



Legislation Details (With Text)

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Title: To authorize the Director of the Public Service Department to execute those documents required to transfer the rights-of-way identified as portions of Kennedy Drive, Children's Drive West, Children's Drive and Ann Street to Nationwide Children's Hospital, and to release an adjacent sidewalk easement; all at no charge as recommended by the Land Review Commission; and to waive the competitive bidding provisions of Columbus City Codes.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Legistar Ord 1832-2007 MIT.pdf, 2. Legistar Ord 1832-2007 PARK.pdf, 3. Legistar Ord 1832-2007 RFC.pdf

Date	Ver.	Action By	Action	Result
11/21/2007	1	CITY CLERK	Attest	
11/20/2007	1	MAYOR	Signed	
11/19/2007	1	Columbus City Council	Approved	Pass
11/19/2007	1	COUNCIL PRESIDENT PRO-TEM	Signed	
11/12/2007	1	Columbus City Council	Read for the First Time	
11/1/2007	1	SERVICE DIRECTOR	Reviewed and Approved	
11/1/2007	1	CITY ATTORNEY	Reviewed and Approved	
11/1/2007	1	SERVICE DIRECTOR	Sent to Clerk's Office for Council	
10/31/2007	1	Service Drafter	Sent for Approval	
10/31/2007	1	Service Reviewer	Reviewed and Approved	

The City of Columbus, Public Service Department, Transportation Division, received a request from Nationwide Children's Hospital ("Children's") asking that the City transfer to them those rights-of-way identified as portions of Kennedy Drive, Children's Drive West, Children's Drive and Ann Street and that the City also release the sidewalk easement along Children's Drive West that was granted in an instrument recorded as instrument number 200701120007449. Sale of these rights-of-way will accommodate continued development of the Children's campus in accordance with their Master Plan. Per current Transportation Division practice, comments were solicited from interested parties, including City departments, private utilities and applicable area commissions, before it was determined that there would be no adverse impact to the City upon transfer of these rights-of-way, subject to the retention of a general utility easement for those utilities currently located therein. The Department of Law, Real Estate Division, established a value of \$473,340.00 for these rights-of-way. Children's has requested mitigation of this amount for the following reasons:

1) **The identification of improvements that further the general welfare of the City through significant improvements to the physical environment:** As a part of the continued development of the Children's campus in accordance with their Master Plan Children's will spend at least \$2,000,000 for landscaping, lighting, sidewalks, and other amenities to develop approximately six acres on the north side of Livingston Avenue between Ann Street and Parsons Avenue and extending up the east side of Parsons Avenue to Mooberry Street into a park. It is the intention of both Children's and the Columbus Recreation and Parks Department that the existing Livingston Avenue Park and this proposed Children's park area function as and have the appearance of one continuous park.

Children's has committed to keep Ann Street and Children's Drive, between Ann Street and Eighteenth Street, open for vehicular and pedestrian access to the park area. Children's has also committed to keep a minimum of 25 parking spaces on or in close proximity to these former rights-of-way and to work with the City to develop a plan to cause those parking spaces to turn over more often than they do now to try to make those parking spaces more available than they have been in the past for those using the park areas.

2) **The value of land donations or other services being made to the City by the purchaser:** Children's has agreed that, in order to facilitate the construction of the roadway improvements to Parsons Avenue and Livingston Avenue contemplated by its master plan, it will dedicate to the City, at no cost to the City, the additional rights-of-way needed to complete said roadway improvements from those parcels along Parsons Avenue and Livingston Avenue owned by or legally controlled by Nationwide Children's Hospital (the "Additional Rights-of-Way"). These Additional Rights-of-Way, valued at approximately \$70,438, are in addition to those rights-of-way that Children's has already agreed to dedicate in connection with a previously approved amendment to the hospital campus zoning.

3) **The substantial increase in tax revenue, including but not limited to real property and income taxes, generated by the development of the property to be purchased:** Development of the Children's campus in accordance with their Master Plan will continue for a number of years. It is estimated the income taxes generated by those engaged in the construction of the Master Plan improvements will exceed \$9,800,000 before the development is completed.

4) **The value of improvements undertaken by Children's upon property of the City which further the interests and welfare of the public:** Children's is paying for \$2,819,000 worth of improvements to the City's South Substation electric distribution system. In exchange, Children's will only receive the South Substation property, which the County Auditor values at \$181,500. Children's does not and will not receive service from this substation and therefore will not benefit from these improvements, rather these improvements will only benefit the City. These improvements will significantly reduce the City's operating and maintenance expenses and make it possible for the City to increase sales of electricity.

Fiscal Impact: Based upon these criteria the Land Review Commission voted to recommend those rights-of-way identified as portions of Kennedy Drive, Children's Drive West, Children's Drive and Ann Street be transferred to Nationwide Children's Hospital at no charge.

To authorize the Director of the Public Service Department to execute those documents required to transfer the rights-of-way identified as portions of Kennedy Drive, Children's Drive West, Children's Drive and Ann Street to Nationwide Children's Hospital, and to release an adjacent sidewalk easement; all at no charge as recommended by the Land Review Commission; and to waive the competitive bidding provisions of Columbus City Codes.

