



## Legislation Details (With Text)

**File #:** 0392-2017      **Version:** 1

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

**File created:** 2/9/2017      **In control:** Public Service & Transportation Committee

**On agenda:** 3/13/2017      **Final action:** 3/16/2017

**Title:** To authorize the Director of the Department of Public Service to execute those documents required to transfer a 0.031 acre parcel of the unnamed east/west right-of-way south of Granville Street between Taylor Avenue and the first alley west of Taylor Avenue to Robbins Realty which is adjacent to property owned by Robbins Realty located at 235-239 Taylor Avenue.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
3/16/2017	1	CITY CLERK	Signed	
3/15/2017	1	MAYOR	Signed	
3/13/2017	1	COUNCIL PRESIDENT	Signed	
3/13/2017	1	Columbus City Council	Approved	Pass
2/27/2017	1	Columbus City Council	Read for the First Time	

### 1. BACKGROUND:

The City of Columbus, Department of Public Service, received a request from Glen A. Robbins on behalf of Robbins Realty asking that the City sell a 0.031 acre parcel of the unnamed east/west right-of-way south of Granville Street between Taylor Avenue and the first alley west of Taylor Avenue, which is adjacent to property owned by Robbins Realty. Transfer of this right-of-way will facilitate the improvements to property currently owned by Robbins Realty, adjacent to the above noted right-of-way, located at 235-239 Taylor Avenue. 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 this right-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 \$953.00 was established for this right-of-way. After review of the request, the Land Review Commission voted to recommend the above referenced rights-of-way be transferred to Robbins Realty for \$953.00.

### 2. FISCAL IMPACT:

The City will receive a total of \$953.00 that will be deposited in Fund 7748, Project P537650, as consideration for the transfer of the requested right-of-way.

To authorize the Director of the Department of Public Service to execute those documents required to transfer a 0.031 acre parcel of the unnamed east/west right-of-way south of Granville Street between Taylor Avenue and the first alley west of Taylor Avenue to Robbins Realty which is adjacent to property owned by Robbins Realty located at 235-239 Taylor Avenue.

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from Robbins Realty asking that the City transfer to them a 0.031 acre parcel of the unnamed east/west right-of-way south of Granville Street between Taylor Avenue and the first alley west of Taylor Avenue, adjacent to property owned by Robbins Realty; and

**WHEREAS**, acquisition of the right-of-way will facilitate the re-development of property currently owned by Robbins Realty adjacent to the above noted right-of-way; and

**WHEREAS**, the City of Columbus, Department of Public Service, Division of Infrastructure Management, by this transfer, extinguishes its need for this public right-of-way; 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 this right-of-way, the City will not be adversely affected by the transfer of this right-of-way to Robbins Realty 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 the right-of-way; and

**WHEREAS**, a value of \$953.00 was established for the right-of-way; and

**WHEREAS**, the Land Review Commission voted to recommend that the above referenced right-of-way be transferred to Robbins Realty for the amount of \$953.00; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Service to authorize the Director to execute those documents required to transfer the acre parcel to Robbins Realty located at 235-239 Taylor Avenue; **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 right-of-way to Robbins Realty to-wit:

**DESCRIPTION OF A  
0.031 ACRE TRACT**

Situated in the State of Ohio, County of Franklin, City of Columbus, in Half Section 14, Township 5, Range 22, Refugee Lands, being part of a ten (10) foot alley dedicated in Plat Book 3, Page 38, part of Isam & Lucy Johnson's Subdivision (Plat Book 3, Page 38) being south of and adjacent to Lot 12 of said subdivision, and being north of and adjacent to Lot 63 of J.L. Bachman's Addition (Plat Book 4, Page 188), Recorder's Office, Franklin County, Ohio;

Beginning at a 3/4" iron pipe found at the northeast corner of said Lot 63, being the intersection of the south line of said ten foot alley with the west line of Taylor Avenue (50 feet wide; dedicated as Reid Avenue in Plat Book 1, Page 259), said pipe bearing NORTH, 232.76 feet from the intersection of said west line of Taylor Avenue with the north line of Phale D. Hale Drive (50 feet wide; dedicated as Baker Street in Plat Book 4, Page 189);

Thence, along the north line of said Lot 63 and south line of said ten foot alley, South 89 degrees 44 minutes 20 seconds West, 137.26 feet to a set iron pipe;

Thence, across said ten foot alley, North 12 degrees 43 minutes 20 seconds East, 10.26 feet to an iron pipe set at the southwest corner of Lot 12 of said Isam & Lucy Johnson's Subdivision;

Thence, along the south line of said Lot 12 and north line of said ten foot alley, North 89 degrees 44 minutes 20 seconds East, 135.00 feet to an iron pipe set at the southeast corner of said Lot 12, being the intersection of the north line of said ten foot alley with the west line of said Taylor Avenue;

Thence, along said west line of Taylor Avenue, SOUTH, 10.00 feet to the place of beginning CONTAINING 0.031 ACRES (1,361 Square Feet).

The forgoing description was prepared from an actual field survey made in March 2016. Iron pipes set are 30" X 1" (O.D.) with an orange plastic cap inscribed "MYERS P.S. 6579". Basis of bearings is the centerline of Taylor Avenue held as NORTH.

**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 right-of-way shall be and hereby is retained unto the City of Columbus for those utilities located within said right-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 \$953.00 to be received by the City as consideration for the sale of this right-of-way shall be deposited in Fund 7748, Project P537650.

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