



Legislation Details (With Text)

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File created: 11/25/2013 **In control:** Public Service & Transportation Committee
On agenda: 12/16/2013 **Final action:** 12/19/2013
Title: To authorize the Director of the Department of Public Service to execute those documents required to transfer a 0.230 acre portion of unimproved right-of-way north of Fornoff Road and south of State Route 104 to Hansen Properties, LLC.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
12/19/2013	1	CITY CLERK	Attest	
12/18/2013	1	ACTING MAYOR	Signed	
12/16/2013	1	COUNCIL PRESIDENT	Signed	
12/16/2013	1	Columbus City Council	Approved	Pass
12/9/2013	1	Columbus City Council	Read for the First Time	

1. BACKGROUND:

The City of Columbus, Department of Public Service, received a request from Capital Resins Corporation, on behalf of Hansen Properties, LLC, asking that the City sell them a 0.230 acre portion of unimproved right-of-way north of Fornoff Road and south of State Route 104 to Hansen Properties, LLC. Transfer of this right-of-way will allow for the expansion of current production facilities through the installation of a new reactor on the above noted right-of-way. Per current practice, comments were solicited from interested parties, including City agencies, private utilities and the applicable area commission. It was determined that an active 72 inch storm sewer, maintained by the Division of Sewers and Drains, crosses the parcel in question. Hansen Properties, LLC has agreed to grant an easement to the Division of Sewers and Drains for the aforementioned storm sewer. Based on the granting of the easement to the Division of Sewers and Drains, it was determined that 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 \$5,200.00 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 Hansen Properties, LLC for \$5,200.00.

2. FISCAL IMPACT:

The City will receive a total of \$5,200.00 that will be deposited in Fund 748, Project 537650, as consideration for the transfer of the requested rights-of-way.

To authorize the Director of the Department of Public Service to execute those documents required to transfer a 0.230 acre portion of unimproved right-of-way north of Fornoff Road and south of State Route 104 to Hansen Properties, LLC.

WHEREAS, the City of Columbus, Department of Public Service, received a request from Capital Resins Corporation, on behalf Hansen Properties, LLC, asking that the City transfer a 0.230 acre portion of unimproved right-of-way north of Fornoff Road and south of State Route 104, to them; and

WHEREAS, acquisition of this right-of-way will allow Hansen Properties, LLC to expand industrial facilities on property that is currently owned by Hansen Properties, LLC; 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 Hansen Properties, LLC; 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 \$5,200.00 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 Hansen Properties, LLC for the amount of \$5,200.00; 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 rights-of-way to Hansen Properties, LLC; to-wit:

0.298 Acres

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Section 4, Township 4, Range 22, Congress Lands, being all of the tract conveyed to The City of Columbus of record in Deed Book 3104, Page 45 (Parcel 70 WL), Recorder's Office, Franklin County, Ohio (all references to recorded documents are on file in said Recorder's Office unless otherwise noted), being part of Vacated Fornoff Lane (City of Columbus Ordinance 2587-85), and being more particularly described as follows:

Commencing at a 3/4" iron pipe found at the intersection of the south line of Fornoff Lane (40 feet wide ~ 25 feet south of centerline and 15' north of centerline) with the east line of Seventh Street (50 feet wide) as dedicated by Malinda & Charles Obetz Subdivision the same as numbered and delineated upon the record plat of record in Plat Book 5, Page 424, and at the northwest corner of Lot 1 in Teeters Packing Company Subdivision the same as numbered and delineated upon the record plat of record in Plat Book 20, Page 59;

Thence, along the south line of said Fornoff Lane, the north line of said Teeters Packing Company Subdivision, and across a 10 Foot Alley in said Obetz Subdivision, as conveyed by the City of Columbus to Hansen Properties, LLC (Instrument Number 200803240044185), North 89°05'59" East, 139.88 feet to an iron pipe set in the east line of said Obetz Subdivision and in the west line of the Hansen Properties, LLC 6.063 Acre tract (Instrument Number 200512190266333);

Thence, along part of the east line of said Obetz Subdivision and along part of the west line of said 6.063 Acre tract, North 02°19'01" West, 25.01 feet to 1" iron pipe found in the centerline of said Fornoff Lane (being the westerly boundary of said Fornoff Lane as Vacated by City of Columbus Ordinance 2587-85), the northwest corner of said 6.063 Acre tract, and in the south line of The City of Columbus 3.512 Acre tract (Deed Book 3309, Page 383 ~ Parcel 69-WL);

Thence, along the centerline of said Vacated Fornoff Lane, part of the north line of said 6.063 Acre tract, and part of the south line of said 3.512 Acre tract North 89°05'59" East, 229.60 feet to an iron pipe set at a corner of said 3.512 Acre tract, the southwest corner of said Parcel 70 WL and THE TRUE POINT OF BEGINNING of this description;

Thence, along an east line of said 3.512 Acre tract, a west line of said Parcel 70 WL, North 00°54'01" West 80.00 feet to an iron pipe set at a corner of said 3.512 Acre tract;

Thence, along a south line of said 3.512 Acre tract and the north line of said Parcel 70 WL, North 89°05'59" East, 117.32 feet to an iron pipe set in the southerly line of The Chesapeake and Ohio Railway Company Hocking Division as conveyed from Hocking Valley Railway Company in Deed Book 924, Page 338, now known as CSX TRANSPORTATION, INC., successor by merger, whose merger documents have been summarized and recorded in Official Record 13276, Page A16 and re-recorded in Official Record 13283, Page G13 as originally partitioned in Deed Book 328, Page 4, at the northeast corner of said Parcel 70 WL and the southeast corner of said 3.512 Acre tract;

Thence, along the east line of said Parcel 70 WL and along part of the southerly line of said Railroad, South 49°10'01" East, 120.18 feet to a Mag spike set at the intersection of the southerly line of said Railroad with the centerline of said Vacated Fornoff Lane and in the north line of said 6.063 Acre tract;

Thence, along the centerline of said Vacated Fornoff Lane and part of the north line of said 6.063 Acre tract, South 89°05'59" West, 207.00 feet to the place of beginning CONTAINING 0.298 ACRES (of which 0.101 Acres are in the Limited Access Right -of Way), subject however to all legal highways, easements, leases, agreements and restrictions of record, and of records in the respective utility offices.

