



## Legislation Details (With Text)

**File #:** 1842-2011      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 10/20/2011      **In control:** Public Service & Transportation Committee  
**On agenda:** 11/14/2011      **Final action:** 11/16/2011

**Title:** To authorize the Director of the Department of Public Service to execute those documents required to transfer the portion of the Fletcher Street right-of-way from Spring Street to a point approximately 210 feet south of Nationwide Boulevard.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1842-2011 Location Map

Date	Ver.	Action By	Action	Result
11/16/2011	1	CITY CLERK	Attest	
11/15/2011	1	MAYOR	Signed	
11/14/2011	1	COUNCIL PRESIDENT	Signed	
11/14/2011	1	Columbus City Council	Approved	Pass
11/7/2011	1	Columbus City Council	Read for the First Time	

### 1. Background:

The City of Columbus, Department of Public Service, received a request from Nationwide Realty Investors, asking that the City sell the portion of the Fletcher Street right-of-way from Spring Street to a point approximately 210 feet south of Nationwide Boulevard. Transfer of this right-of-way will facilitate the development of property adjacent to the parcel currently owned by Nationwide Realty Investors. 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 \$18,257.00 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 Nationwide Realty Investors for \$18,257.00.

### 2. FISCAL IMPACT:

The City will receive a total of \$18,257.00 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 the portion of the Fletcher Street right-of-way from Spring Street to a point approximately 210 feet south of Nationwide Boulevard.

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from Nationwide Realty Investors, asking that the City transfer the portion of the Fletcher Street right-of-way from Spring Street to a point approximately 210 feet south of Nationwide Boulevard to them; and

**WHEREAS**, acquisition of the right-of-way will allow Nationwide Realty Investors to perform improvements and enhancements on property that is currently owned by Nationwide Realty Investors; 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 Nationwide Realty Investors; 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 \$18,257.00 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 Nationwide Realty Investors for the amount of \$18,257.00; 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 Nationwide Realty Investors; to-wit:

0.431 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Half Section 9, Section 8, Township 5, Range 22, Refugee Lands, being part of Fletcher Street (60'), formerly Davison Street of record in Plat Book 5, Page 95, (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

BEGINNING at an iron pin set at a southwesterly corner of Lot 34 of that subdivision entitled "W.A. Neil's Scioto Addition" of record in Plat Book 5, Page 95 as conveyed to New Venture Investments, Ltd. by deed of record in Official Record 34332113, being the intersection of the easterly right-of-way line of said Fletcher Street, with the northerly right-of-way line of Spring Street (U.S. Route 33,60'), as shown on said "W.A. Neil's Scioto Addition";

thence North 86° 55' 37" West, across the right-of-way of said Fletcher Street, with the northerly right-of-way line of said Spring Street, a distance of 50.00 feet to an iron pin set at a southeasterly corner of that 1.139 acre tract conveyed to New Venture Investments, Ltd. by deed of record in Official Record 31010F18, being the westerly right-of-way line of said Fletcher Street;

thence North 03° 24' 08" East, with the easterly line of said 1.139 acre tract, the westerly right-of-way line of said Fletcher Street, a distance of 375.62 feet to an iron pin set;

thence South 86° 46' 19" East, across the right-of-way of said Fletcher Street, a distance of 50.00 feet to an iron pin set in the westerly line of Lot 46 of said "W.A. Neil's Scioto Addition", as conveyed to said New Venture Investments, Ltd, being the easterly right-of-way line of said Fletcher Street;

thence South 03° 24' 08" West, with the westerly line of Lots 46 thru 52, with the westerly right-of-way of a vacated alley by Ordinance Number 411-94, with the westerly line of said Lot 34, a distance of 375.48 feet to the POINT OF BEGINNING and containing 0.431 acre of land, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

Bearings are based on the north right-of-way line of Nationwide Boulevard, having a bearing of North 82° 18' 16" East, as per Ohio State Plane Coordinate System, South Zone NAD83 (1986 adjustment).

**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 \$18,257.00 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.