



## Legislation Details (With Text)

**File #:** 0937-2023      **Version:** 1

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

**File created:** 3/17/2023      **In control:** Public Service & Transportation Committee

**On agenda:** 4/17/2023      **Final action:** 4/20/2023

**Title:** To accept various deeds for parcels of real property to be used as road right-of-way; to dedicate these parcels as public rights-of-way; and to name said rights-of-way as public roadways as described within this Ordinance. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
4/20/2023	1	CITY CLERK	Attest	
4/19/2023	1	MAYOR	Signed	
4/19/2023	1	MAYOR	Signed	
4/19/2023	1	MAYOR	Signed	
4/17/2023	1	COUNCIL PRESIDENT PRO-TEM	Signed	
4/17/2023	1	COUNCIL PRESIDENT PRO-TEM	Signed	
4/17/2023	1	Columbus City Council	Approved	Pass
4/3/2023	1	Columbus City Council	Read for the First Time	

### 1. BACKGROUND

From time to time, various parcels of land are deeded to the City of Columbus for public street and/or alley purposes. One such example when this occurs is streets included in the Columbus Thoroughfare Plan. Streets listed within the Plan have a pre-defined amount of required right-of-way. If that right-of-way width is lacking for a particular property, then the additional right-of-way must be deeded to the City when that property is sold or is being redeveloped. Another example is when developers install sidewalks, turn lanes, etc., on a property within the public right-of-way. The City requires such improvements to be located entirely within the public right-of-way. If any part of such improvements are outside of the public right-of-way, the developer must deed that part of the land to the City. Many of the deeded amounts are for very small pieces of land. All of the deeded land transactions go through the City Attorney's Office.

The Department of Public Service maintains a list of the deeded land and periodically submits the list to City Council for acceptance of the deeded land. Ohio Revised Code Chapter 723.03 requires that property proposed for use as a public street or alley must be accepted and dedicated as public right-of-way by an ordinance specifically passed for such purpose. This Ordinance provides for the City to accept deeds for various parcels of real property, to dedicate the parcels as road right-of-way, and to name the parcels as public roadways to comply with Ohio Revised Code Chapter 723.03. Passage of this Ordinance also exempts the property deeded to the City from property taxes.

### 2. FISCAL IMPACT

There is no expenditure associated with this Ordinance.

To accept various deeds for parcels of real property to be used as road right-of-way; to dedicate these parcels as public

rights-of-way; and to name said rights-of-way as public roadways as described within this Ordinance. (\$0.00)

**WHEREAS**, Ohio Revised Code Chapter 723.03 requires property to be used as a public street or alley be accepted and dedicated as public right-of-way by an ordinance specially passed for such purpose; and

**WHEREAS**, the City of Columbus has been asked to accept various deeds for real property, to dedicate those parcels of real property for the purpose of road right-of-way, and to name said property as public roadways; and

**WHEREAS**, by virtue of a GENERAL WARRANTY DEED recorded in the Delaware County, Ohio, Recorder's Office, January 18, 2022 as Deed Book 1939, Page 1012, **AMH 2015-2 BORROWER, LLC NKA AMH 2015-2 BORROWER, LP**, deeded property to the City of Columbus, to be used as road right-of-way; and

**WHEREAS**, by virtue of a GENERAL WARRANTY DEED recorded in the Delaware County, Ohio, Recorder's Office, March 21, 2022 as Deed Book 1953, Page 2042, **VILLAGE AT POLARIS GREEN HOMEOWNERS ASSOCIATION, INC.**, deeded property to the City of Columbus, to be used as road right-of-way; and

**WHEREAS**, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, August 17, 2020 as Instrument Number 202008170120468, **CHI FRANKLINTON LP**, deeded property to the City of Columbus, to be used as road right-of-way; and

**WHEREAS**, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, October 5, 2012 as Instrument Number 201210050150065, **NRI EQUITY LAND INVESTMENTS, LLC**, deeded property to the City of Columbus, to be used as road right-of-way; and

**WHEREAS**, by virtue of an ENTRY VESTING TITLE recorded in the Franklin County, Ohio, Recorder's Office, September 25, 2020 as Instrument Number 202009250144850, **700 EAST BROAD STREET, LLC**, deeded property to the City of Columbus, to be used as road right-of-way; and

**WHEREAS**, by virtue of an ENTRY VESTING TITLE recorded in the Franklin County, Ohio, Recorder's Office, June 22, 2021 as Instrument Number 202106220108790, **JEFFERSON AVENUE APARTMENTS, LLC**, deeded property to the City of Columbus, to be used as road right-of-way; and

