



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 # 01-52

DATE: March 7, 2008

Attached please find a request to sell the 16 foot wide alley north of Morse Road from Fairview Avenue to the alley east thereof to Giuseppe Gioffre. Sale of this right-of-way will allow Mr. Gioffre to expand the parking for his adjacent properties. The Real Estate Division established a value of \$5,600.00 (\$2.50 per square foot X 2240 square feet). This value was based upon a recent appraisal of the adjacent property prepared for the City as a part of the Morse Road Improvement, Phase 2 project and the value is contingent upon the City's retention of a general utility easement for the utilities currently located within this right-of-way. The City notified Mr. Gioffre of this value and he submitted a letter agreeing to pay the \$5,600.00.

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 complete the final portion of the 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, Transportation Division  
Clyde R. Garrabrant, P. S., R/W Manager  
P:\marylu\letters\01-52 transmittal.doc

614-645-8290 Director's Office  
614-645-3111 311 Service Center  
614-645-6400 Parking Violations Bureau  
614-645-7620 Refuse Collection Division  
614-645-8376 Transportation Division

City Hall, 90 West Broad Street, 3<sup>rd</sup> Floor, Columbus, Ohio 43215-9009  
2100 Alum Creek Drive, Columbus, Ohio 43207-1705  
400 W. Whittier Street, Columbus, Ohio 43215-5036  
2100 Alum Creek Drive, Columbus, Ohio 43207-1714  
109 North Front Street, 3<sup>rd</sup> Floor, Columbus, Ohio 43215-9023

FAX: 614-645-7805  
FAX: 614-645-3053  
FAX: 614-645-7357  
FAX: 614-645-7296  
FAX: 614-645-6938



City of Columbus  
Mayor Michael B. Coleman

# Public Service Department

Mark Kelsey, Director

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

Name of Petitioner: Laura MacGregor Comek, Esq.  
Counsel for Giuseppe Gioffre

File No. 01-52

### 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:

The 16-foot wide alley north of Morse road from Fairview Avenue to the alley east thereof.

### PROPOSED USE OF AREA:

Property expansion and additional parking

### 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: [Signature]  
Transportation Division Administrator

Date: 11/28/07

Estimated Value from County Tax Records:

\$5,600.00 (2240± Sq. Ft. @ \$2.50/Sq. Ft.)  
(per City Attorneys Office Real Estate Division)

Easements to be retained:	<input checked="" type="checkbox"/> YES	<input 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. 01-52

K:\Right of Way & Utilities\Right-of-Way Sales etc\forms\ REQUEST FOR CONVEYANCE.DOC

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FAX: 614-645-7296  
FAX: 614-645-6938

**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: Boye Dafford III Date: 3/11/08  
*by Donna 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: Laura MacGregor Comek, Esq., Counsel for Giuseppe Gioffre  
File No. 01-52



City of Columbus  
Mayor Michael B. Coleman

## Public Service Department

Mark Kelsey, Director

November 26, 2007

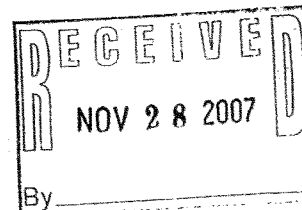
Laura MacGregor Comek, Esq.  
Crabbe, Brown & James  
500 South Front Street, Suite 1200  
Columbus, Ohio 43215

Dear Ms. Comek:

The City of Columbus, Transportation Division, has reviewed the most recent request you submitted on behalf of your client, Giuseppe Gioffre, regarding his proposed acquisition of that right-of-way identified as the first 16-foot wide alley north of Morse Road from Fairview Avenue to the alley east thereof. It is the City's understanding acquisition of this right-of-way will allow your client to combine his adjacent properties and expand his parking area. Columbus City Council Resolution Number 113X-86 provides for the sale of excess City owned property. After investigation, it was determined the City has no objections to the sale of this right-of-way subject to the retention of a general utility easement for those utilities currently located therein. Based upon a recent appraisal of your client's adjacent properties the City has estimated a value of \$5,600.00 for this right-of-way.

If your client, Mr. Gioffre, desires to proceed with the acquisition of this right-of-way please have this "Authorization to Proceed to Land Review Commission" letter signed and dated in the space provided below then return, within thirty days, to Ms. Patricia 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 transfer price of \$5,600.00 you will need to contact Ms. Donna Hunter, administrator of the Land Management Office, to discuss a possible reduction of this amount. Ms. Hunter's address is: City of Columbus, Development Department, 109 North Front Street, Columbus, Ohio 43215 and her telephone number is (614) 645-3895. For your convenience I have attached a list of valid mitigating circumstances that the City will consider when reducing right-of-way transfer prices. Please include a copy of any correspondence you send to Ms. Hunter when your return this "authorization to proceed" letter. 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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Ms. Comek  
November 26, 2007  
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 645-5471.

