



## Legislation Details (With Text)

**File #:** 0735-2020      **Version:** 1

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

**File created:** 3/13/2020      **In control:** Public Service & Transportation Committee

**On agenda:** 4/20/2020      **Final action:** 4/23/2020

**Title:** To authorize Director of the Department of Public Service to execute those documents necessary for the City to convey approximately 6.744 acres of excess right-of-way from the City to the Columbus Regional Airport Authority as part of the Rickenbacker Parkway Phase 2B project; and to declare an emergency. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Alum Creek Drive - Phase 2B - 2831-E title sheet, 2. Area B - 0408 acre, 3. Area C - 3778 acres, 4. Area D - 2558 acres, 5. City of Columbus letter - Alum Creek Drive\_Rickenbacker Parkway, 6. Exhibit of transfers - CRAA\_COC - Alum Creek\_Rickenbacker, 7. Land Review Commisions - Nov 21, 2019 meeting agenda-materials

Date	Ver.	Action By	Action	Result
4/23/2020	1	CITY CLERK	Attest	
4/22/2020	1	MAYOR	Signed	
4/20/2020	1	COUNCIL PRESIDENT	Signed	
4/20/2020	1	Columbus City Council	Approved	Pass

### 1. Background

This ordinance authorizes the Director of Public Service to convey excess right-of-way from various parcels to the Columbus Regional Airport Authority.

The City of Columbus entered into a construction administration agreement with the Columbus Regional Airport Authority (CRAA) for the Rickenbacker Parkway Phase 2B project. The project constructed a four-lane curb and gutter asphalt divided roadway from approximately Second Street northeast to the intersection of State Route 317, and included a redesigned intersection at Alum Creek Drive. Ordinance 2284-2019 provided for the City to accept deeds for various parcels of real property from the CRAA, to dedicate the parcels as road right-of-way, and name the parcels as public roadways in regards to the Rickenbacker Parkway Phase 2B project.

An agreement between the Department of Public Service and the CRAA stated that upon completion of this project the City would vacate excess portions of the existing road right-of-ways related to the project following established City procedures. Per the aforementioned agreement the City will vacate approximately 6.744 acres of excess road right-of-way from various parcels to the CRAA. This matter went before the Land Review Commission on November 21, 2019, and was approved, as the vacation is being made in compensation of the new right-of-way being accepted, dedicated, and named as road right-of-way by the City in Ordinance 2284-2019.

### 2. Fiscal Impact

There is not a City expenditure associated with this ordinance.

### 3. Emergency Justification

Emergency action is requested to allow the transfer of right-of-way to occur as soon as possible to complete the

commitment made to the CRAA.

To authorize Director of the Department of Public Service to execute those documents necessary for the City to convey approximately 6.744 acres of excess right-of-way from the City to the Columbus Regional Airport Authority as part of the Rickenbacker Parkway Phase 2B project; and to declare an emergency. (\$0.00)

**WHEREAS**, the City of Columbus and the Columbus Regional Airport Authority (CRAA) were involved in a joint project and construction administration agreement for the Rickenbacker Parkway Phase 2B project; and

**WHEREAS**, the project constructed a four-lane curb and gutter asphalt divided roadway from approximately Second Street northeast to the intersection of State Route 317, and included a redesigned intersection at Alum Creek Drive; and

**WHEREAS**, the CRAA transferred land to the City to be used as road right-of-way for this project; and

**WHEREAS**, the City agreed to transfer back to the CRAA any of this land not needed for road right-of-way after construction was completed; and

**WHEREAS**, project construction has been completed; 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 excess portions of existing right-of-way to the CRAA in order to complete the commitment made to the CRAA as soon as possible, 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 those documents necessary to the City to transfer the following portions of land parcels to the CRAA; to-wit:

**DESCRIPTION OF**

**0.408 ACRE**

**CITY OF COLUMBUS, OHIO**

**Situate** in the State of Ohio, Franklin County, City of Columbus, lying in Section 6, Township 10 North, Range 21 West, Congress Lands and being a portion of the former Curtis Lemay Avenue (aka Port Road) as shown in the plats entitled "Dedication of Curtis Lemay Avenue and Alum Creek Drive" of record in Plat Book 76, Page 46 and "Dedication of Curtis Lemay Avenue and Alum Creek Drive and Wright Brothers Avenue" of record in Plat Book 82, Page 6 (all records herein are from the Recorder's Office, Franklin County, Ohio) and being further described as follows:

Begin for reference at Franklin County Geodetic Control FCGS 5944 located at the intersection of Alum Creek Drive (Plat Book 76, Page 46) and Rickenbacker Parkway West (Plat Book 115, Page 42);

