



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

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On agenda: 7/15/2024 **Final action:** 7/18/2024

Title: To authorize the Director of the Department of Public Service to execute those documents necessary to vacate a 0.023 acre portion of right-of-way known as West Capital Street to the Department of Finance and Management; and to declare an emergency. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ord 2025-2024 Exhibit A Description

Date	Ver.	Action By	Action	Result
7/18/2024	1	CITY CLERK	Attest	
7/17/2024	1	ACTING MAYOR	Signed	
7/15/2024	1	COUNCIL PRESIDENT	Signed	
7/15/2024	1	Columbus City Council	Approved	Pass

BACKGROUND:

The City of Columbus, Department of Public Service, received a request from the Department of Finance and Management asking that the Department of Public Service vacate a 50' by 20' portion of the north/south right-of-way known as West Capital Street.

The right-of-way area is adjacent on the western side of the City-owned PID 010-299751 and adjacent on the eastern side of the City-owned PID 010-066883 and separates these two parcels. Vacating this area of the right-of-way will allow the City to combine its two existing parcels and facilitate construction of a parking area to support the operation of the City's Pre-K known as the Hilltop Early Learning Center.

Per current practice, comments were solicited from interested parties, including City agencies, private utilities and the applicable area commission, before it was determined that, subject to the retention of a general utility easement for those utilities currently located within the right-of-way, the City will not be adversely affected by vacating this portion of right-of-way.

The Department of Public Service has agreed to vacate the asset as described and shown within the attached legal description and extinguish its need for this public right-of-way.

FISCAL IMPACT: No funding is required by this legislation.

EMERGENCY JUSTIFICATION: Emergency action is requested to allow the Department of Public Service to timely vacate the right-of-way to allow the City to combine two city-owned parcels at the earliest possible date and allow the Pre-K parking project to proceed on schedule.

To authorize the Director of the Department of Public Service to execute those documents necessary to vacate a 0.023 acre portion of right-of-way known as West Capital Street to the Department of Finance and Management; and to declare an emergency. (\$0.00)

WHEREAS, The City of Columbus, Department of Public Service, received a request from the City of Columbus, Department of Finance and Management asking that the City vacate a 50' by 20' portion of the north/south right-of-way known as West Capital Street; and

WHEREAS, the right-of-way area is adjacent on the western side of City-owned PID 010-299751 and adjacent on the eastern side of City-owned PID 010-066883, and separates the two parcels; and

WHEREAS, vacating this area of the right-of-way will allow the City to combine its two existing parcels and facilitate construction of a parking area to support the operation of the City's Pre-K; and

WHEREAS, per current practice, comments were solicited from interested parties, including City agencies, private utilities and the applicable area commission, before it was determined that, subject to the retention of a general utility easement for those utilities currently located within the right-of-way, the City will not be adversely affected by vacating this portion of right-of-way; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Finance and Management in that it is immediately necessary to authorize vacating this portion public right-of-way in order to allow the City to combine its two existing parcels at the earliest possible date and allow the Pre-K parking project to proceed as scheduled, for the immediate preservation of the public health, peace, property, and safety; **NOW, THEREFORE**,

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

SECTION 1. That the 50' by 20' portion of right-of-way described and depicted in Exhibit A, which is attached hereto and made a part hereof, is no longer needed by the City of Columbus and is vacated; to-wit:

**DESCRIPTION OF A PORTION OF AN ALLEY TO BE VACATED
SOUTH OF BROAD STREET - WEST OF CLARENDON AVENUE
COLUMBUS, OHIO**

Being a portion of a 20 foot wide alley, commonly known as West Capitol Street, as delineated on the plat of "Subdivision by G.T. Jone's 1879", recorded in Plat Book 3, Page 115, Recorder's Office, Franklin County, Ohio, and said portion being the second alley south of Broad Street and the first alley west of Clarendon Avenue bounded on the north by the southerly terminus of said alley as vacated in Ordinance No. 1109-67, at the extension of the common southerly line of Lots 13 and 26, and bounded on the south by the extension of the common northerly line of Lots 14 and 25. Said alley portion to be vacated is 20 feet (+/-) by 50 feet (+/-) adjoining Lots 14 and 25 of said subdivision.

SECTION 2. That a general utility easement in, on, over, across and through this right-of-way shall be, and hereby is, retained for those utilities currently located within said right-of-way.

SECTION 3. 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.