



Legislation Details (With Text)

File #: 1258-2015 **Version:** 1

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File created: 4/30/2015 **In control:** Public Service & Transportation Committee

On agenda: 5/11/2015 **Final action:** 5/13/2015

Title: To authorize the Directors of the Department of Public Service and the Director of Finance and Management to execute those documents required to transfer to CGL Holdings, LLC a 0.019 acre portion of the unnamed north/south alley north of Shoemaker Avenue and east of Cleveland Avenue, and a parcel identified as Franklin County Tax Parcel 010-015239, containing an 0.065 acre portion of the east/west right-of-way north of Shoemaker Avenue between Cleveland Avenue and the first alley east of Cleveland Avenue, referenced in D.V 3017, PGS. 129 through 131, adjacent to property owned by CGL Holdings, LLC; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Warranty Deed

Date	Ver.	Action By	Action	Result
5/13/2015	1	CITY CLERK	Attest	
5/12/2015	1	MAYOR	Signed	
5/11/2015	1	COUNCIL PRESIDENT PRO-TEM	Signed	
5/11/2015	1	Columbus City Council	Approved	Pass

1. BACKGROUND:

The City of Columbus, Department of Public Service, Division of Infrastructure Management received a request from Todd Collis, on behalf of CGL Holdings, LLC, asking that the City sell a 0.019 acre portion of the north/south right-of-way north of Shoemaker Avenue and east of Cleveland Avenue, and an 0.065 acre portion of the unnamed east/west alley north of Shoemaker Avenue between Cleveland Avenue and the first alley east of Cleveland Avenue. Transfer of these rights-of-way will facilitate the redevelopment of property adjacent to the above noted rights-of-way, owned by CGL Holdings, LLC into a video and film production facility. 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 the 0.019 acre portion of the above noted rights-of-way, the City will not be adversely affected by the transfer of these rights-of-ways. 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 \$14,565.00 was established for these rights-of-way. Collis, Smith and Collis, LLC had submitted a request for the mitigation of the cost of the aforementioned rights-of-way. After review of the request, the Land Review Commission voted to recommend that the 0.019 acre parcel be transferred for a cost of \$508.00, and the 0.065 acre parcel, identified as Franklin County Tax Parcel 010-015239, be transferred for a cost of \$3,454.00 to CGL Holdings, LLC for a total cost of \$3,962.00.

Emergency Justification: Emergency action is requested to allow development of this project to proceed as currently scheduled.

2. FISCAL IMPACT:

The City will receive a total of \$3,962.00 that will be deposited in Fund 748, Project 537650, as consideration for the transfer of the requested rights-of-way.

To authorize the Directors of the Department of Public Service and the Director of Finance and Management to execute those documents required to transfer to CGL Holdings, LLC a 0.019 acre portion of the unnamed north/south alley north of Shoemaker Avenue and east of Cleveland Avenue, and a parcel identified as Franklin County Tax Parcel 010-015239, containing an 0.065 acre portion of the east/west right-of-way north of Shoemaker Avenue between Cleveland Avenue and the first alley east of Cleveland Avenue, referenced in D.V 3017, PGS. 129 through 131, adjacent to property owned by CGL Holdings, LLC; and to declare an emergency.

WHEREAS, the City of Columbus, Department of Public Service, received a request from Collis, Smith and Collis, LLC asking that the City transfer a 0.019 acre portion of the unnamed north/south alley north of Shoemaker Avenue and east of Cleveland Avenue, and a parcel identified as Franklin County Tax Parcel 010-015239, containing an 0.065 acre portion of the east/west right-of-way north of Shoemaker Avenue between Cleveland Avenue and the first alley east of Cleveland Avenue, referenced in D.V 3017, PGS. 129 through 131, adjacent to property owned by CGL Holdings, LLC, to them; and

WHEREAS, acquisition of these rights-of-way will facilitate the redevelopment of property owned by CGL Holdings, LLC, adjacent to the aforementioned rights-of-way, into a video and film production facility; and