**Thence** along the centerline of Rickenbacker Parkway West and with a curve to the right having a delta angle of  $07^{\circ}28'05''$ , a radius of 716.20 feet, an arc length of 93.35 feet, with a chord bearing South  $43^{\circ}33'13''$  West and a chord distance of 93.29 feet, to a point;

**Thence** South  $42^{\circ}42'45''$  East a distance of 72.50 feet crossing the right of way to a 3/4 inch iron pipe set with a cap stamped "STANTEC" and being the Point of Beginning;

**Thence** the following courses and distances within the existing right of way of Rickenbacker Parkway West and Alum Creek Drive;

Along a curve to the right, said curve having a delta angle of  $84^{\circ}37'08''$ , a radius of 60.00 feet, an arc length of 88.61 feet, a chord bearing of North  $89^{\circ}35'49''$  East and a chord distance of 80.78 feet, to a 3/4 inch iron pipe set with a cap stamped

“STANTEC” at a point of compound curve;

Along said compound curve with a delta angle of 08°58'30", a radius of 525.00 feet, an arc length of 82.24 feet, a chord bearing of South 43°36'22" East and a chord distance of 82.15 feet, to a 3/4 inch iron pipe set with a cap stamped “STANTEC” at a point on a curve and being on the existing right of way line of Rickenbacker Parkway West and on a corner common to that 0.046 acre tract (Parcel 1-WD-4) as conveyed to Franklin County Commissioners by deed of record on Instrument Number 202002200025871;

**Thence** the following courses and distances along the existing right of way line of Rickenbacker Parkway West;

Along a curve to the left with a delta angle of 32°29'54", a radius of 50.00 feet, an arc length of 28.36 feet, a chord bearing of South 88°53'32" West and a chord distance of 27.98 feet, to a 3/4 inch iron pipe set with a cap stamped “STANTEC” at a point of reverse curve;

Along a reverse curve to the right with a delta angle of 05°52'54", a radius of 3349.05 feet, an arc length of 343.80 feet, a chord bearing of South 75°35'02" West and a chord distance of 343.65 feet, to a 3/4 inch iron pipe set with a cap stamped “STANTEC” on a corner common to that 0.141 acre tract (Parcel 1-WD-2) as conveyed to Franklin County Commissioners by deed of record on Instrument Number 202002200025871;

**Thence** along a curve to the left and crossing the right of way of Rickenbacker Parkway West, said curve having a delta angle of 19°26'23", a radius of 788.70 feet, an arc length of 267.59 feet, with a chord bearing of North 57°00'27" East and a chord distance of 266.31 feet, to the Point of Beginning, containing 0.408 acres, more or less, subject to all easements and restrictions of record.

The bearings shown hereon are based on the Grid Bearing of South 07°44'23" East between Franklin County Engineer's Geodetic Survey Monuments FCGS 5953 and FCGS 5935 as determined by a GPS network of field observations performed in June, 2018, and based on the Ohio State Plane Coordinate System, South Zone, NAD83(NSRS 2007).

All Iron Pipes Set are 3/4 inch in diameter, 30 inches in length, with a yellow cap stamped the name "STANTEC".

I hereby certify that this description was prepared from an on the ground survey in June, 2018 made under my direct supervision and that it and the information, courses and distances as shown are correct to the best of my knowledge.

**Stantec Consulting Services Inc.**

\_\_\_\_\_  
Date

Robert J. Sands

Professional Surveyor No. S-8053

**DESCRIPTION OF  
3.778 ACRES  
CITY OF COLUMBUS, OHIO**

**Situate** in the State of Ohio, Franklin County, City of Columbus, lying in Section 6, Township 10 North, Range 21 West, Congress Lands and being a portion of Port Road (former Curtis Lemay Avenue) as shown in the plats entitled “Dedication of Curtis Lemay Avenue and Alum Creek Drive” of record in Plat Book 76, Page 46 and being a portion of the 5.019 acre tract designated as 7-WD (Rickenbacker Parkway Phase 2B) as conveyed to the City of Columbus in Instrument Number 201908150103767 (all records herein are from the Recorder’s Office, Franklin County, Ohio) and being further described as follows:

Begin for reference at Franklin County Geodetic Control FCGS 5942 located at the intersection of Alum Creek Drive and Port Road (Plat Book 115, Page 42);

**Thence** along the centerline of Port Road, South  $76^{\circ}34'13''$  East a distance of 237.60 feet to Franklin County Geodetic Control FCGS 5950 located at a point of curvature;

