



Legislation Details (With Text)

File #: 1896-2004 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 10/20/2004 **In control:** Public Service & Transportation Committee

On agenda: 11/15/2004 **Final action:** 11/16/2004

Title: To authorize the Public Service Director to execute those documents required to transfer the second unimproved alley west of Northwest Boulevard from Ida Avenue to the alley north thereof to Asim Sheikh and Nelda Gentile for a total of \$12,870.00 and to waive the competitive bidding provisions of Columbus City Codes.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD 1896-2004 Sale to Sheikh and Gentile.pdf

Date	Ver.	Action By	Action	Result
11/16/2004	1	MAYOR	Signed	
11/16/2004	1	CITY CLERK	Attest	
11/15/2004	1	Columbus City Council	Approved	Pass
11/15/2004	1	COUNCIL PRESIDENT PRO-TEM	Signed	
11/8/2004	1	Columbus City Council	Read for the First Time	
10/29/2004	1	Service Drafter	Sent for Approval	
10/29/2004	1	SERVICE DIRECTOR	Reviewed and Approved	
10/29/2004	1	Service Drafter	Sent to Clerk's Office for Council	
10/28/2004	1	Service Reviewer	Reviewed and Approved	
10/28/2004	1	Service Drafter	Sent for Approval	
10/20/2004	1	Service Drafter	Sent for Approval	

Background: The City of Columbus, Public Service Department, Transportation Division, received a request from adjacent property owners asking that the City sell them the second unimproved alley west of Northwest Boulevard from Ida Avenue to the alley north thereof. Sale of this alley to Asim Sheikh and Nelda Gentile will allow for side yard expansion of their abutting lots. After investigation by the Transportation Division staff it was determined there are no objections to the sale of this excess right-of-way subject to the retention of a general utility easement for those utilities currently located within this right-of-way. A value of \$12,870.00 has been established by the Department of Law, Real Estate Division, for this right-of-way. The Land Review Commission voted to recommend that this right-of-way be transferred to the adjoining property owners for \$12,870.00.

Fiscal Impact: The City will receive a total of \$12,870.00, to be deposited in Fund 748, Project 537650, as consideration for the transfer of the requested right-of-way.

To authorize the Public Service Director to execute those documents required to transfer the second unimproved alley west of Northwest Boulevard from Ida Avenue to the alley north thereof to Asim Sheikh and Nelda Gentile for a total of \$12,870.00 and to waive the competitive bidding provisions of Columbus City Codes.

WHEREAS, the City of Columbus, Public Service Department, Transportation Division, received a request from adjacent property owners asking that the City sell them the second unimproved alley west of Northwest Boulevard from Ida Avenue to the alley north thereof; and

WHEREAS, sale of this alley to Asim Sheikh and Nelda Gentile will allow for side yard expansion of their abutting lots; and

WHEREAS, after investigation by the Transportation Division staff it was determined that there are no objections to the transfer of these rights-of-way subject to the retention of a general utility easement for those utilities currently located within this right-of-way; and

WHEREAS, a value of \$12,870.00 was established for this right-of-way by the Department of Law, Real Estate Division; and

WHEREAS, the Land Review Commission voted to recommend that this right-of-way be transferred to the adjoining property owners for \$12,870.00; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Public Service Director 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 Nelda Gentile for \$4,583.00; to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, in Section 1, Township 1, Range 23, Refugee Lands, being a part of a 13.76 foot wide alley as shown on the Amended Plat of H.C. Grease West Fifth Avenue Subdivision of record in Plat Book 5, Page 160, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Commencing at a point at the southeast corner of Lot 10 of said subdivision, also being the intersection of the west line of said alley with the north line of Ida Avenue, 50 feet wide;

Thence, along the north line of Ida Avenue, South 86 degrees 00 minutes 00 seconds East, 9.26 feet to a set iron pin at the true point of beginning of the parcel herein intended to be described;

Thence, across said 13.76 foot wide alley, North 03 degrees 20 minutes 32 seconds East, 150.02 feet to a set iron pin in the south line of an 18 foot wide alley as shown on said subdivision;

Thence, along the south line of said 18 foot wide alley, South 85 degrees 54 minutes 50 seconds East, 5.30 feet to a point at the northwest corner of Lot 2 of said subdivision, also being the intersection of the south line of said 18 foot wide alley with the east line of said 13.76 foot wide alley;

Thence, along the west lines of Lots 2, 4, 6 and 8 of said subdivision and along the east line of said 13.76 foot wide alley, South 03 degrees 38 minutes 52 seconds West, 150.00 feet to a point at the southwest corner of said Lot 8, also being the intersection of the east line of said 13.76 foot wide alley with the north line of Ida Avenue;

Thence, along the north line of Ida Avenue, North 86 degrees 00 minutes 00 seconds West, 4.50 feet to the true point of beginning, containing 0.017 Acres (735 square feet).

Iron pins set are 30" X 1" O.D. with orange plastic caps inscribed "P.S. 6579". Basis of bearings is assumed to be North 86 degrees 00 minutes 00 seconds West on the north line of Ida Avenue. This description is based on a field survey by Myers Surveying Company, Inc. in August, 2004.

Myers Surveying Company, Inc.
Paul T. Dinan, P.S. 7312

Section 2. That the Public Service Department 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 Asim Sheikh for \$8,287.00; to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, in Section 1, Township 1, Range 23, Refugee Lands, being a part of a 13.76 foot wide alley as shown on the Amended Plat of H.C. Grease West Fifth Avenue Subdivision of record in Plat Book 5, Page 160, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at a point at the southeast corner of Lot 10 of said subdivision, also being the intersection of the west line of said alley with the north line of Ida Avenue, 50 feet wide;

Thence, along the east line of said Lot 10 and the west line of said alley, North 03 degrees 38 minutes 52 seconds East, 150.02 feet to a point at the northeast corner of said Lot 10, also being the intersection of the west line of said 13.76 foot wide alley with the south line of an 18 foot wide alley as shown on said subdivision;

Thence, along the south line of said 18 foot wide alley, South 85 degrees 54 minutes 50 seconds East, 8.46 feet to a set iron pin;

Thence, across said 13.76 foot wide alley, South 03 degrees 20 minutes 32 seconds West, 150.02 feet to a set iron pin in the north line of Ida Avenue;

Thence, along the north line of Ida Avenue, North 86 degrees 00 minutes 00 seconds West, 9.26 feet to the point of beginning containing 0.031 Acres (1329 square feet).

Iron pins set are 30" X 1" O.D. with orange plastic caps inscribed "P.S. 6579". Basis of bearings is assumed to be North 86 degrees 00 minutes 00 seconds West on the north line of Ida Avenue. This description is based on a field survey by Myers Surveying Company, Inc. in August 2004.

Myers Surveying Company, Inc.

Paul T. Dinan, P.S. 7312

Section 3. 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 4. That a general utility easement in, on, over, across and through the above described excess rights-of-way shall be and hereby is retained unto the City of Columbus for those utilities currently located within said excess rights-of-way.

Section 5. That the \$12,870.00 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 Council has determined it is in the best interest of the City of Columbus to allow this right-of-way to be transferred without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (1959) Revised, Section 329.25 with regards to the transfer of these properties.

Section 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.