



City of Columbus  
Mayor Michael B. Coleman

# Public Service Department

Henry Guzmán, Director

## MEMORANDUM

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

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

SUBJ.: SALE OF EXCESS RIGHT OF WAY - FILE # 05-31

DATE: March 16, 2006

Attached please find a request to sell the unimproved alley north of Stewart Avenue from Parsons Avenue to the alley east thereof. Sale of this excess right-of-way will allow for property consolidation and provide enough area to construction a new fast food restaurant. A value of \$1,843.63 has been determined for this right-of-way as indicated on the attached form. The proposed purchaser, Yum Brands Inc., has been notified of this price and has returned a signed letter authorizing the City to proceed with those steps necessary to transfer this unimproved right-of-way.

It is now necessary for the Development Department to review the attached information and identify any possible mitigation. 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: Patricia A. Austin, P.E., Administrator, Transportation Division  
Randy Bowman, P.E., City Engineer and Assistant Administrator  
Clyde R. Garrabrant, P. S., R/W Manager  
P:\marylu\letters\0531 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**

City Hall/90 West Broad Street, 3rd Floor/Columbus, Ohio 43215-9009  
City Hall/90 West Broad Street, Rm. B-16/Columbus, Ohio 43215-9001  
423 Short Street/Columbus, Ohio 43215-5614  
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

Henry Guzmán, Director

## REQUEST FOR CONVEYANCE OF CITY OWNED LAND By Division of Transportation

Name of Petitioner: Jeff Brown, counsel for Yum Brands Inc.

File No.05-31

**REQUEST IS TO:**

- |  |  |
|--|--|
| <input type="checkbox"/> Sell excess right-of-way              | <input type="checkbox"/> Transfer excess right-of-way at no charge |
| <input checked="" 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:**

**the unimproved, seven feet wide alley north of Stewart Avenue from Parsons Avenue to the alley east**

**PROPOSED USE OF AREA:**

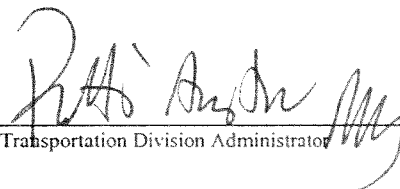
property consolidation and development of a new store

**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:   
 Transportation Division Administrator

Date: 1/30/06

Estimated Value from County Tax Records: \$1843.63(857.5sf@\$2.15)  
 (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            |

PAC/JCL

cc: File No. 05-31

K:\Right of Way Information\Right-of-Way Sales etc\05 VACATE\05-31\REQUEST FOR CONVEYANCE(05-31).DOC

614-645-8290 Director's Office  
 614-645-7602 Facilities Management Division  
 614-645-8281 Fleet Management Division  
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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: Mark Barbash Date: 3/23/06  
*per Alexandra Hunter*

**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: Yum Brands, Inc., by Jeff Brown  
File No. 05-31



City of Columbus  
Mayor Michael B. Coleman

## Public Service Department

Henry Guzmán, Director

February 13, 2006

Jeffrey L. Brown, Esq.  
Smith & Hale  
37 West Broad Street  
Columbus, Ohio 43215-4199

Dear Mr. Brown:

The City of Columbus, Transportation Division, has reviewed the request you submitted, on behalf of Yum Brands, Inc., regarding the acquisition of the unimproved seven-foot wide alley north of Stewart Avenue from Parsons Avenue to the alley east thereof. It is the City's understanding acquisition of this right-of-way will allow your client to combine their adjacent properties and construct a new store on the site. After investigation by the Transportation Division staff 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 \$1,843.63 (\$2.15 per square foot) for this right-of-way.

If your client desires to proceed with the acquisition of the above referenced right-of-way please have this letter signed and dated in the space provided below and 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. If your client objects to the stated value of \$1,843.63 for this right-of-way you will need to contact Ms. Donna Hunter Administrator of the Office of Land Management with the Development Department to discuss a possible reduction of this amount.

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, our Division policy requires that a recommendation to transfer at full price be forwarded from this Division to the Development Department.

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Mr. Brown  
February 13, 2006  
Page Two

After an agreement on the transfer price is reached the Development Department 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 (614) 645-5471.

Sincerely,



Mary Lu English  
Right of Way Coordinator

**AUTHORIZATION TO PROCEED**

Yum Brands, Inc.

