



Legislation Details (With Text)

File #: 1196-2005 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/23/2005 **In control:** Public Service & Transportation Committee

On agenda: 7/18/2005 **Final action:** 7/20/2005

Title: To authorize the Public Service Director to execute those documents required to transfer the unimproved right-of-way identified as that portion of Basswood Road from Eighth Street (aka Lee Ellen Place) to its western terminus to The Board of Education of the Columbus City School District in exchange for a deed to the Columbus Public Schools property currently improved with that roadway identified as Lee Ellen Place; and to waive the Land Review Commission and the competitive bidding provisions of Columbus City Codes.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD 1196-2005 Exchange @ Lee Ellen Place.pdf

Date	Ver.	Action By	Action	Result
7/20/2005	1	MAYOR	Signed	
7/20/2005	1	ACTING CITY CLERK	Attest	
7/18/2005	1	Columbus City Council	Approved	Pass
7/18/2005	1	COUNCIL PRESIDENT	Signed	
7/11/2005	1	Columbus City Council	Read for the First Time	
6/24/2005	1	Service Drafter	Sent for Approval	
6/24/2005	1	SERVICE DIRECTOR	Reviewed and Approved	
6/24/2005	1	CITY ATTORNEY	Reviewed and Approved	
6/24/2005	1	SERVICE DIRECTOR	Sent to Clerk's Office for Council	
6/23/2005	1	Service Drafter	Sent for Approval	
6/23/2005	1	Service Reviewer	Reviewed and Approved	

The City of Columbus, Public Service Department, Transportation Division, received a request from Columbus Public Schools (CPS) asking for an even exchange of properties at their Parsons Avenue Elementary School site. In the early 1960s the Parsons Avenue Elementary School building was built over a part of the approximately 6079.79 square feet of unimproved right-of-way identified as that portion of Basswood Road from Eighth Street (aka Lee Ellen Place) to its western terminus. CPS would like to acquire this excess right-of-way to clear the cloud on their title to this property. The City has improved roadway identified as Lee Ellen Place constructed on approximately 9439.20 square feet of property that currently belongs to the Columbus Board of Education. The Transportation Division would like to acquire this property as right-of-way. The City Attorney's office, Real Estate Division determined a value of approximately \$4,864.00 for the Basswood Road right-of-way and a value of approximately \$7,551.00 for the CPS property. CPS has proposed an even exchange of these properties. Per current Transportation Division practice, comments were solicited from interested parties, including City departments, private utilities and applicable area commissions, before it was determined that the proposed even exchange of these properties would not adversely impact the City. The following legislation authorizes the exchange of these properties as requested by CPS.

Fiscal Impact: N/A

To authorize the Public Service Director to execute those documents required to transfer the unimproved right-of-way identified as that portion of Basswood Road from Eighth Street (aka Lee Ellen Place) to its western terminus to The Board of Education of the Columbus City School District in exchange for a deed to the Columbus Public Schools property currently improved with that roadway identified as Lee Ellen Place; and to waive the Land Review Commission and the competitive bidding provisions of Columbus City Codes.

WHEREAS, the City of Columbus, Public Service Department, Transportation Division, received a request from Columbus Public Schools (CPS) asking for an even exchange of properties at their Parsons Avenue Elementary School site; and

WHEREAS, in the early 1960 the Parsons Avenue Elementary School building was constructed over a part of the approximately 6079.79 square feet of unimproved right-of-way identified as that portion of Basswood Road from Eighth Street (aka Lee Ellen Place) to its western terminus; and

WHEREAS, CPS would like to acquire this excess right-of-way to clear the cloud on their title to the Parsons Avenue Elementary School site; and

WHEREAS, the City has improved roadway identified as Lee Ellen Place constructed on approximately 9439.20 square feet of property that currently belongs to the Columbus Board of Education; and

WHEREAS, the Transportation Division would like to acquire this property as right-of-way; and

WHEREAS, the City Attorney's office, Real Estate Division determined a value of approximately \$4,864.00 for the Basswood Road right-of-way and a value of approximately \$7,551.00 for the CPS property; and

WHEREAS, CPS has proposed an even exchange of these properties; and

WHEREAS, per current Transportation Division practice, comments were solicited from interested parties, including City departments, private utilities and applicable area commissions, before it was determined that the proposed even exchange of these properties would not adversely impact the City; 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 unimproved right-of-way to The Board of Education of the Columbus City School District at no charge; to-wit:

6079.79 Square Foot Tract:

Situated in the State of Ohio, County of Franklin, and City of Columbus, and being part of the right-of-way of Basswood Road (25 feet in width), and being further shown in the attached "Exhibit A", and more particularly described as follows:

