



## Legislation Details (With Text)

**File #:** 1950-2020      **Version:** 1

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

**File created:** 8/25/2020      **In control:** Public Service & Transportation Committee

**On agenda:** 9/21/2020      **Final action:** 9/24/2020

**Title:** To accept a limited warranty deed for parcels of real property to be used as road right-of-way; to dedicate these parcels as public rights-of-way; and to name said rights-of-way as public roadways as described within this Ordinance. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 201607220094805 Par 24 31

Date	Ver.	Action By	Action	Result
9/24/2020	1	CITY CLERK	Attest	
9/23/2020	1	MAYOR	Signed	
9/21/2020	1	COUNCIL PRESIDENT	Signed	
9/21/2020	1	Columbus City Council	Approved	Pass
9/14/2020	1	Columbus City Council	Read for the First Time	

### 1. BACKGROUND

This Ordinance provides for the City to accept deeds for parcels of real property, to dedicate the parcels as road right-of-way, and to name the parcels as public roadways to comply with Ohio Revised Code Chapter 723.03. Passage of this Ordinance also exempts the property deeded to the City from property taxes.

From time to time, various parcels of land are deeded to the City of Columbus for public street and/or alley purposes. One such example when this occurs is streets included in the Columbus Thoroughfare Plan. Streets listed within the Plan have a pre-defined amount of required right-of-way. If that right-of-way width is lacking for a particular property, then the additional right-of-way must be deeded to the City when that property is sold or is being redeveloped. Another example is when developers install sidewalks, turn lanes, etc., on a property within the public right-of-way. The City requires such improvements to be located entirely within the public right-of-way. If any part of such improvements are outside of the public right-of-way, the developer must deed that part of the land to the City. Many of the deeded amounts are for very small pieces of land. All of the deeded land transactions go through the City Attorney's Office. Ohio Revised Code Chapter 723.03 requires that property proposed for use as a public street or alley must be accepted and dedicated as public right-of-way by an ordinance specifically passed for such purpose.

While performing capital improvements for the Poindexter Village Roadways Phase 2 project, portions of real property owned by the City of Columbus located at 240 Champion Avenue, Franklin County Parcel Number 010-001408, need to be dedicated as right-of-way for roadway purposes to accommodate the improvements contemplated by this project. Current plans indicate Parcel 24-WD1, 0.245 acre, and Parcel 31-WD1, 0.032 acre, will need to be dedicated for this purpose to dedicate the property as road right-of-way and name the road right-of-way as Carl L. Brown Sr. Way.

### 2. FISCAL IMPACT

There is no fiscal impact associated with this Ordinance.

To accept a limited warranty deed for parcels of real property to be used as road right-of-way; to dedicate these parcels as public rights-of-way; and to name said rights-of-way as public roadways as described within this Ordinance. (\$0.00)

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

**WHEREAS**, the City of Columbus has been asked to accept a limited warranty deed for real property, to dedicate those parcels of real property for the purpose of road right-of-way, and to name said property as public roadways; and

**WHEREAS**, by virtue of a LIMITED WARRANTY DEED recorded in the Franklin County, Ohio Recorder's Office, on July 22, 2016 as Instrument Number 201607220094805, Columbus Metropolitan Housing Authority has deeded property to the City of Columbus to be used as Carl L. Brown Sr. Way right-of-way; and

**WHEREAS**, a portion of real property owned by the City of Columbus located at 240 Champion Avenue, Franklin County Parcel Number 010-001408, Parcel 24-WD1, 0.245 acre, and Parcel 31-WD1, 0.032 acre, will need to be dedicated as road right-of-way and name the road right-of-way as Carl L. Brown Sr. Way; and

**WHEREAS**, the City desires to accept these deeds for property which will be used for road right-of-way; **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 previously referenced LIMITED WARRANTY DEED from Columbus Metropolitan Housing Authority and dedicates and names such property as Carl L. Brown Sr. Way, to wit;

**24-WD1  
0.245 ACRE**

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 14, Township 5, Range 22, Refugee Lands, being part of Lots 50, 51 and 52 of the subdivision entitled "Garner and Prentice's Subdivision", of record in Plat Book 3, Page 25, an unnamed alley vacated by Ordinance Numbers 352-39 and 2-40, and part of that tract of land conveyed to Columbus Metropolitan Housing Authority by deed of record in Deed Book 1850, Page 165 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

**Beginning**, for reference, at a magnetic nail set at the intersection of the easterly right-of-way line of Champion Avenue (50 feet wide, originally dedicated as Ridge Road) and the southerly right-of-way line of Phale D. Hale Drive (50 feet wide, originally dedicated as Clinton Avenue, see Ordinance Number 0294-01);

