



Legislation Details (With Text)

File #: 1085-2008 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/18/2008 **In control:** Public Service & Transportation Committee

On agenda: 7/14/2008 **Final action:** 7/17/2008

Title: To authorize the Director of the Public Service Department to execute those documents required to transfer a portion of Seventeenth Avenue east of Stelzer Road to the Columbus Regional Airport Authority.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
7/17/2008	1	CITY CLERK	Attest	
7/15/2008	1	MAYOR	Signed	
7/14/2008	1	Columbus City Council	Approved	Pass
7/14/2008	1	COUNCIL PRESIDENT	Signed	
7/7/2008	1	Columbus City Council	Read for the First Time	
6/23/2008	1	CITY ATTORNEY	Reviewed and Approved	
6/23/2008	1	Service Reviewer	Sent to Clerk's Office for Council	
6/20/2008	1	SERVICE DIRECTOR	Reviewed and Approved	
6/18/2008	1	Service Drafter	Sent for Approval	
6/18/2008	1	Service Reviewer	Reviewed and Approved	

Under the terms of the Airport Operation and Use Agreement, which created the Columbus Municipal Airport Authority ("Port Authority"), once the Port Authority repaid, in full, the City debt issued for the airports, the City of Columbus ("City") was contractually obligated to convey to the Port Authority all airport property. In December 2007, the Port authority made their final debt payment to the City; therefore, per the Airport Operation and Use Agreement the City is obligated to complete various land transfers. In December 2007, the City conveyed most of the City owned land to the Port Authority; however, at that time legal descriptions for some of the city streets which had been previously closed and used as airport property were not available, consequently it was agreed to convey these at such time as descriptions became available.

The following legislation authorizes the Director of the Public Service Department to execute those documents needed to transfer a portion of Seventeenth Avenue to the Port Authority.

To authorize the Director of the Public Service Department to execute those documents required to transfer a portion of Seventeenth Avenue east of Stelzer Road to the Columbus Regional Airport Authority.

WHEREAS, under the terms of the Airport Operation and Use Agreement, which created the Columbus Municipal Airport Authority ("Port Authority"), once the Port Authority repaid, in full, the City debt issued for the airports, the City of Columbus ("City") was contractually obligated to convey to the Port Authority all airport property; and

WHEREAS, the Port Authority made their final debt payment to the City in December 2007; and

WHEREAS, concurrent with the Port Authority's repayment of their debt, per the obligations contained in the Airport Operation and Use Agreement, the City conveyed most of the City owned lands to them; and

WHEREAS, at the time of transfer, descriptions for some of the City streets, which had been previously closed and used as airport property, were not available, consequently the parties agreed to convey the remaining properties to the Port Authority at such time as descriptions became available; and

WHEREAS, the following legislation authorizes the Director of the Public Service Department to execute those documents needed to transfer a portion of Seventeenth Avenue east of Stelzer Road to the Port Authority; and

WHEREAS, because the City is contractually obligated to transfer this portion of Seventeenth Avenue to the Port Authority the Land Review Commission and the Competitive Bidding provisions of Columbus City Code are not applicable to this transfer; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Public Service Department be and is hereby authorized to execute quit claim deeds and other incidental instruments prepared and/or approved by the Department of Law, Real Estate Division, necessary to transfer the following described right-of-way to the Columbus Regional Airport Authority; to-wit:

7.178 Acres - Seventeenth Avenue east of Stelzer Road

Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 4, Township 1, Range 17 of the Untied States Military district and being all of Seventeenth Avenue (formerly Roseland Avenue) as shown and delineated on the plat of "Roseland Gardens Subdivision" of record in Plat Book 19, Page 15 and that portion of Seventeenth Avenue widened per Road Record 16, Page 235, all records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows;

Beginning at an iron pipe set at the intersection of the southerly right-of-way line of said Seventeenth Avenue and the easterly right-of-way line of Stelzer Road;

Thence North 02°04'00" East, a distance of 104.85 feet, along the easterly right-of-way line of said Stelzer Road to an iron pipe set at the intersection with the northerly right-of-way line of said widened Seventeenth Avenue;

Thence South 88°05'00" East, a distance of 2834.27 feet, along the northerly right-of-way line of said widened Seventeenth Avenue to a point on the easterly right-of-way line of Rosewood Avenue (vacated per Ordinance Number 1032-61, approved July 31, 1961), also being the easterly line of said "Roseland Gardens Subdivision";

Thence South 01°25'00" West, a distance of 123.20 feet, along the easterly line of said "Roseland Gardens Subdivision" to a point at the intersection with the southerly right-of-way line of said Seventeenth Avenue;

Thence the following six (6) courses and distances along the southerly right-of-way line of said Seventeenth Avenue:

1. North 88°05'00" West, a distance of 1557.96 feet, along the southerly right-of-way line of said Seventeenth Avenue to a point of curvature;
2. Along a curve to the right, having a central angle of 12°31'00", a radius of 778.80 feet, an arc length of 170.13 feet, a chord to which bears North 81°49'30" West, and a chord distance of 169.80 feet, to a point of reverse curvature;
3. Along a curve to the left having a central angle of 12°31'00", a radius of 728.80 feet, an arc length of 159.21 feet, a chord to which bears North 81°49'30" West, and a chord distance of 158.90 feet, to a point of tangency;
4. North 88°05'00" West, a distance of 747.98 feet, to a point of curvature;
5. Along a curve to the left, having a central angle of 82°45'53", a radius of 20.00 feet, an arc length of 28.89 feet, a chord to which bears South 50°32'03" West, and a chord distance of 26.44 feet, to a point;
6. North 88°05'00" West, a distance of 183.11 feet, to the **Point of Beginning** containing 7.178 acres, more or less.

The bearings shown above are based on the bearing of South 88°05'00" East for the centerline of Seventeenth Avenue (Roseland Avenue) as shown and delineated on the plat of "Roseland Gardens Subdivision", of record in Plat Book 19, Page 15, records of the Recorder's Office, Franklin County, Ohio.

Above description is prepared from record information of the Recorder's Office, Franklin County, Ohio.

Stantec Consulting Services, Inc.
(formerly R.D. Zande and Associates, Inc.)
Robert L. Clay
Professional Surveyor No. S-8121

Section 2. That the above referenced real property shall be considered excess road right-of-way and the public rights therein shall terminate upon the Director's execution and delivery of said quit claim deed to the grantee thereof.

Section 3. That a general utility easement in, on, over, across and through the above described right-of-way shall be and hereby is retained unto the City of Columbus for those utilities currently located within said right-of-way.

Section 4. That upon notification and verification of the relocation of all utilities located within the retained general utility easement the Director of the Public Service Department is hereby authorized to execute those documents necessary to release the retained general utility easement with no additional compensation due to the City and with no further legislative action required by the City.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.