



Legislation Details (With Text)

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File created: 10/17/2011 **In control:** Public Service & Transportation Committee
On agenda: 11/14/2011 **Final action:** 11/16/2011

Title: To authorize the Director of the Department of Public Service to execute those documents required to transfer a portion of the Thirteenth Avenue right-of-way east of Sterling Street, and a portion of the unimproved east/west alley north of Thirteenth Street and east of Sterling Street to the Columbus Regional Airport Authority.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
11/16/2011	1	CITY CLERK	Attest	
11/15/2011	1	MAYOR	Signed	
11/14/2011	1	COUNCIL PRESIDENT	Signed	
11/14/2011	1	Columbus City Council	Approved	Pass
11/7/2011	1	Columbus City Council	Read for the First Time	

1. Background:

The City of Columbus, Department of Public Service, received a request from the Columbus Regional Airport Authority, asking that the City sell a portion of the Thirteenth Avenue right-of-way east of Sterling Street, and a portion of the unimproved east/west alley north of Thirteenth Street and east of Sterling Street. Transfer of these rights-of-way will facilitate the establishment of a required safety zone for the proposed relocation of the south runway at Port Columbus International Airport. 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 these rights-of-way, the City will not be adversely affected by the transfer of these rights-of-way. The Department of Public Service submitted a request to the Department of Law, Real Estate Division, asking that they establish a value for these rights-of-way. A value of \$37,961.00 was established for these rights-of-way. After review of the request, the Land Review Commission voted to recommend a fifty percent reduction in the appraised value and transfer the aforementioned rights-of-way to the Columbus Regional Airport Authority for the amount of \$18,980.50.

2. FISCAL IMPACT:

The City will receive a total of \$18,980.50 that will be deposited in Fund 748, Project 537650, as consideration for the transfer of the requested rights-of-way.

To authorize the Director of the Department of Public Service to execute those documents required to transfer a portion of the Thirteenth Avenue right-of-way east of Sterling Street, and a portion of the unimproved east/west alley north of Thirteenth Street and east of Sterling Street to the Columbus Regional Airport Authority.

WHEREAS, the City of Columbus, Department of Public Service, received a request from Columbus Regional Airport Authority, asking that the City transfer a portion of the Thirteenth Avenue right-of-way east of Sterling Street, and a portion of the unimproved east/west alley north of Thirteenth Street and east of Sterling Street to them; and

WHEREAS, acquisition of these rights-of-way will allow Columbus Regional Airport Authority to perform improvements and enhancements on property that is currently owned by Columbus Regional Airport Authority; and

WHEREAS, per current practice, comments were solicited from interested parties, including City agencies, private utilities and applicable area commissions, before it was determined that, subject to the retention of a general utility easement for those utilities currently located within these rights-of-way, the City will not be adversely affected by the transfer of these rights-of-way to Columbus Regional Airport Authority; and

WHEREAS, the Department of Public Service submitted a request to the Department of Law, Real Estate Division, asking that they establish a value for these rights-of-way; and

WHEREAS, a value of \$37,961.00 was established for these rights-of-way; and

WHEREAS, the Land Review Commission voted to recommend that the above referenced rights-of-way be transferred to Columbus Regional Airport Authority for a fifty percent reduction of the appraised value in the amount of \$18,980.50; and 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 quit claim deeds and other incidental instruments prepared by the Department of Law, Real Estate Division, necessary to transfer the following described rights-of-way to Columbus Regional Airport Authority; to-wit:

DESCRIPTION OF PUBLIC RIGHT-OF-WAY
CASSADY-PEAKE MEADOWS SUBDIVISION
FRANKLIN COUNTY, CITY OF COLUMBUS, OHIO

Situated in the State of Ohio, County of Franklin, City of Columbus, being strips of land comprised of public right-of-way and shown and delineated upon the plat "Cassady-Peake Meadows Addition", a subdivision of record in Plat Book 18, Page 56, Recorder's Office, Franklin County, Ohio, said strips being more particularly described as follows:

STRIP NO. 1, THIRTEENTH AVENUE

Beginning at a 1-inch iron pipe found (no cap) at the intersection of the northerly right-of-way line of Thirteenth Avenue (50 feet in width) with the easterly right-of-way line of Sterling Avenue (50 feet in width), being also the southwesterly corner of Lot 72;

Thence North 89°45'32" East, along said northerly right-of-way line, a distance of 850.67 feet to a 1-inch iron pipe found (no cap) at the terminus of same and at the southeasterly corner of Lot 1;

Thence South 0°17'00" East, along said terminus, a distance of 50.00 feet to an iron pin set at the northeasterly corner of Lot 2 and in the southerly right-of-way line of Thirteenth Avenue;

Thence South 89°45'32" West, along said right-of-way line, a distance of 850.95 feet to an iron pin set at the intersection of the easterly right-of-way line of Sterling Avenue and at the northwesterly corner of Lot 71;

Thence North 0°02'27" East, crossing Thirteenth Avenue, a distance of 50.00 feet to the place of beginning and containing 42,541 square feet or 0.977 acre of land.

STRIP NO. 2, 8-FOOT WIDE ALLEY

Beginning at an iron pin set at the intersection of the easterly right-of-way line of Sterling Avenue (50 feet in width) with the southerly right-of-way line of an 8-foot wide (un-named) alley and at the northwesterly corner of Lot 72;

Thence North 0°02'27" East, crossing said alley along the easterly right-of-way line of Sterling Avenue extended, a distance of 8.00 feet to an iron pin set in the northerly line of said subdivision, the southerly line of that 89.106-acre tract as described in a deed to Columbus Municipal Airport Authority, of record in Instrument No. 200603240055098;

Thence North 89°33'00" East, along said northerly and southerly lines, a distance of 850.00 feet to an iron pin set at the northeasterly corner of said subdivision and at the terminus of said alley;

Thence South 0°17'00" East, along said terminus, the easterly line of said subdivision and the westerly line of that 24.45-acre tract as described in a deed to Columbus Regional Airport Authority, of record in Instrument No. 200712310221207, a distance of 8.00 feet to an iron pin set at the northeasterly corner of Lot 1 and in the southerly right-of-way line of said alley;

Thence South 89°33'00" West, along said right-of-way line, a distance of 850.05 feet to the place of beginning and containing 6800 square feet or 0.156 acre of land.

Bearings herein are based on those of the referenced plat, ie. North 89°33'00" East for the northerly line of the subdivision.

Iron pins set consist of a 1" (O.D.) pipe, 30" long with a plastic cap inscribed "M-E COMPANIES/S-6872".

This description was prepared by M•E Companies, Inc., Civil Engineering Group, based on information obtained from an actual field survey performed in April 2008.

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 said quit claim deed to the grantee thereof.

SECTION 3. That a general utility easement in, on, over, across and through the above described rights-of-way shall be and hereby is retained unto the City of Columbus for those utilities located within said rights-of-way.

SECTION 4. That upon notification and verification of the relocation of all utilities located within the retained general utility easement area the Director of the Department of Public Service is hereby authorized to execute those documents necessary to release the retained general utility easement with no additional compensation due to the City and with no further legislative action required by the City.

SECTION 5. That the \$18,980.50 to be received by the City as consideration for the sale of this right-of-way shall be deposited in Fund 748, Project 537650.

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