s)

\_\_\_\_\_ The willingness of the purchaser(s) to absorb the cost of utility relocation from the property being purchased if not discounted in the fair market value of the property.

\_\_\_\_\_ The substantial increase in tax revenue, including but not limited to real property and income taxes, generated by the development of the property to be purchased.

\_\_\_\_\_ The identification of improvements that further the general welfare of the City through significant improvements to the physical environment.

Name of Petitioners: Ray J. King, Esq. counsel for Robert and Hilma Kriss  
File No. 03-19



City of Columbus  
Mayor Michael B. Coleman

## Public Service Department

Henry Guzmán, Director

March 18, 2004

Ray J. King, Esq.  
107 West Johnstown Road, #D  
Gahanna, Ohio 43230

Dear Mr. King:

The City of Columbus, Transportation Division, has reviewed the request you submitted on behalf of Robert and Hilma Kriss, regarding the acquisition of a portion of Charles Street from Park Street to the alley west thereof. It is our understanding acquisition of this right-of-way will provide necessary parking area that will allow your clients to proceed with their plans to develop their adjacent property. After investigation it was determined the City does not have any objections to the sale of this right-of-way. Pursuant to Columbus City Council Resolution Number 113X-86 which provides for the sale of City owned property and based upon information provided by the Franklin County Auditor the City has estimated a value of a value of \$23,413.50 has been determined for this right-of-way. Please note, this value reflects the City's need to retain easements for the I-670 retaining wall tiebacks and for any utilities currently located within this right-of-way.

We have also reviewed your client's request to acquire a portion of excess I-670 right-of-way adjacent to and north of Charles Street and have determined that this area is encumbered with a Highway Easement and that the residual value of this property is \$1.00. If your clients desire to acquire this right-of-way they will need to contact Mr. Jim Roudabush with the Ohio Department of Transportation, District 6, 400 East William Street, Delaware, Ohio, 43015, to obtain a release of easement for the existing highway easement. After receipt of a release of easement from the State the City will quitclaim their interest in this property to your clients.

If your clients agree to comply with the requirement to obtain a release of highway easement from ODOT and if they wish to proceed with the purchase of the Charles Street right-of-way please have this letter signed and dated in the space provided below then return, within thirty days, to Ms. Pamela A. Clawson, P.E., Administrator, Transportation Division, Public Service Department, 109 North Front Street, 3rd Floor, Columbus, Ohio 43215, Attention: Mary Lu English. If your clients object to the stated transfer price of \$23,413.50 for the Charles Street right-of-way and \$1.00 for the transfer of the underlying fee to the excess I-670 right-of-way adjacent to Charles Street you will need to contact Ms. Donna Hunter in the Department of Development to discuss a possible reduction of this amount. Ms. Hunter's address is: Department of Development, Attention Donna Hunter, Administrator, Office of Land Management, 109 North Front Street, Columbus, Ohio 43215. Please provide a copy of any correspondence you send to Ms. Hunter to me for my file.

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Mr. King  
March 18, 2004  
Page Two

For your convenience I have attached a list of valid mitigating circumstances that the City will consider when reducing a right-of-way transfer price. Unless mitigating circumstances that directly benefit the Transportation Division can be identified, Division policy requires that a recommendation to transfer at full price be forwarded from the Division to the Department of Development.

After an agreement on the transfer price is reached the Department of Development will place this request on the Land Review Commission agenda for their consideration.

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**

Robert Kriss

 3-26-04  
\_\_\_\_\_  
Signature Date

Hilma Kriss

 3-26-04  
\_\_\_\_\_  
Signature Date

Enclosures

cc: Pamela A. Clawson, P.E., Administrator, Transportation Division  
Randall J. Bowman, P.E., City Engineer  
Clyde R. Garrabrant, P.S., RAW Services Manager  
File 03-19  
P:\marylu\letters\0319d\#1 Kriss.doc

MEMORANDUM

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

Attn.: Edmond W. Reese  
Real Estate Negotiator


FROM: Jeffrey C. LeVally, P.S.  
Surveyor

SUBJ.: Sale of Right-of-Way  
File # 03-19

DATE: July 24, 2003

The Department of Public Service, Transportation Division, has been asked to sell a **portion of Charles Street from Park Street to the alley west** (see attached map). At this time please determine the per square foot value of this right-of-way 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: <u>6900 +/-</u>	
Per square foot value.	<u>\$ 16.50 *</u> 8.25
	7-25-03
Edmond W. Reese	Date

L:\marylu\forms\sq ft request.doc

\* Without restrictions. I would suppose we would be forbidding the erection of any buildings. Such restriction would reduce the value by half - as though a sewerline ran through it. Ed

