



## Legislation Details (With Text)

**File #:** 1120-2005      **Version:** 1

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

**File created:** 6/13/2005      **In control:** Public Service & Transportation Committee

**On agenda:** 7/11/2005      **Final action:** 7/14/2005

**Title:** To dedicate new right-of-way for alley purposes necessary to accommodate the construction of Fire Station #18 at 1628 Cleveland Avenue; to vacate a portion of the existing north south alley that bisects this site and to the extent that they may apply to waive the Land Review Commission and the competitive bidding provisions of Columbus City Codes.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD 1120-2005 Fire Station Plats.pdf, 2. ORD 1120-2005 Fire Station Deed.pdf

Date	Ver.	Action By	Action	Result
7/14/2005	1	ACTING CITY CLERK	Attest	
7/13/2005	1	MAYOR	Signed	
7/11/2005	1	Columbus City Council	Approved	Pass
7/11/2005	1	COUNCIL PRESIDENT	Signed	
6/27/2005	1	Columbus City Council	Read for the First Time	
6/16/2005	1	SERVICE DIRECTOR	Reviewed and Approved	
6/16/2005	1	Service Drafter	Sent for Approval	
6/16/2005	1	CITY ATTORNEY	Reviewed and Approved	
6/16/2005	1	Service Drafter	Sent to Clerk's Office for Council	
6/15/2005	1	Service Drafter	Sent for Approval	
6/14/2005	1	Service Reviewer	Reviewed and Approved	
6/13/2005	1	Service Drafter	Sent for Approval	

The City of Columbus is currently engaged in the construction of Fire Station #18 at 1628 Cleveland Avenue. A portion of this fire station site is bisected by a twenty foot wide north south alley that must be relocated to accommodate the construction of the fire house and the development of this site. The following legislation dedicates new right-of-way to public use for alley purposes and authorizes the vacation of a portion of the existing north south alley.

**Fiscal Impact:** N/A

To dedicate new right-of-way for alley purposes necessary to accommodate the construction of Fire Station #18 at 1628 Cleveland Avenue; to vacate a portion of the existing north south alley that bisects this site and to the extent that they may apply to waive the Land Review Commission and the competitive bidding provisions of Columbus City Codes.

**WHEREAS**, Ohio Revised Code Chapter 723.03 requires that property to be used as a public street or alley must be accepted and dedicated as public right-of-way by an ordinance specially passed for such purpose; and

**WHEREAS**, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, as Instrument Number 200406180141528, **Minnie L. Prysock**, an individual, has deeded property to the City of Columbus, to be used for alley right-of-way adjacent to the Fire Station #18 site; and

**WHEREAS**, the City of Columbus desires to dedicate the above referenced parcel and various other parcels of real property for the purpose of alley right-of-way at the Fire Station #18 site; and

**WHEREAS**, the City of Columbus desires to vacate a portion of the existing north south alley that bisects the Fire Station #18 site; now, therefore

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

**Section 1.** That the City of Columbus hereby accepts the property more fully described in the attached General Warranty Deed from Minnie L. Prysock, an individual, Instrument Number 200406180141528, as right-of-way for alley purposes.

**Section 2.** That the City of Columbus hereby dedicates the following described property as right-of-way for alley purposes;

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Lot 11 as numbered and delineated upon Louis Heights Addition thereof, of record in Plat Book 11, Page 8, all references are to the Franklin County Recorder's Office, Franklin County, Ohio;

Beginning for reference at an iron pipe set at the southwesterly corner of Sixteenth Avenue (50 feet wide) and an alley (20 feet wide) being N 89°23'47" E, a distance of 134.96 feet from the southeasterly corner of Sixteenth Avenue and Cleveland Avenue also being the northeasterly corner of a 0.12 acre tract conveyed to the City of Columbus by deed of record in Instrument 2002080901966282 and the true place of beginning for this particular description:

Thence S 22°14'27" W, a distance of 24.46 feet along the westerly right of way line of said alley also being the easterly line of said 0.12 acre tract to an iron pipe set;

Thence along a curve to the left having a radius of 22.22 feet through a central angle of 61°17'35", in which a chord bears N 06°12'49" W, a distance of 22.65 feet to an iron pipe set in the southerly right of way line of said Sixteenth Avenue;

Thence N 89°23'47" E, a distance of 11.71 feet along the southerly right of way line of said Sixteenth Avenue to the true place of beginning containing 84.471 square feet more or less.

Iron pipes set are ¾" inside diameter 30" long iron pipe with a yellow cap stamped ("Raab P.S. 7863").

The basis of bearings for this survey are assumed due to the absence of bearing on the original plat of Louis Heights Addition.

I hereby certify this survey was prepared using measurements obtained by an actual field survey performed August, 2003, and is in accordance with the minimum standards for boundary surveys in the State of Ohio pursuant to Chapter 4733-37 of Ohio Administrative Code.

