



Legislation Details (With Text)

File #: 0759-2015 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 3/10/2015 **In control:** Public Service & Transportation Committee
On agenda: 3/30/2015 **Final action:** 4/2/2015
Title: To authorize the Director of the Department of Public Service to execute those documents required to transfer a 0.024 acre portion of the east/west right-of-way south of Bryden Road between Carpenter and Twentieth Streets, adjacent to property owned by Kenneth A. Turner.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
4/2/2015	1	ACTING CITY CLERK	Attest	
4/1/2015	1	MAYOR	Signed	
3/30/2015	1	COUNCIL PRESIDENT	Signed	
3/30/2015	1	Columbus City Council	Approved	Pass
3/23/2015	1	Columbus City Council	Read for the First Time	

1. BACKGROUND:

The City of Columbus, Department of Public Service, received a request from Kenneth A. Turner, asking that the City sell a 0.024 acre portion of the east/west right-of-way south of Bryden Road between Carpenter and Twentieth Streets. Transfer of this right-of-way will allow for the development of property adjacent to the above noted right-of-way, owned by Mr. Turner. 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 Department of Law, Real Estate Division, asking that they establish a value for this right-of-way. A value of \$525.00 was established for this right-of-way. After review of the request, the Land Review Commission voted to recommend the above referenced right-of-way be transferred to Mr. Turner for the amount of \$525.00.

2. FISCAL IMPACT:

The City will receive a total of \$525.00 that will be deposited in Fund 748, Project 537650, 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 required to transfer a 0.024 acre portion of the east/west right-of-way south of Bryden Road between Carpenter and Twentieth Streets, adjacent to property owned by Kenneth A. Turner.

WHEREAS, the City of Columbus, Department of Public Service, received a request from Mr. Kenneth A. Turner asking

that the City transfer a 0.024 acre portion of the east/west right-of-way south of Bryden Road between Carpenter and Twentieth Streets, adjacent to property owned by Kenneth A. Turner, to him; and

WHEREAS, acquisition of the right-of-way will facilitate improvements to the adjacent property owned by Mr. Kenneth A. Turner; and

WHEREAS, the City of Columbus, Department of Public Service, Division of Planning and Operations, by this transfer, 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 applicable area commissions, 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 to Mr. Kenneth A. Turner; and

WHEREAS, the Department of Public Service submitted a request to the Department of Law, Real Estate Division, asking that they establish a value for this right-of-way; and

WHEREAS, a value of \$525.00 was established for this right-of-way; and

WHEREAS, the Land Review Commission voted to recommend that the above referenced right-of-way be transferred to Mr. Kenneth A. Turner for the amount of \$525.00; and 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 is hereby authorized to execute quit claim deeds and other incidental instruments prepared by the Department of Law, Real Estate Division, necessary to transfer the following described right-of-way to Mr. Kenneth A. Turner; to-wit:

Revised December 15, 2014
DESCRIPTION OF A 0.024 ACRE PROPOSED ALLEY VACATION

Situated in the City of Columbus, County of Franklin, State of Ohio, being a 10 (ten) foot wide alley, said alley being a portion of Reserve "A" in the George M. Parsons 4th Town Street Addition, of record in Plat Book 3, Page 336 and originally conveyed to George Parson in Deed Book 43, Page 94, said alley being more particularly described as:

BEGINNING at a 5/8-inch rebar found at the southwesterly corner of Lot 29 in said George M. Parsons Addition, as conveyed to Kenneth A. Turner in I.N. 201409190124433, being also the point of intersection of the northerly line of said 10 foot wide alley and the easterly right-of-way line of Carpenter Street (33' r/w);

Thence, South 88°06'31" East, with the southerly line of said Lot 29 and with the northerly line of said 10 foot wide alley, a distance of 103.09 feet to the base of a bent rebar found at the southeasterly corner of said Lot 29, being the intersection of the northerly line of said 10 foot wide alley with the westerly line of a 10 foot wide alley (conveyed in said Plat);

Thence, South 03°45'32" West, crossing said 10 foot wide alley, a distance of 10.01 feet to a rebar set in the southerly line of said 10 foot wide alley, the same being the northerly line of that tract of land conveyed to L&N UP ALUM CREEK PARTNERSHIP in I.N. 201107250091710;

Thence, North 88°06'31" West, with the southerly line of said 10 foot wide alley and with the northerly line of said L&N UP ALUM CREEK PARTNERSHIP tract, a distance of 103.16 feet to a rebar set at the intersection of the southerly line of said 10 foot wide alley with the easterly right-of-way line of said Carpenter Street;

Thence, North 04°1 I '07"East, a distance of 10.01 feet to the TRUE PLACE OF BEGINNING. Containing 0.024 acres,

subject to all easements of record.

Bearings are assumed as South 04° 11' 07" West, for the easterly line of Carpenter Street as there are no bearings on the associated subdivision plat.

All references are to records of the Recorder's Office, Franklin County, Ohio.

William D. Beer

Registered Professional Surveyor No. 7980

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 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 \$525.00 to be received by the City as consideration for the sale of this right-of-way shall be deposited in Fund 748, Project 537650.

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