By: Jesse Coultter 3/9/06  
Signature Date

Its: MANAGER, CONSTRUCTION

Enclosures

cc: Patricia A. Austin, P.E., Administrator, Transportation Division  
Randall J. Bowman, P.E., City Engineer and Assistant Administrator  
Clyde R. Garrabrant, P.S., R/W Services Manager  
File 05-31  
P:\marylu\letters\0531\#1brown.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 # 05-31

DATE: January 24, 2006

The Department of Public Service, Transportation Division, has been asked to sell of **the unimproved, seven feet wide alley north of Stewart Avenue from Parsons Avenue to the alley east** (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: 857.5+/-

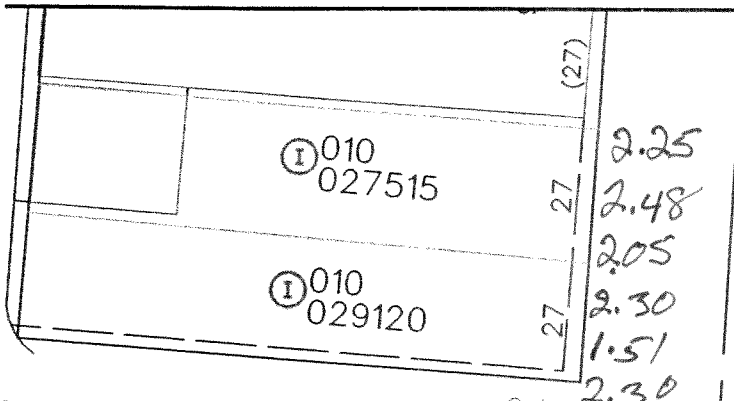
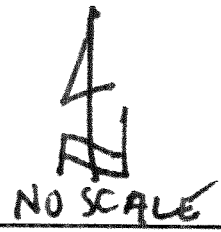
Per square foot value without reserved general utility easement rights. \$2.15

Per square foot value with reserved general utility easement rights (for City Utilities only).

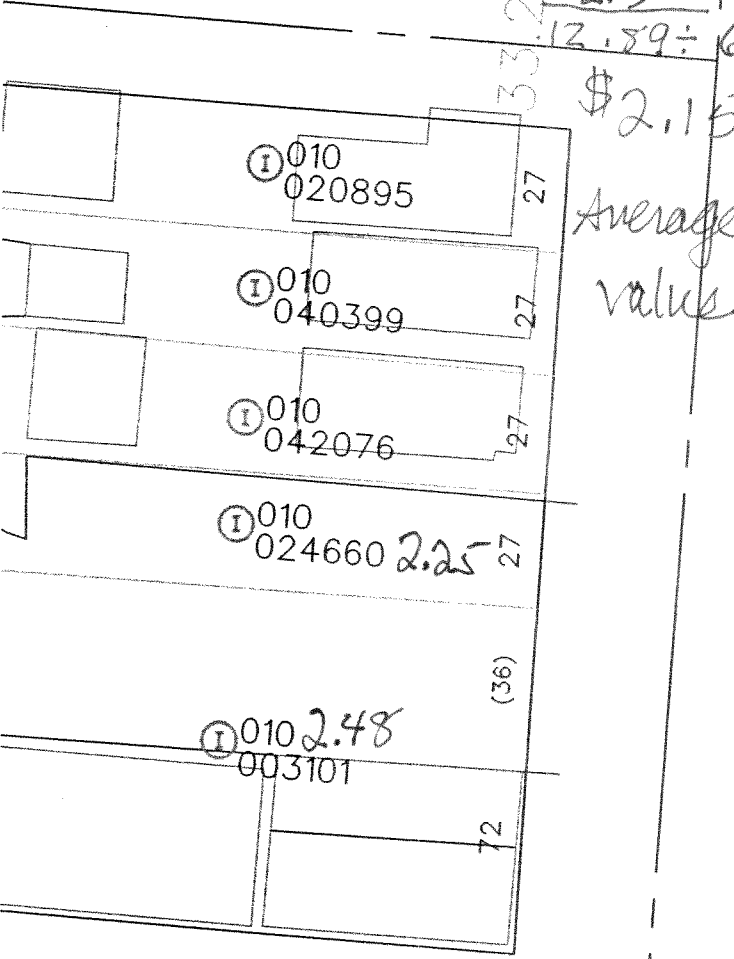
\$1.08

  
Edmond W. Reese

1-24-06  
Date



2.25  
2.48  
2.05  
2.30  
1.51  
2.30



$12.89 \div 6 =$   
\$2.15  
Average  
value