WHEREAS, the City of Columbus, Department of Public Service, Division of Infrastructure Management, by this transfer, extinguishes its need for these public rights-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 these rights-of-way to CGL Holdings, 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 these rights-of-way; and

WHEREAS, a value of \$14,565.00 was established for this right-of-way; and

WHEREAS, Collis, Smith and Collis, LLC had submitted a request for the mitigation of the cost of these rights-of-way; and

WHEREAS, after review of the request, the Land Review Commission voted to recommend that the above referenced rights-of-way be transferred to CGL Holdings, LLC for the total cost of \$3,962.00; 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 and the Director of Finance and Management be and are 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 CGL Holdings, LLC; to-wit:

Description of 0.019 acre Alley

Situated in the State of Ohio, County of Franklin, City of Columbus, and being a part of Lot 3 of Stevenson's Heirs

Partition of Quarter Township 4, Township 1, Range 18, United States Military Lands, and being a part of a 15' wide Alley as conveyed to the City of Columbus as recorded in Deed Volume 624, Page 252, and being a part of a 15' wide Alley as conveyed to the City of Columbus as recorded in Deed Volume 624, Page 250, Franklin County Recorder's Office, containing 0.019 acres and being further described as follows:

Beginning for reference at a found 1" iron pin located in a monument box, said monument box being located in the intersection of the centerlines of Cleveland Ave. (55' wide) and Lockwin Ave. (50' wide);

Thence S 37°44'00" W, 189.99', along the centerline of said Cleveland Ave., to a point;

Thence S 52°16'00" E, 30.00', crossing said Cleveland Ave, to a point on the east line of said Cleveland Ave., said point being the northwest corner of a 20' wide Alley as conveyed to the City of Columbus as recorded in Deed Volume 3017, Page 129, and being the southwest corner of tract 3 as conveyed to 1190-I-71, Inc., as recorded in O.R. 28734, D05;

Thence S 67°36'51" E, 141.68', along the north line of said 20' wide Alley, being a south line of said Tract 3, to an iron pin set, said iron pin being the northeast corner of said 20' wide Alley, and being on the north line of a 15' wide Alley as conveyed to the City of Columbus as recorded in Deed Volume 624, Pg. 252, said iron pin being the True Place of Beginning for the herein described 0.019 acre tract;

Thence S 67°36'51" E, 15.09', crossing said 15' wide Alley, along the south line of an 15' wide Alley as vacated by Ordinance No.1272-69, to an iron pin set;

Thence S 28°44'25" W, 21.96', along the south line of said 15' wide Alley, to an iron pin set;

Thence S 22°21'12" W, 33.38', along the south line of said 15' wide Alley, to an iron pin set;

Thence N 67°36'51" W, 15.00', crossing said 15' wide Alley, along a new division line, to an iron pin set, said iron pin being the southeast corner of Tract 1 as conveyed to said 1190-I-71, Inc., said iron pin being the northeast corner of a 0.625 acre tract as conveyed to Gordon L. & Kevin A. Roberts as recorded in O.R. 08013, H10;

Thence N 22°21'09" E, 34.20', along the east line of said Tract 1, being a west line of said 15' wide Alley, to an iron pin set;

Thence N 28°44'24" E, 21.14' along the east line of said Tract 1, being the west line of said 15' wide Alley, and the east line of said 20' wide Alley, to the True Place of Beginning, having an area of 830 square feet, 0.019 acres, more or less.

Bearings are based on the west line of said Cleveland Ave., as being N 37°44'00" E, as shown in O.R. 28734, D05. All iron pins set are 5/8" rebar, 30" long with yellow plastic cap stamped "J & J Surveying". All references to documents are recorded in the Franklin County Recorder's Office. This description is based on an actual field survey performed by J & J Surveying under the direction of John W. Wetherill, P.S. 7811, in January 2015.

Description of 0.065 Acre parcel of right-of-way
Referenced in D.V. 3017- Pgs. 129 through 131
(See attachment)

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 Directors' 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 0.019 acre Alley as described above and hereby is retained unto the City of Columbus for those utilities located within said 0.019 acre Alley.

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 for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.