**Thence** South  $13^{\circ}25'47''$  West a distance of 30.00 feet, leaving the centerline of Port Road and crossing the right of way to a 3/4 inch iron pipe set with a cap stamped "STANTEC" and being the Point of Beginning;

**Thence** the following courses and distances crossing said 5.019 acre tract and within the existing right of way of Port Road;

Along a curve to the left having a delta angle of  $38^{\circ}10'05''$ , a radius of 746.20 feet, an arc length of 497.09 feet, a chord bearing of North  $84^{\circ}20'45''$  East and a chord distance of 487.95 feet, to a 3/4 inch iron pipe set with a cap stamped "STANTEC";

South  $44^{\circ}23'50''$  East a distance of 76.54 feet to a 3/4 inch iron pipe set with a cap stamped "STANTEC" on the existing southerly right of way line of Port Road and being on the corporation line between the City of Columbus and Madison Township and on the line common to the original 2995.065 acre tract as conveyed to Columbus Municipal Airport Authority by deed of records in Instrument Numbers 200301020000768 and 200705300093032;

**Thence** along the existing right of way lines of Port Road and Alum Creek Drive (Plat Book 76, Page 46) the following courses and distances;

Along a curve to the right having a delta angle of  $11^{\circ}44'25''$ , a radius of 3349.05 feet, an arc length of 686.25 feet, a chord bearing of South  $63^{\circ}03'49''$  West and a chord distance of 685.05 feet, to a 3/4 inch iron pipe set with a cap stamped "STANTEC" at a point of reverse curvature;

Along a reverse curve to the left having a delta angle of  $88^{\circ}08'44''$ , a radius of 50.00 feet, an arc length of 76.92 feet, a chord bearing of South  $24^{\circ}51'40''$  West and a chord distance of 69.56 feet, to a 3/4 inch iron pipe set with a cap stamped "STANTEC" at a point of tangency;

South  $19^{\circ}12'08''$  East a distance of 140.68 feet, to a 3/4 inch iron pipe set with a cap stamped "STANTEC";

**Thence** the following courses and distances across Alum Creek Drive and Port Road;

Along a curve to the left having a delta angle of  $32^{\circ}15'51''$ , a radius of 635.40 feet, an arc length of 357.80 feet, a chord bearing of North  $35^{\circ}03'21''$  West and a chord distance of 353.10 feet, to a 3/4 inch iron pipe set with a cap stamped "STANTEC" at a point of reverse curvature;

Along a reverse curve to the right having a delta angle of  $82^{\circ}35'03''$ , a radius of 60.00 feet, an arc length of 86.48 feet, a chord bearing of North  $09^{\circ}53'45''$  West and a chord distance of 79.19 feet, to a 3/4 inch iron pipe set with a cap stamped "STANTEC" at a point of reverse curvature;

Along a reverse curve to the left having a delta angle of  $09^{\circ}17'03''$ , a radius of 761.20 feet, an arc length of 123.35 feet, a chord bearing of North  $26^{\circ}45'15''$  East and a chord distance of 123.21 feet, to a 3/4 inch iron pipe set with a cap stamped "STANTEC" at a point of reverse curvature;

**thence** with a reverse curve to the right having a delta angle of  $81^{\circ}19'03''$ , a radius of 100.00 feet, an arc length of 141.93 feet, a chord bearing of North  $62^{\circ}46'15''$  East and a chord distance of 130.31 feet, to a 3/4 inch iron pipe set with a cap stamped "STANTEC" at a point of tangency;

**Thence** South  $76^{\circ}34'13''$  East a distance of 102.47 feet to the Point of Beginning, containing 3.778 acres, more or less, of which, 1.094 lies within the limits of 7-WD and 2.684 acres lies within the original alignment of Port Road and being subject to all easements and restrictions of record.

The bearings shown hereon are based on the Grid Bearing of South  $07^{\circ}44'23''$  East between Franklin County Engineer's Geodetic Survey Monuments FCGS 5953 and FCGS 5935 as determined by a GPS network of field observations

performed in June, 2018, and based on the Ohio State Plane Coordinate System, South Zone, NAD83(NSRS 2007).

All Iron Pipes Set are 3/4 inch in diameter, 30 inches in length, with a yellow cap stamped the name "STANTEC".

I hereby certify that this description was prepared from an on the ground survey in June, 2018 made under my direct supervision and that it and the information, courses and distances as shown are correct to the best of my knowledge.