John Jeffrey Raab, Ohio Registered Surveyor 7863

AND

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Lot 253 as numbered and delineated upon Louis Heights Addition thereof, of record in Plat Book 3, Page 222, conveyed to Columbus by deed of record in Official Record 28683, Page D05, all references are to the Franklin County Recorder's Office, Franklin County, Ohio;

Beginning for reference at a ¾" inside diameter iron pipe found in the northerly right of way line of Fifteenth Avenue (50 feet wide) at the southeasterly corner of said Lot 253, also being the southwesterly corner of said Lot 252 of said subdivision conveyed to Matthew D. Cohen by deed of record in Official Record 28553, Page C17;

Thence S 89°21'25" W, a distance of 9.00 feet along the northerly line of said road to an iron pipe set being the true place of beginning for this particular description;

Thence S 89°21'25" W a distance of 30.00 feet continuing along said right of way line to an iron pipe set;

Thence N 00°38'35" W, a distance of 61.63 feet through said Lot 253 to an iron pipe set at a point of curvature;

Thence continuing through said Lot 253 along a curve to the left having a radius of 50.00 feet through a central angle of 21°42'35" in which a chord bears N 11°29'53" W, a distance of 18.83 feet to an iron pipe set;

Thence N 25°13'31" W, a distance of 8.77 feet continuing through said Lot 253 to an iron pipe set at a

point or curvature;

Thence continuing through said Lot 253 along a curve to the right having a radius of 110.00 feet through a central angle of 12°50'26" in which a chord bears N 19°23'46" W, a distance of 24.60 feet to an iron pipe set in the easterly right of way line of an alley (20 feet wide);

Thence N 22°14'27" E, a distance of 14.77 feet along the easterly right of way line of said alley, also being the westerly line of said Lot 253 to the northwesterly corner of said Lot 253 referenced by an ½" inside diameter iron pipe found bearing N 55°12'25" E, a distance of 0.30 feet;

Thence N 89°21'25" E, a distance of 18.45 feet along the southerly line of an alley (16 feet wide) also being the northerly line of said Lot 253 to an iron pipe set at a point of curvature;

Thence through said Lot 253 along a curve to the left having a radius of 9.17 feet through a central angle of 68°08'49" in which a chord bears S 26°30'59" W, a distance of 10.28 feet to an iron pipe set at a point of compound curvature;

Thence continuing through said Lot 253 along a curve to the left having a radius of 90.00 feet through a central angle of 12°57'50" in which a chord bears S 19°20'04" E, a distance of 20.32 feet to an iron pipe set;

Thence S 25°48'59" E, a distance of 20.32 feet continuing through said Lot 253 to an iron pipe set at a point of curvature;

Thence continuing through said Lot 253 along a curve to the right having a radius of 110.00 feet through a central angle of 25°10'24" in which a chord bears S 13°13'47" E, a distance of 47.94 feet to an iron pipe set;

Thence S 00°38'35" E, a distance of 31.43 feet continuing through said Lot 253 to the point of beginning containing 3159.346 square feet (0.073 acres) more or less.

Iron pipes set are ¾" inside diameter 30" long iron pipe with a yellow cap stamped ("Raab P.S. 7863").

The basis of bearings for this survey are assumed due to the absence of bearing on the original plat of Louis Heights Addition.

I hereby certify this survey was prepared using measurements obtained by an actual field survey performed August, 2003, and is in accordance with the minimum standards for boundary surveys in the State of Ohio pursuant to Chapter 4733-37 of Ohio Administrative Code.

John Jeffrey Raab, Ohio Registered Surveyor 7863

**Section 3.** That the City of Columbus hereby vacates the following described alley right of way, subject to the retention of a general utility easement for the benefit of those utilities currently located within said right of way:

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Louis Heights Addition as shown of record in Plat Book 3, Page 222, all references are to the Franklin County Recorder's Office, Franklin County, Ohio:

Beginning for reference at a ¾" inside diameter iron pipe found in the northerly right of way line of Fifteenth Avenue (50 feet wide) at the southeasterly corner of said Lot 253 conveyed to the City of Columbus by deed of record in Official Record 28683, Page D05, also being the southwesterly corner of said Lot 252 of said subdivision conveyed to Matthew D. Cohen by deed of record in Official Record 28553, Page C17;

Thence S 89°21'25" W, a distance of 101.12 feet along the northerly line of said road to the northeasterly corner of said road and an alley (20 feet wide) also being the southwesterly corner of said Lot 253 referenced by an iron pin found bearing N 13°21'57" W, a distance of 0.31 feet and the true place of beginning for this particular description;

Thence S 89°21'25" W, a distance of 21.71 feet through said alley to an iron pipe set at the northwesterly corner of said alley and said Fifteenth Avenue, also being the southeasterly corner of Lot 5 of said subdivision conveyed to the City of Columbus by deed of record in Instrument No. 199710290129515;

Thence N 22°14'27" E, a distance of 187.39 feet along the westerly right of way line of said alley also being the easterly line of a 0.8443 acre tract conveyed to the City of Columbus by deed of record in Instrument No. 199709180096640 to an iron pipe set to the beginning of a curve;

Thence through said alley along a curve to the left having a radius of 110.00 feet through a central angle of 32°24'12" in which a chord bears S 03°13'33" W, a distance of 61.38 feet to an iron pipe set in the easterly right of way line of said alley also being the westerly line of said Lot 253;

Thence S 22°14'27" W, a distance of 120.91 feet along the easterly right of way line of said alley to the true place of beginning containing 2903.529 square feet (0.067 acres) more or less.

Iron pipes set are ¾" inside diameter 30" long iron pipe with a yellow cap stamped ("Raab P.S. 7863").

The basis of bearings for this survey are assumed due to the absence of bearing on the original plat of Louis Heights Addition.

I hereby certify this survey was prepared using measurements obtained by an actual field survey performed August, 2003, and is in accordance with the minimum standards for boundary surveys in the State of Ohio pursuant to Chapter 4733-37 of Ohio Administrative Code.

John Jeffrey Raab, Ohio Registered Surveyor 7863

**Section 4.** 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 329.29 with regards to the transfer of this excess right-of-way.

**Section 5.** 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 a recommendation from Land Review Commission and hereby waives the Land Review Commission provision of Columbus City Codes (1959) Revised, Section 328.01 with regards to the transfer of this excess right-of-way.

**Section 6.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.