



## Legislation Details (With Text)

**File #:** 0252-2005      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 2/1/2005      **In control:** Public Service & Transportation Committee  
**On agenda:** 3/7/2005      **Final action:** 3/9/2005

**Title:** To authorize the Public Service Director to execute those documents required to transfer that portion of the alley west of Bassett Avenue from the north line of the first alley south of Fifth Avenue northerly to its northern terminus to M & B Properties, and to waive the competitive bidding provisions of Columbus City Codes.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord 0252-2005 Sale to M & B Properties .pdf

Date	Ver.	Action By	Action	Result
3/9/2005	1	CITY CLERK	Attest	
3/8/2005	1	MAYOR	Signed	
3/7/2005	1	Columbus City Council	Approved	Pass
3/7/2005	1	COUNCIL PRESIDENT	Signed	
2/28/2005	1	Columbus City Council	Read for the First Time	
2/11/2005	1	Service Drafter	Sent for Approval	
2/11/2005	1	CITY ATTORNEY	Reviewed and Approved	
2/11/2005	1	Service Drafter	Sent to Clerk's Office for Council	
2/10/2005	1	Service Drafter	Sent for Approval	
2/10/2005	1	SERVICE DIRECTOR	Reviewed and Approved	
2/8/2005	1	Service Drafter	Sent for Approval	
2/7/2005	1	Service Reviewer	Reviewed and Approved	
2/1/2005	1	Service Drafter	Sent for Approval	

The City of Columbus, Public Service Department, Transportation Division, received a request from M & B Properties asking that the City sell them that portion of the alley west of Bassett Avenue from the north line of the first alley south of Fifth Avenue to its northern terminus. Sale of this alley to M & B Properties will allow for future building and parking lot expansion for the adjacent properties. 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 \$500.00 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 M & B Properties for \$500.00.

**Fiscal Impact:** The City will receive a total of \$500.00, 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 that portion of the alley west of Bassett

Avenue from the north line of the first alley south of Fifth Avenue northerly to its northern terminus to M & B Properties, 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 M & B Properties asking that the City sell them that portion of the alley west of Bassett Avenue from the north line of the first alley south of Fifth Avenue northerly to its northern terminus; and

**WHEREAS**, sale of this alley to M & B Properties will allow for future building and parking expansion on their adjacent properties; 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 \$500.00 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 M & B Properties for \$500.00; 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 M & B Properties for \$500.00; to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus and being part of a 16 foot wide alley, the westerly 9 feet established by Devon Addition as the same is numbered and delineated upon the recorded plat thereof of record in Plat Book 13, Page 1 and the easterly 7 feet established by Byrne and Peters Subdivision as the same is numbered and delineated upon the recorded plat thereof of record in Plat Book 3, Page 342, both being of record in the Recorder's Office, Franklin County, Ohio and being further described as follows:

Beginning at an iron pipe set at the northwest corner of Lot 2 of said Byrne and Peters Subdivision, the southwest corner of Lot 1 of said Subdivision and the southeast corner of a 16 foot wide vacated alley as vacated by Ordinance Number 2576-83 on December 24, 1983;

Thence, along the east right of way of said 16 foot alley, the west line of said Lot 2 and part of the west line of Lot 3 of said Byrne and Peters Subdivision, **South 00°37'21" East, 40.20 feet** to an iron pipe set at the northwest corner of a 20 foot wide alley dedicated by Ordinance Number 1291-84 on July 30, 1984 and of record in Official Record Volume 4399, Page A-15 of said Recorder's Office;

Thence, across said 16 foot wide alley, **South 89°10'37" West, 16 feet** to an iron pipe set in the west right of way of said alley and in the east line of Lot 113 of said Devon Addition;

Thence, along the west line of said 16 foot wide alley, part of the east line of said Lot 113 and part of the east line of Lot 112 of said Addition, **North 00°37'21" West, 40.26 feet** to an iron pipe set at the southwest corner of said 16 foot wide alley vacated;

Thence, along the south line of said 16 foot wide alley vacated, **North 89°22'39" East, 16.00 feet** to the place of beginning **CONTAINING 0.015 ACRES (644 SQUARE FEET)**. Iron pipes set are 30" x 1" O.D. with orange plastic caps inscribed P.S. 6579, unless otherwise noted. The forgoing description was prepared from actual field measurements in accordance with Chapter 4733-37 Ohio Administrative Code in November and December 2004. Basis of bearings is the east right of way of Mansfield Avenue assumed as NORTH.

Myers Surveying Co., Inc.  
Albert J. Myers, P.S. 6579

**Section 2.** 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 3.** 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 4.** That the \$500.00 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 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 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 6.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.