**WHEREAS**, by virtue of an ENTRY VESTING TITLE recorded in the Franklin County, Ohio, Recorder's Office, August 11, 2021 as Instrument Number 202108110141735, **THE JEFFERSON CENTER FOR LEARNING AND THE ARTS**, deeded property to the City of Columbus, to be used as road right-of-way; and

**WHEREAS**, by virtue of a QUIT CLAIM DEED recorded in the Franklin County, Ohio, Recorder's Office, July 10, 2018 as Instrument Number 201807100091345, **FRANKLIN COUNTY COMMISSIONERS**, deeded property to the City of Columbus, to be used as road right-of-way; and

**WHEREAS**, by virtue of a QUIT CLAIM DEED recorded in the Franklin County, Ohio, Recorder's Office, July 10, 2018 as Instrument Number 201807100091346, **FRANKLIN COUNTY COMMISSIONERS**, deeded property to the City of Columbus, to be used as road right-of-way; and

**WHEREAS**, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, AUGUST 15, 2016 as Instrument Number 201608150107395, **CENTRAL OHIO TRANSIT AUTHORITY**, deeded property to the City of Columbus, to be used as road right-of-way; and

**WHEREAS**, the City desires to accept these deeds for property that will be used for road right-of-way; **now, therefore**

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

**SECTION 1.** That the City of Columbus hereby accepts the property more fully described in the previously referenced

GENERAL WARRANTY DEED from **AMH 2015-2 BORROWER, LLC NKA AMH 2015-2 BORROWER, LP**, dedicates said property as road right-of-way and names such road right-of-way as **EAST POWELL ROAD** and **PRESTWICK GREEN DRIVE**.

**SECTION 2.** That the City of Columbus hereby accepts the property more fully described in the previously referenced GENERAL WARRANTY DEED from **VILLAGE AT POLARIS GREEN HOMEOWNERS ASSOCIATION, INC.**, dedicates said property as road right-of-way and names such road right-of-way as **EAST POWELL ROAD**.

**SECTION 3.** That the City of Columbus hereby accepts the property more fully described in the previously referenced GENERAL WARRANTY DEED from **CHI FRANKLINTON LP**, dedicates said property as road right-of-way and names such road right-of-way as **JOHN STREET**.

**SECTION 4.** That the City of Columbus hereby accepts the property more fully described in the previously referenced GENERAL WARRANTY DEED from **NRI EQUITY LAND INVESTMENTS, LLC**, dedicates said property as road right-of-way and names such road right-of-way as **THIRD AVENUE AND EDGEHILL ROAD AND YARD STREET AND RAIL STREET**.

**SECTION 5.** That the City of Columbus hereby accepts the property more fully described in the previously referenced ENTRY VESTING TITLE from **700 EAST BROAD STREET, LLC**, dedicates said property as road right-of-way and names such road right-of-way as **ELIJAH PIERCE AVENUE**.

**SECTION 6.** That the City of Columbus hereby accepts the property more fully described in the previously referenced ENTRY VESTING TITLE from **JEFFERSON AVENUE APARTMENTS, LLC**, dedicates said property as road right-of-way and names such road right-of-way as **LESTER DRIVE**.

**SECTION 7.** That the City of Columbus hereby accepts the property more fully described in the previously referenced ENTRY VESTING TITLE from **THE JEFFERSON CENTER FOR LEARNING AND THE ARTS**, dedicates said property as road right-of-way and names such road right-of-way as **LESTER DRIVE**.

**SECTION 8.** That the City of Columbus hereby accepts the property more fully described in the previously referenced QUIT CLAIM DEED from **FRANKLIN COUNTY COMMISSIONERS**, dedicates said property as road right-of-way and names such road right-of-way as **RIGGINS ROAD**.

**SECTION 9.** That the City of Columbus hereby accepts the property more fully described in the previously referenced QUIT CLAIM DEED from **FRANKLIN COUNTY COMMISSIONERS**, dedicates said property as road right-of-way and names such road right-of-way as **RIGGINS ROAD**.

**SECTION 10.** That the City of Columbus hereby accepts the property more fully described in the previously referenced GENERAL WARRANTY DEED from **CENTRAL OHIO TRANSIT AUTHORITY**, dedicates said property as road right-of-way and names such road right-of-way as **CLEVELAND AVENUE**.

**SECTION 11.** That all of these properties shall be used for road right-of-way purposes.

**SECTION 12.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.