The foregoing description was prepared from an actual field survey made in May 2013.

Iron pipes set are 30" X 1" (O.D.) with an orange plastic cap inscribed "MYERS P.S. 6579". Basis of Bearings is the centerline of Fornoff Lane held as North 89°05'59" East as per State of Ohio Department of Transportation Plans FRA.-I04-8.73 FRANK-REFUGEE EXPRESSWAY CITY OF COLUMBUS FRANKLIN COUNTY Sheet 27 of 49.

Myers Surveying Company, Inc.

0.108 Acre Storm Sewer Easement

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Section 4, Township 4, Range 22, Congress Lands, being part of the tract conveyed to The City of Columbus of record in Deed Book 3104, Page 45 (parcel 70 WL), Recorder's Office, Franklin County, Ohio (all references to recorded documents are on file in said Recorder's Office unless otherwise noted), and being more particularly described as follows:

Commencing at a 3/4" iron pipe found at the intersection of the south line of Fornoff Lane (40 feet wide - 25 feet south of centerline and 15' north of centerline) with the east line of Seventh Street (50 feet wide) as dedicated by Malinda & Charles Obetz Subdivision the same as numbered and delineated upon the record plat of record in Plat Book 5, Page 424, and at the northwest corner of Lot 1 in Teeters Packing Company Subdivision the same as numbered and delineated upon the record plat of record in Plat Book 20, Page 59;

Thence, along the south line of said Fornoff Lane, the north line of said Teeters Packing Company Subdivision, and across a 10 Foot Alley in said Obetz Subdivision, as conveyed by the City of Columbus to Hansen Properties, LLC (Instrument Number 200803240044185), North 89°05'59" East, 139.88 feet to an iron pipe set in the east line of said Obetz Subdivision and in the west line of the Hansen Properties, LLC 6.063 Acre tract (Instrument Number 200512190266333);

Thence, along part of the east line of said Obetz Subdivision and along part of the west line of said 6.063 Acre tract, North 02°19'01" West, 25.01 feet to 1" iron pipe found in the centerline of said Fornoff Lane (being the westerly

boundary of said Fornoff Lane as Vacated by City of Columbus Ordinance 2587-85), the northwest corner of said 6.063 Acre tract, and in the south line of The City of Columbus 3.512 Acre tract (Deed Book 3309, Page 383 - Parcel 69-WL);

Thence, along the centerline of said Vacated Fornoff Lane, part of the north line of said 6.063 Acre tract, and part of the south line of said 3.512 Acre tract North 89°05'59" East, 229.60 feet to an iron pipe set at a corner of said 3.512 Acre tract, and the southwest corner of said Parcel 70 WL;

Thence, along part of an east line of said 3.512 Acre tract, part of a west line of said Parcel 70 WL, North 00°54'01" West 15.00 feet to a point in the north line of said Vacated Fornoff Lane and THE TRUE POINT OF BEGINNING of this Storm Sewer Easement;

Thence, along part of an east line of said 3.512 Acre tract, and part of a west line of said Parcel 70 WL, North 00°54'01" West, 21.45 feet to point;

Thence, across said 3.512 Acre tract, along a line 20 feet northerly of and parallel with the centerline of an existing storm sewer, North 85°05'50" East, 154.44 feet to a point in the southerly line of The Chesapeake and Ohio Railway Company Hocking Division as conveyed from Hocking Valley Railway Company in Deed Book 924, Page 338, now known as CSX TRANSPORTAION, INC., successor by merger, whose merger documents have been summarized and recorded in Official Record 13276, Page A16 and re-recorded in Official Record 13283, Page G 13 as originally partitioned in Deed Book 328, Page 4;

Thence, along part of the east line of said Parcel 70 WL and along part of the southerly line of said Railroad, South 49° 10'01" East, 48.42 feet to a point in the north line of said of said Vacated Fornoff Lane;

Thence, along the north line of said Vacated Fornoff Lane and the south line of Parcel 70WL, South 89°05'59" West, 190.19 feet to the place of beginning of this Sewer Easement CONTAINING 0.108 Acres (4,717 Square Feet).

Iron pipes set are 30" X 1" (O.D.) with an orange plastic cap inscribed "MYERS P.S. 6579". Basis of Bearings is the centerline of Fornoff Lane held as North 89°05'59" East as per State of Ohio Department of Transportation Plans FRA.-I04-8.73 FRANK-REFUGEE EXPRESSWAY CITY OF COLUMBUS FRANKLIN COUNTY Sheet 27 of 49.

Myers Surveying Company, Inc.

Section 2. That the above referenced real property shall be considered excess road rights-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 rights-of-way shall be and hereby is retained unto the City of Columbus for those utilities located within said rights-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 \$5,200.00 to be received by the City as consideration for the sale of these rights-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.