**Stantec Consulting Services Inc.**

\_\_\_\_\_  
Date

Robert J. Sands

Professional Surveyor No. S-8053

**DESCRIPTION OF  
2.558 ACRES  
CITY OF COLUMBUS, OHIO**

**Situate** in the State of Ohio, Franklin County, City of Columbus, lying in Section 6, Township 10 North, Range 21 West, Congress Lands and being a portion of Alum Creek Drive as shown in the plat entitled "Dedication of Curtis Lemay Avenue and Alum Creek Drive" of record in Plat Book 76, Page 46 and being a 0.011 acre tract as conveyed to the Franklin County Commissioners in Official Record 26860 E09 and being a portion of the 5.019 acre tract designated as 7-WD (Rickenbacker Parkway Phase 2B) as conveyed to the City of Columbus in Instrument Number 201908150103767 (all records herein are from the Recorder's Office, Franklin County, Ohio) and being further described as follows: Begin for reference at Franklin County Geodetic Control FCGS 5939 located on the centerline of Alum Creek Drive;

**Thence** South 82°15'49" West a distance of 55.00 feet crossing the right of way of Alum Creek Drive to a 3/4 inch iron pipe set with a cap stamped "STANTEC" and being the Point of Beginning;

**Thence** with a curve to the right having a delta angle of 36°01'37", a radius of 661.20 feet, an arc length of 415.75 feet, a chord bearing of South 10°16'37" West and a chord distance of 408.94 feet, to a 3/4 inch iron pipe set with a cap stamped "STANTEC" on the existing westerly right of way line of the original alignment of Alum Creek Drive, the line common to that 0.592 acre tract (1-WD-3) as conveyed to the City of Columbus by deed of record in Instrument Number 201211300183076 and on the existing corporation line between the City of Columbus and Madison Township;

**Thence** North 19°12'42" West a distance of 170.08 feet to along said 0.592 acre tract and the existing westerly right of way of Alum Creek Drive to a 3/4 inch iron pipe set with a cap stamped "STANTEC";

**Thence** North 68°38'05" East a distance of 60.04 feet crossing said existing right of way line of Alum Creek Drive to a 3/4 inch iron pipe set with a cap stamped "STANTEC" on the original centerline of Alum Creek Drive;

**Thence** along the original centerline of Alum Creek Drive and with a curve to the right having a delta angle of 17°35'47", a radius of 2295.14 feet, an arc length of 704.88 feet, a chord bearing of North 10°27'42" West and a chord distance of 702.11 feet, to a 3/4 inch iron pipe set with a cap stamped "STANTEC" at a point of compound curvature;

Along said curve having a delta angle of 95°26'16", a radius of 60.00 feet, an arc length of 99.94 feet, a chord bearing of North 46°03'20" East and a chord distance of 88.78 feet, crossing the existing right of way of Alum Creek, to a to a 3/4 inch iron pipe set with a cap stamped "STANTEC" at a point of tangency;

**Thence** South 86°13'33" East a distance of 15.99 feet, crossing the original alignment of Alum Creek Drive, to a 3/4 inch iron pipe set with a cap stamped "STANTEC" at a point of curvature;

**Thence** with a curve right having a delta angle of 78°29'22", a radius of 60.00 feet, an arc length of 82.19 feet, a chord bearing of South 46°58'52" East and a chord distance of 75.92 feet, to a to a 3/4 inch iron pipe set with a cap stamped "STANTEC";

**Thence** South 07°44'11" East a distance of 483.71 feet, crossing 7-WD to the Point of Beginning, containing 2.558 acres, more or less, of which 1.316 acre lie within the original alignment of Alum Creek Drive and 1.242 acre lies within the limits of 7-WD and being subject to all easements and restrictions of record.

The bearings shown hereon are based on the Grid Bearing of South 07°44'23" East between Franklin County Engineer's Geodetic Survey Monuments FCGS 5953 and FCGS 5935 as determined by a GPS network of field observations performed in June, 2018, and based on the Ohio State Plane Coordinate System, South Zone, NAD83(NSRS 2007).

All Iron Pipes Set are 3/4 inch in diameter, 30 inches in length, with a yellow cap stamped the name "STANTEC".

I hereby certify that this description was prepared from an on the ground survey in June, 2018 made under my direct supervision and that it and the information, courses and distances as shown are correct to the best of my knowledge.

Stantec Consulting Services Inc.

Robert J. Sands

Professional Surveyor No. S-8053

\_\_\_\_\_  
Date

**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 of Public Service's execution and delivery of documents transferring the property to the CRAA.

**SECTION 3.** That the City will transfer the excess right-of-way to the CRAA at no cost.

**SECTION 4.** 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.