Beginning at an iron pipe set at the intersection of the westerly right-of-way line of Lee Ellen Place (50 feet in width) and the northerly right-of-way line of Basswood Road, said iron pipe set being in the south line of a 1.02 acre tract conveyed to the Board of Education of the City School District of Columbus, Ohio, as recorded in Deed Book 2248, Page 302, Franklin County Recorder's Office, Ohio;

Thence S 3°43'7" W, a distance of 25.00 feet to an iron pipe found at the intersection of the westerly right-of-way line of Eighth Street (50 feet in width) and the southerly right-of-way line of said Basswood Road;

Thence N 85°46'55" W, along the southerly right-of-way line of Basswood Road, a distance of 243.20 feet to the southwest corner of the right-of-way of Basswood Road;

Thence N 3°45'29" E, along the westerly right-of-way line of Basswood Road, a distance of 25.00 feet to the northwest corner of right-of-way of Basswood Road and the southwest corner of said 1.02 acre tract;

Thence S 85°46'55" E, along the northerly right-of-way line of Basswood Road and the south line of said 1.02 acre tract, a distance of 243.18 feet to the POINT OF BEGINNING, containing 6079.79 square feet or 0.140 acres, more or less.

The basis of bearings is the westerly right-of-way line of Eighth Street being S 3°43'7" W, and is transferred from a GPS survey based on Franklin County Geodetic Survey Monument "Frank 134".

This description was prepared by Phil Y. Shih, Professional Surveyor No. 7668, based on an actual filed survey performed in August 2003.

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 a quit claim deed to the grantee thereof.

Section 3. 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 this property.

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 a recommendation from the Land Review Commission and hereby waives the Land Review Commission provisions of Columbus City Codes (1959) Revised, Section 328.01 with regards to the transfer of this property.

Section 5. That in exchange for the above described right-of-way the Board of Education of the City School District of Columbus, Ohio has agreed to deed the following property to the City of Columbus for right-of-way purposes, to-wit:

9439.20 Square Foot Tract:

Situated in the State of Ohio, County of Franklin, and City of Columbus, and being part of a 1.02 acre tract conveyed to The Board of Education of the City School District of Columbus, Ohio, as recorded in Deed Book 2248, Page 302, Franklin County Recorder's Office, Ohio and being further shown in the attached "Exhibit A", and more particularly described as follows:

Beginning at an iron pipe set in the easterly right-of-way line of Lee Ellen Place (50 feet in width), said iron pipe set being the northeast corner of said 1.02 acre tract;

Thence along the easterly right-of-way line of Lee Ellen Place, with a curve to the left, having a radius of 160.00 feet, a curve length of 7.49 feet, a chord bearing of S 41°43'51" E. and a chord distance of 7.49 feet to an iron pipe set;

Thence along the easterly right-of-way line of Lee Ellen Place, with a curve to the right having a radius of 210.00 feet, a curve length of 171.50 feet, a chord bearing of S 19°40'37" E, and a chord distance of 166.77 feet to an iron pipe set;

Thence S 3°43'7" W, along the easterly right-of-way line of Lee Ellen Place, a distance of 6.60 feet to an iron pipe set, said iron pipe set being the intersection of the easterly right-of-way line of Lee Ellen Place and the northerly right-of-way line of Basswood Road (25 feet in width);

Thence N 85°46'55" W, along the extension of the northerly right-of-way line of Basswood Road, a distance of 50.00 feet to an iron pipe set at the intersection of the westerly right-of-way line of Lee Ellen Place and the northerly right-of-way line of Basswood Road;

Thence N 3°43'7" E, along the westerly right-of-way line of Lee Ellen Place, a distance of 6.17 feet to an iron pipe set;

Thence along the westerly right-of-way line of Lee Ellen Place, with a curve to the left, having a radius of 160.00 feet, a curve length of 130.67 feet, a chord bearing of N 19°40'37" W, and a chord distance of 127.07 feet to an iron pipe set;

Thence along said westerly right-of-way line of Lee Ellen Place, with a curve to the right, having a radius of 210.00 feet, a curve length of 54.09 feet, a chord bearing of N 35°41'36" W, and a chord distance of 53.94 feet to an iron pipe set in the north line of said 1.02 acre tract and the south line of Hillgate Subdivision No. 2, as recorded in Plat Book 30, Page 3;

Thence S 86°18'08" E, along the north line of said 1.02 acre tract and the south line of said Hillgate Subdivision No. 2, a distance of 63.14 feet to the POINT OF BEGINNING, containing 9439.20 square feet or 0.217 acres, more or less.

The basis of bearings is the westerly right-of-way line of Lee Ellen Place being N 3°43'7" E, and is transferred from a GPS survey based on Franklin County Geodetic Survey Monument "Frank 134".

This description was prepared by Phil Y. Shih, Professional surveyor No. 7668, based on an actual field survey performed in August 2003.

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