



## Legislation Details (With Text)

**File #:** 2337-2018      **Version:** 1

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

**File created:** 8/20/2018      **In control:** Public Service & Transportation Committee

**On agenda:** 9/24/2018      **Final action:** 9/27/2018

**Title:** To authorize the Director of the Department of Public Service to execute those documents required to transfer a 10,280 square foot portion of the Maryland Avenue right-of-way, south of Leonard Avenue between Johnson Street and Taylor Avenue, to Blueprint Community Development, LLC; and to declare an emergency. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit.pdf

Date	Ver.	Action By	Action	Result
9/27/2018	1	CITY CLERK	Attest	
9/26/2018	1	MAYOR	Signed	
9/24/2018	1	COUNCIL PRESIDENT	Signed	
9/24/2018	1	Columbus City Council	Approved	Pass

### 1. Background

The City of Columbus, Department of Public Service, received a request from Blueprint Community Development, LLC, asking that the City transfer a 10,280 square foot (.236 acres) portion of the Maryland Avenue right-of-way, south of Leonard Avenue between Johnson Street and Taylor Avenue, which is adjacent to property owned by Blueprint Community Development located at 211 Taylor Avenue. Transfer of this right-of-way will facilitate the commercial redevelopment of property currently owned by Blueprint Community Development adjacent to the above noted right-of-way at 211 Taylor Avenue. The Department of Public Service has agreed to transfer the right-of-way as described in the attached exhibit. 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 City Attorney's Office, Real Estate Division, asking that they establish a value for this right-of-way. A value of \$17,990.00 was established for this right-of-way. This request went before the Land Review Commission on May 17, 2018. After review of the request, the Land Review Commission voted to recommend the above referenced right-of-way be transferred to Blueprint Community Development for the amount of \$17,990.00.

### 2. FISCAL IMPACT

The City will receive a total of \$17,990.00 that will be deposited in Fund 7748, Project P537650, as consideration for the transfer of the requested right-of-way.

### 3. EMERGENCY DESIGNATION

Emergency action is requested in order to allow for the timely transfer of the right-of-way which will allow development on the site to occur without unnecessary delay, which will preserve the public peace, health, property, safety, and welfare.

To authorize the Director of the Department of Public Service to execute those documents required to transfer a 10,280 square foot portion of the Maryland Avenue right-of-way, south of Leonard Avenue between Johnson Street and Taylor

Avenue, to Blueprint Community Development, LLC; and to declare an emergency. (\$0.00)

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from Blueprint Community Development asking that the City transfer a 10,280 square foot (.236 acres) portion of the Maryland Avenue right-of-way, south of Leonard Avenue between Johnson Street and Taylor Avenue, adjacent to property owned by Blueprint Community Development, to them; and

**WHEREAS**, acquisition of the right-of-way will facilitate the re-development of property currently owned by Blueprint Community Development adjacent to the above noted right-of-way; and

**WHEREAS**, the City of Columbus, Department of Public Service, Division of Infrastructure Management, 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 Blueprint Community Development; and

**WHEREAS**, the Department of Public Service submitted a request to the City Attorney's Office asking that they establish a value for the right-of-way; and

**WHEREAS**, a value of \$17,990.00 was established for the right-of-way; and

**WHEREAS**, this request went before the Land Review Commission on May 17, 2018 and after review of the request, the Land Review Commission voted to recommend that the above referenced right-of-way be transferred to Blueprint Community Development for the amount of \$17,990.00, be deposited in Fund 7748, Project P537650; and

**WHEREAS**, an emergency exists in the usual daily operations of the Department of Public Service in that it is immediately necessary to authorize the Director of Public Service to execute those documents necessary to transfer the right-of-way in order to prevent unnecessary delay to development on the Servient Estate, thereby preserving the public health, peace, property, safety, and welfare; **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 City Attorney's Office necessary to transfer the following described right-of-way to Blueprint Community Development, LLC to-wit:

**RIGHT-OF-WAY DESCRIPTION**  
0.236 Acre Tract

Situated in the State of Ohio, County of Franklin, City of Columbus, and being in Half Section 14, Township 5, Range 22 in the Refugee Lands, being part of the dedicated right-of-way of Maryland Avenue (30 feet wide as dedicated in the Hayes Addition and recorded in Plat Book 5, Page 434) (Formerly known as Home Avenue, see City of Columbus Ordinance No. 25534 dated December 12, 1910) and being further described as follows:

BEGINNING at the northwesterly corner of Reserve "A" of said Hayes Addition, said point also being the intersection of the easterly line of Johnson Street (50 feet wide) with the southerly line of Maryland Avenue and being referenced by a 5/8" diameter iron pin found bearing South 14°27'45" East at a distance of 1.45 feet;

Thence crossing Maryland Avenue, **North 03°49'40" East** for a distance of **30.00 feet** to an iron pin set in the

northerly line of Maryland Avenue, in the common line between Half Section 14 and Section 3 and in the southerly line of said 4.981 acre tract of land conveyed to The State of Ohio for the use and benefit of The Ohio State University by deed of record in Instrument #201008200107573;

Thence along the northerly line of Maryland Avenue, the common line between Half Section 14 and Section 3 and the southerly line of said 4.981 acre tract **South 86°04'52" East** for a distance of **343.31 feet** to an iron pin set;

Thence crossing Maryland Avenue **South 04°02'16" West** for a distance of **30.00 feet** to a point in the southerly line of Maryland Avenue and in the northerly line of said Reserve "A";

Thence along the southerly line of Maryland Avenue and the northerly line of Reserve "A", **North 86°04'52" West** for a distance of **343.20 feet** to the **Point of Beginning** and containing **0.236 acres**, more or less, of which 0.236 are within the present road occupied.

The basis of bearing of South 04°02'16" West on the westerly existing right of way line of Taylor Avenue is referenced to the Ohio State Plane Coordinate System South Zone NAD 83 (NSRS 2007).

Iron pins set are 5/8 "x30" rebar topped by a yellow plastic identification cap, stamped "Korda Engineering Inc. and "PS 7803".

This description was prepared by Matthew Lee Sloat, Ohio Professional Surveyor 7803 from an actual field survey performed in December 2017 by Korda/Nemeth Engineering, Inc.

**SECTION 2.** That the above referenced real property shall be considered excess road right-of-way and the public right 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 City will receive from Blueprint Community Development, LLC, the amount of \$17,990.00 TO be deposited in Fund 7748, Project P537650, for the transfer of the aforementioned right-of-way.

**SECTION 6.** 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.