



## Legislation Details (With Text)

**File #:** 1614-2024      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 5/29/2024      **In control:** Public Service & Transportation Committee

**On agenda:** 7/1/2024      **Final action:** 7/5/2024

**Title:** To authorize the Director of the Department of Public Service to execute those documents necessary for the transfer of 0.277 acre portion of right-of-way known as the Oakwood Alley and an unnamed alley to The Ohio State University.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord. 1614-2024 Description, 2. Ord. 1614-2024 Survey

Date	Ver.	Action By	Action	Result
7/5/2024	1	CITY CLERK	Attest	
7/3/2024	1	MAYOR	Signed	
7/1/2024	1	COUNCIL PRESIDENT PRO-TEM	Signed	
7/1/2024	1	Columbus City Council	Approved	Pass
6/24/2024	1	Columbus City Council	Read for the First Time	

**BACKGROUND:** The City of Columbus, Department of Public Service, received a request from The Ohio State University, asking that the City transfer them a 0.277 acre portion of right-of-way known as the Oakwood Alley and an unnamed alley. The west to east portion is known as Oakwood Alley; with Burt Street abutting to the west of the portion; the unknown Alley being requested abutting at the east portion; Hawthorne Avenue is the first street to the north and Long Street is the first street to the south. The unnamed alley portion is the north to south portion; with Hawthorne Avenue abutting at the north of the portion; Long Street is abutting at the south. Taylor Avenue runs parallel and is one street to the east; Burt Street is parallel and is one street to the west.

The intended use for the right-of-way is to construct perimeter security fencing to enhance patient, staff, and visitor safety. The Department of Public Service has agreed to transfer the right-of-way via a quitclaim deed as described and shown within attached legal description and exhibit, and extinguishes its need for this public right-of-way.

Per current practice, comments were solicited from interested parties, including City agencies, private utilities and the applicable area commission, before it was determined that, subject to the retention of a general utility easement for those utilities currently located within this right-of-way, the City will not be adversely affected by the transfer of this right-of-way.

The Department of Public Service submitted a request to the City Attorney’s Office, asking that they establish a value for this right-of-way, and a value of \$6,750.00 for the portion was established. This value is at a reduced easement retention value.

This request went before the Land Review Commission on January 18, 2024. After review of the request, the Land Review Commission voted to recommend the above referenced right-of-way be transferred to The Ohio State University at the cost of \$6,750.00 and a general utility easement will be retained.

**FISCAL IMPACT:** The City will receive a total of \$6,750.00 and the funds are to be deposited in Fund 7748, Project P537650, as consideration for the transfer of the requested right-of-way.

To authorize the Director of the Department of Public Service to execute those documents necessary for the transfer of 0.277 acre portion of right-of-way known as the Oakwood Alley and an unnamed alley to The Ohio State University.

**WHEREAS,** the City of Columbus, Department of Public Service, received a request from The Ohio State University, asking that the City transfer them a 0.277 acre portion of right-of-way known as the Oakwood Alley and an unnamed alley. The west to east portion is known as Oakwood Alley; with Burt Street abutting to the west of the portion; the unknown Alley being requested abutting at the east portion; Hawthorne Avenue is the first street to the north and Long Street is the first street to the south. The unnamed alley portion is the north to south portion; with Hawthorne Avenue abutting at the north of the portion; Long Street is abutting at the south. Taylor Avenue runs parallel and is one street to the east; Burt Street is parallel and is one street to the west; and

**WHEREAS,** the intended use for the right-of-way is to construct perimeter security fencing to enhance patient, staff, and visitor safety; and

**WHEREAS,** the Department of Public Service has agreed to transfer via quitclaim deed the right-of-way as described and shown within attached legal description and exhibit, and extinguishes its need for this public right-of-way; and

**WHEREAS,** per current practice, comments were solicited from interested parties, including City agencies, private utilities and the applicable area commission, before it was determined that, subject to the retention of a general utility easement for those utilities currently located within this right-of-way, the City will not be adversely affected by the transfer of this right-of-way; and

**WHEREAS,** the Department of Public Service submitted a request to the City Attorney's Office, asking that they establish a value for this right-of-way; and

**WHEREAS,** a value of and a value of \$6,750.00 for the portion was established; and

**WHEREAS,** this request went before the Land Review Commission on January 18, 2024; and

**WHEREAS,** after review of the request, the Land Review Commission voted to recommend the above referenced right-of-way be transferred to The Ohio State University at the cost of \$6,750.00; **now, therefore**

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

**SECTION 1.** That the Director of the Department of Public Service be, and hereby is, authorized to execute a quitclaim deed and other incidental instruments prepared by the City Attorney's Office, necessary to transfer the right-of-way described and depicted in the attached exhibit which is incorporated into this ordinance for reference, to The Ohio State University;

**SECTION 2.** That the attached referenced real property shall be, and hereby is, considered excess road right-of-way and the public rights therein shall terminate upon the Director's execution and delivery of said quitclaim deed to the grantee thereof.

**SECTION 3.** That a general utility easement in, on, over, across and through the legal description and attached exhibit describing the right-of-way shall be retained unto the City of Columbus for those utilities 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 area the Director of the Department of Public Service 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 the City will receive a total of \$6,750.00, to be deposited in Fund 7748, Project P537650.

**SECTION 6.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.