Sincerely,

*Mary Lu English*

Mary Lu English  
Right of Way Coordinator

**AUTHORIZATION TO PROCEED TO LAND REVIEW COMMISSION**

Giuseppe Gioffre

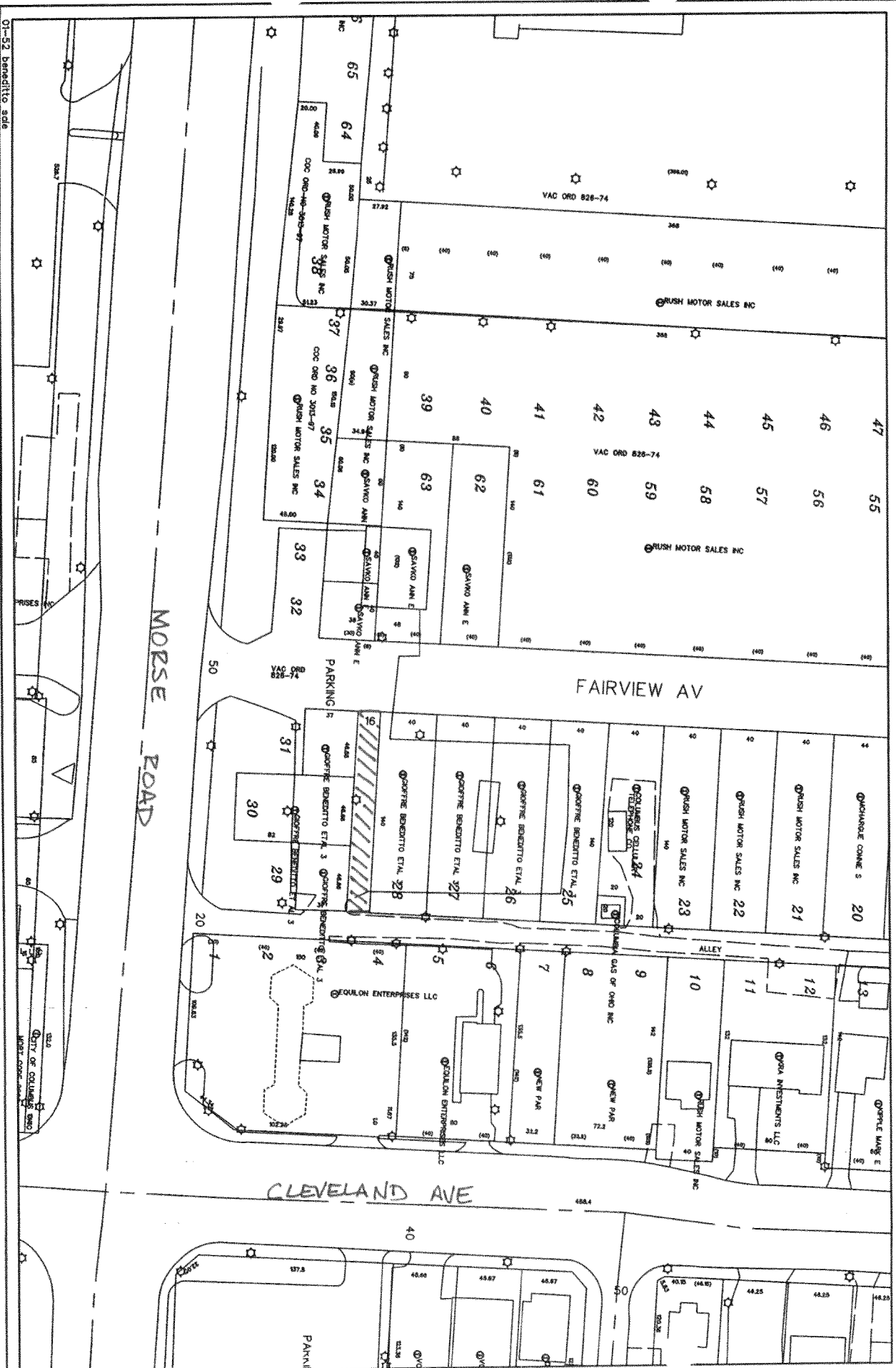
Print Name

*POA*  
*2/11/08*  
*Agreed with condition that I receive a 50% credit for retained easements and thus a final purchase price of \$2,800.00*  
*POA*  
Joseph V. Gioffre, Jr.

Enclosures

cc: Patricia Austin, P.E., Administrator, Transportation Division  
Randall J. Bowman, P.E., City Engineer  
Clyde R. Garrabrant, P.S., R/W Services Manager  
01-52

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NO SCALE

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 # 01-52

DATE: October 15, 2001

The Department of Public Service, Division of Engineering and Construction, has been asked to sell **various right-of-ways bounded by Brooklyn Avenue on the north, the alley west of Cleveland Avenue on the east, and Morse Road on the south** (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: NOT KNOWN

Per square foot value without reserved general utility easement rights.  
\$14.00

Per square foot value with reserved general utility easement rights (for City Utilities only). \$2.00

  
Edmond W. Reese

10-16-01  
Date