**thence** South 86° 30' 20" East, with said southerly right-of-way line, a distance of 232.79 feet to a magnetic nail set at the TRUE POINT OF BEGINNING for this description;

**thence** South 86° 30' 20" East, with said southerly right-of-way line, a distance of 50.00 feet to a magnetic nail set;

**thence** South 03° 21' 55" West, crossing said Columbus Metropolitan Housing Authority tract, said Lot 52 and said alley, a distance of 213.34 feet to an iron pin set in the northerly line of that tract conveyed to the City of Columbus, Ohio by deed of record in Instrument Number 201502130018861, the southerly line of said alley;

**thence** North 86° 32' 20" West, with said northerly and southerly lines, a distance of 50.00 feet to an iron pin set;

**thence** North 03° 21' 55" East, crossing said alley, said Lot 50 and said Columbus Metropolitan Housing Authority tract, a distance of 213.37 feet to the TRUE POINT OF BEGINNING, containing 0.245 acre of land, more or

less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The Bearings shown hereon are based on the Ohio State Plane Coordinate System South Zone as per NAD83 (NSRS2007). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations of Franklin County Engineering Department monuments "FRANK 65" and "FRANK 165". A bearing of North 03° 03' 34" East, for the easterly right-of-way line of Champion Avenue is designated as the basis of bearings for this description.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Matthew A. Kirk  
Professional Surveyor No. 7865

Date

And

**31-WD1**  
**0.032 ACRE**

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 14, Township 5, Range 22, Refugee Lands, being part of Lot 9 of the subdivision entitled "Justin Morrison's Ridge Road Subdivision", of record in Plat Book 3, Page 163, an unnamed 20' alley vacated by Ordinance Numbers 352-39 and 2-40, Mink Street (30' wide, Plat Book 3, Page 367), as vacated by Ordinance Numbers 352-39 and 2-40, and part of that tract of land conveyed to Columbus Metropolitan Housing Authority by deed of record in Deed Book 1850, Page 165 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

**Beginning**, for reference, at an iron pin set at the intersection of the easterly right-of-way line of Champion Avenue (50 feet wide, originally dedicated as Ridge Road) and the northerly right-of-way line of Hawthorne Avenue (50 feet wide, originally dedicated as Mann Street);

**thence** South 86° 38' 05" East, with said northerly right-of-way line, a distance of 283.60 feet to an iron pin set at the southeasterly corner of Lot 8 of said subdivision, as conveyed to the City of Columbus, Ohio by deed of record in Instrument Number 201502130018861, being a southwesterly corner of said Columbus Metropolitan Housing Authority tract, the TRUE POINT OF BEGINNING for this description;

**thence** North 03° 05' 28" East, with the easterly line of said Lot 8, a distance of 141.67 feet to an iron pin set in the southerly line of an unnamed alley (vacated by Ordinance number 34656);

**thence** South 86° 34' 16" East, with said southerly line, a distance of 8.91 feet to an iron pin set in the centerline of said vacated Mink Street;

**thence** North 02° 48' 41" East, with said centerline, a distance of 113.61 feet to an iron pin set at the northeasterly corner of said City of Columbus, Ohio tract, in the southerly line of an unnamed alley (vacated by Ordinance Numbers 352-39 and 2-40);

**thence** South 86° 32' 20" East, with said southerly line and crossing said Columbus Metropolitan Housing Authority tract, a distance of 1.55 feet to an iron pin set;

**thence** South 03° 21' 55" West, crossing said Columbus Metropolitan Housing Authority tract, said vacated Mink Street and said Lot 9, a distance of 255.26 feet to an iron pin set in said northerly right-of-way line;

**thence** North 86° 38' 05" West, with said northerly right-of-way line, a distance of 8.68 feet to the TRUE POINT OF BEGINNING, containing 0.032 acre of land, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The Bearings shown hereon are based on the Ohio State Plane Coordinate System South Zone as per NAD83 (NSRS2007). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations of Franklin County Engineering Department monuments "FRANK 65" and "FRANK 165". A bearing of North 03° 03' 34" East, for the easterly right-of-way line of Champion Avenue is designated as the basis of bearings for this description.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Matthew A. Kirk  
Professional Surveyor No. 7865

Date

**SECTION 2.** That a LIMITED WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office on July 22, 2016 as Instrument Number 201607220094805, Columbus Metropolitan Housing Authority, has deeded property to the City of Columbus to be used as Carl L. Brown Sr. Way right-of-way.

**SECTION 3.** That these properties shall be used for road right-of-way purposes.

**SECTION 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.