



Legislation Details (With Text)

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On agenda: 9/22/2014 **Final action:** 9/25/2014

Title: To authorize the Director of the Department of Public Service to execute those documents required to transfer a 0.140 acre portion of the unimproved north/south Taylor Avenue right-of-way, north of Corwin Avenue to Mr. Raymond E. Masson III, adjacent to property owned by Mr. Mason, located at 1668 East 5th Avenue.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
9/25/2014	1	CITY CLERK	Attest	
9/24/2014	1	MAYOR	Signed	
9/22/2014	1	COUNCIL PRESIDENT	Signed	
9/22/2014	1	Columbus City Council	Approved	Pass
9/15/2014	1	Columbus City Council	Read for the First Time	

1. BACKGROUND:

The City of Columbus, Department of Public Service, received a request from Mr. Raymond E. Mason III, asking that the City sell a 0.029 acre portion, and a 0.111 acre portion of the unimproved north/south Taylor Avenue right-of-way, for a total of 0.140 acres, north of Corwin Avenue. Transfer of this right-of-way will facilitate improvements to an existing business located on property adjacent to the above noted right-of-way, owned by Mr. Mason located at 1668 East 5th Avenue.

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 \$2,402.00 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 Mr. Raymond E. Mason for \$2,402.00.

2. FISCAL IMPACT:

The City will receive a total of \$2,402.00 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 a 0.140 acre portion of the unimproved north/south Taylor Avenue right-of-way, north of Corwin Avenue to Mr. Raymond E.

Masson III, adjacent to property owned by Mr. Mason, located at 1668 East 5th Avenue.

WHEREAS, the City of Columbus, Department of Public Service, received a request from Mr. Raymond E. Mason asking that the City transfer a 0.140 acre portion of the unimproved north/south Taylor Avenue right-of-way, north of Corwin Avenue, adjacent to property owned by Mr. Mason, located at 1668 East 5th Avenue, to him; and

WHEREAS, acquisition of the right-of-way will facilitate improvements to the adjacent property owned by Mr. Raymond E. Mason; 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 Mr. Raymond E. Mason; 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 \$2,402.00 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 Mr. Raymond E. Mason for the amount of \$2,402.00; 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 Mr. Raymond E. Mason; to-wit:

Legal Description
0.029 Acres

Situated in the State of Ohio, County of Franklin, City of Columbus and being part of the First Parcel conveyed to Sophia Deutch and Elizabeth Paulis of record in Deed Book 608, Page 616, 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 set iron pipe at the intersection of the west line of Taylor Avenue and the north line of Corwin Avenue (50 feet wide) as said intersection is delineated upon the plat of Lindsey's Fifth Avenue Addition of record in Plat Book 4, Page 114, said Recorder's Office, said iron pipe also being at the southeast corner of Lot No. 5 of said Lindsey's Fifth Avenue Addition;

Thence, along part of the west line of said Taylor Avenue, the east line of Lots 5, 6, 7 and 8 of said Lindsey's Fifth Avenue Addition, and the east line of a 10 foot Alley vacated by Road Record 23, Page 60, North 00° 07' 12" East, 120.92 feet to a found 1 inch iron pipe at the southeast corner of the East Fifth Avenue Properties, LLC 0.0408 Acre Tract (Parcel No. 2 Instrument No. 201304290070371) and being **THE TRUE POINT OF BEGINNING** of this description;

Thence, along the east line of said 0.0408 Acre tract, North 00° 07' 12" East, 31.12 feet to an iron pipe set in the south

line of the 1000 Joyce Avenue LLC, 11.5 Acre tract, (Inst. #201209060131362 & Inst. #201209060131363);

Thence, along part of the south line of said 11.5 Acre Tract, North 89° 22' 11" East, 40.00 feet to a found 1 inch solid iron pin with an x on top in the west line of Lot 33 of Theodore Leonards Heirs Subdivision (Plat Book 4, Page 396);

Thence, along part of the west line of said Lot 33, South 00° 07' 12" West, 31.56 feet to a set iron pipe of the northeasterly corner of said Taylor Avenue as delineated upon City of Columbus Marble Sheet 217 and City of Columbus Atlas Sheet 31-7, on file in the Franklin County Engineer's Office;

Thence, across the north line of said Taylor Avenue, WEST, 40.00 feet to the place of beginning, **CONTAINING 0.029 ACRES**, subject however to all legal highways, easements, leases, agreements, restrictions of record and of records in the respective utility offices.

The foregoing description was prepared from an actual field survey made in April 2014. Iron pipe set are 30" x 1" O.D. with an orange plastic cap inscribed "P.S. 6579", Basis of bearings is the north line of Corwin Avenue as assumed West.

Legal Description

0.111 Acres

Situated in the State of Ohio, County of Franklin, City of Columbus and being part of Taylor Avenue (40 feet wide), formerly Reed Avenue, Dedicated upon the record Plat of Lindsey's Fifth Avenue Addition of record in Plat Book 4, Page 114, Recorder's Office, Franklin County, Ohio and delineated upon City of Columbus Marble Sheet 217 and City of Columbus Atlas Sheet 31-7 on file in the Franklin County Engineer's Office, (all references to recorded documents are on file in said Recorder's Office, unless otherwise noted), and being more particularly described as follows:

Beginning at a set iron pipe at the intersection of the west line of said Taylor Avenue and the north line of Corwin Avenue (50 feet wide) as said intersection is delineated upon the plat of Lindsey's Fifth Avenue Addition of record in Plat Book 4, Page 114, said Recorder's Office, said iron pipe also being at the southeast corner of Lot No. 5 of said Lindsey's Fifth Avenue Addition;

Thence, along part of the west line of said Taylor Avenue, the east line of Lots 5, 6, 7 and 8 of said Lindsey's Fifth Avenue Addition, and the east line of a 10 foot Alley vacated by Road Record 23, Page 60, North 00° 07' 12" East, 120.92 feet to a found 1 inch iron pipe at the southeast corner of the East Fifth Avenue Properties, LLC 0.0408 Acre Tract (Parcel No. 2 Instrument No. 201304290070371) and the northwesterly corner of said Taylor Avenue;

Thence, along the north line of said Taylor Avenue, East, 40.00 feet to an iron pipe set in the west line of Lot 33 of Theodore Leonards Heirs Subdivision (Plat Book 4, Page 396);

Thence, along part of the east line of said Taylor Avenue and part of the west line of said Lot 33, South 00° 07' 12" West, 120.92 feet to a set iron pipe where the north line of said Corwin Avenue extended east intersects the east line of said Taylor Avenue;

Thence, across said Taylor Avenue and along said extension of the north line of Corwin Avenue, West, 40.00 feet to the place of beginning, **CONTAINING 0.111 ACRES**, of which 0.065 Acres was dedicated by Plat Book 4, Page 114 and the remainder 0.046 Acres is as shown on City of Columbus Marble Sheet subject however to all legal highways, easements, leases, agreements, restrictions of record and of records in the respective utility offices.

The foregoing description was prepared from an actual field survey made in April 2014. Iron Pipes set are 30" x 1" O.D. with an orange plastic cap inscribed "P.S. 6579, unless otherwise noted. Basis of bearings is the north line of Corwin Avenue as assumed west.

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 \$2,402.00 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.