



## Legislation Details (With Text)

**File #:** 0207-2017      **Version:** 1

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

**File created:** 1/24/2017      **In control:** Public Service & Transportation Committee

**On agenda:** 2/13/2017      **Final action:** 2/15/2017

**Title:** To vacate an approximate 1,965 square foot portion of the unnamed 10 foot wide east/west right-of-way west of South May Avenue between West Chapel and West Town Streets and to waive the Land Review requirements of City Code Chapter 328. AMENDED BY ORD. 0956-2017; PASSED 4/17/2017

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
2/15/2017	1	CITY CLERK	Attest	
2/15/2017	1	MAYOR	Signed	
2/13/2017	1	COUNCIL PRESIDENT	Signed	
2/13/2017	1	Columbus City Council	Approved	Pass
2/6/2017	1	Columbus City Council	Read for the First Time	

### 1. BACKGROUND:

The City of Columbus, Department of Public Service, received a request from the City of Columbus, Department of Development asking that the City vacate an approximate 1,965 square foot portion of the unnamed 10 foot wide east/west right-of-way west of South May Avenue between West Chapel and West Town Streets. The portion of right-of-way to be vacated is a 10 foot wide unnamed alley as described above. The portion being vacated begins at the western right-of-way line of South May Avenue and extends west approximately 196.5 feet to the westerly terminus of the unnamed alley as recorded within a subdivision known as FC Sessions Western Addition within Plat Book 2 Pages 242, 243, and 244. Vacation of this right-of-way will facilitate the re-development of City owned property located on either side of the above mentioned right-of-way. Per current practice, comments were solicited from interested parties, including City agencies, private utilities and the applicable area commission, before it was determined that the City will not be adversely affected by the vacation of this right-of-way.

To vacate an approximate 1,965 square foot portion of the unnamed 10 foot wide east/west right-of-way west of South May Avenue between West Chapel and West Town Streets and to waive the Land Review requirements of City Code Chapter 328. **AMENDED BY ORD. 0956-2017; PASSED 4/17/2017**

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from the City of Columbus, Department of Development, asking that the City vacate an approximate 1,965 square foot portion of the unnamed 10 foot wide east/west right-of-way west of South May Avenue between West Chapel and West Town Streets; and

**WHEREAS**, this portion of right-of-way to be vacated is a 10 foot wide unnamed alley as described above. The portion being vacated begins at the western right-of-way line of South May Avenue and extends west approximately 196.5 feet to

the westerly terminus of the unnamed alley as recorded within a subdivision known as FC Sessions Western Addition within Plat Book 2 Pages 242, 243, and 244; and

**WHEREAS**, vacation of this right-of-way will facilitate the re-development of City owned property located on either side of the aforementioned right-of-way; and

**WHEREAS**, the City of Columbus, Department of Public Service, Division of Infrastructure Management, by this action, extinguishes its need for this public right-of-way; and

**WHEREAS**, after investigation by the Division of Infrastructure Management staff, it was determined that, subject to the retention of a general utility easement for those utilities located within the above noted right-of-way, the City will not be adversely affected by the vacation of this right-of-way; and

**WHEREAS**, the Division of Infrastructure Management agreed to recommend that the above referenced right-of-way to be vacated and that the Land Review requirements of City Code Chapter 328 be waived; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Service to vacate the right of way described above for the public health, safety and welfare; now, therefore,

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

**Section 1.** That the unnamed 10 foot wide east/west right-of-way west of South May Avenue between West Chapel and West Town Streets, be and hereby is vacated.

**Section 2.** That this Council has determined it is in the best interest of the City of Columbus to allow this right-of-way to be vacated without requiring a recommendation from Land Review Commission and hereby waives the Land Review Commission provision of Columbus City Codes Chapter 328 with regard to the vacation of this right-of-way.

**Section 3.** That a general utility easement in, on, over, across and through the above described shall be and hereby 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 City Council.

**Section 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.