WHEREAS, the City of Columbus, Public Service Department, Transportation Division, received a request from Nationwide Children's Hospital ("Children's") asking that the City sell them those rights-of-way identified as portions of Kennedy Drive, Children's Drive West, Children's Drive and Ann Street and to release the sidewalk easement along Children's Drive West granted in the document recorded as instrument number 200701120007449; and

WHEREAS, sale of these rights-of-way will accommodate continued development of the Children's campus in accordance with their Master Plan; and

WHEREAS, per current Transportation Division practice, comments were solicited from interested parties, including City departments, private utilities and applicable area commissions, before it was determined that there would be no adverse impact to the City upon transfer of these rights-of-way, subject to the retention of a general utility easement for those utilities currently located therein; and

WHEREAS, the Department of Law, Real Estate Division, established a total value of \$473,340.00 for these rights-of-way; and

WHEREAS, Nationwide Children's Hospital has requested mitigation of this amount for the following reasons: 1) The identification of improvements that further the general welfare of the City through significant improvements to the physical environment; 2) The value of land donations or other services being made to the City by Children's; 3) The substantial increase in tax revenue, including but not limited to real property and income taxes, generated by the development of the property to be acquired by Children's; 4) The value of improvements undertaken by Children's upon property of the City which further the interests and welfare of the public; and

WHEREAS, in connection with the conveyance to Nationwide Children's Hospital of the rights-of-way hereinafter described, Nationwide Children's Hospital has made certain commitments with regard to access to Ann Street and a portion of Children's Drive

and parking on that portion of Children's Drive, as more particularly set forth in a letter dated October 25, 2007 from Nationwide Children's Hospital to the City; and

WHEREAS, as a mitigating factor, Nationwide Children's Hospital has agreed that, in order to facilitate the construction of the roadway improvements to Parsons Avenue and Livingston Avenue contemplated by its master plan, it will dedicate to the City, at no cost to the City, the additional rights-of-way needed to complete said roadway improvements from those parcels along Parsons Avenue and Livingston Avenue owned by or legally controlled by Nationwide Children's Hospital (the "Additional Rights-of-Way"); and

WHEREAS, the Additional Rights-of-Way are in addition to those rights-of-way which Nationwide Children's Hospital has already agreed to dedicate in connection with a previously approved amendment to the hospital campus zoning; and

WHEREAS, after review of the above referenced mitigating circumstances the Land Review Commission voted to recommend that these rights-of-way be transferred to Children's at no charge; now, therefore

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

Section 1. That the Director of the Public Service Department 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 Nationwide Children's Hospital; to-wit:

KENNEDY DRIVE

Situated in the State of Ohio, County of Franklin, City of Columbus, and being all of Parcel 8 (Kennedy Drive 50') of Children's Hospital Urban Renewal Area Plat B-3 Parcel B-3 as recorded in Plat Book 42 Page 134, all references being recorded in the Franklin County Ohio Recorder's Office, and being more particularly described as follows:

Commencing for reference at a 3/4" iron pipe found at the southwest corner of a 1.053 acre tract also being the southwest corner of Parcel 7 of said Children's Plat, conveyed to Children's Hospital in Instrument Number 200512090259456, thence along the south line of said 1.053 acre tract and the northerly right-of-way line of Livingston Avenue (60') South 86°39'52" East a distance of 270.83 feet to a mag nail found at the southeast corner of said 1.053 acre tract and at the intersection of the northerly right-of-way line of Livingston Avenue with the westerly right-of-way line of Kennedy Drive, and being the TRUE POINT OF BEGINNING of the parcel herein described:

Thence along the east line of said 1.053 acre tract and the east line of a 3.076 acre tract being part of Parcel 6 of Children's Plat, conveyed to Children's Hospital in Instrument Number 200512090259456, and along the westerly right-of-way line of Kennedy Drive, North 3°13'05" East a distance of 462.60 feet to a 3/4" iron pipe found;

Thence along the east line of said 3.076 acre tract and said right-of-way line of on a curve to the right, having a radius of 100.00 feet, a delta of 85°29'09", a curve length of 149.20 feet, and a chord bearing North 45°57'40" East and a distance of 135.74 feet to a 3/4" iron pipe found on the south line of a 0.924 acre tract, also being part of Parcel 6 of said Children's Plat, and conveyed to Children's Hospital in Instrument Number 200111070258112;

Thence along the south line of said 0.924 acre tract the south line of a 1.02 acre tract (also being all of Parcels 4 and 5 of said Children's Plat), conveyed to Children's Orthopedic in Instrument Number 199902010025335 and along the northerly right-of-way line of Kennedy Drive, North 88°42'14" East a distance 445.16 feet to a mag nail set at the intersection of the northerly right-of-way line of Kennedy Drive with the westerly right-of-way line, Parsons Avenue (60');

Thence along a line parallel to said westerly right-of-way line, South 3°12'51" West a distance of 50.16 feet to a mag nail set at the intersection of the southerly right-of-way line of Kennedy Drive with the westerly right-of-way line of Parsons Avenue;

Thence along the southerly right-of-way line of Kennedy Drive and the north line of a 5.889 acre tract, being the north lines of Parcels 1 and 2 of said Children's Plat, and conveyed to Children's Hospital in Instrument Number 200603140047864, South 88°42'14" West a distance of 441.21 feet to a 3/4" iron pipe found;

Thence along the northwesterly line of said 5.889 acre tract and said right-of-way line, on a curve to the left, having a radius of 50.00 feet, a delta 85°29'09", a curve length of 74.60 feet, and a chord bearing South 45°57'40" West and a distance of 67.87 feet to an iron pin set;

Thence along the west line of said 5.889 acre tract being the west line of said Parcel 2 and Parcel 3 conveyed above and the east right-of-way line of Kennedy Drive, South 3°13'05" West a distance of 462.70 to a mag nail found at the intersection of the northerly right-of-way line of Livingston Avenue and the easterly right-of-way line of Kennedy Drive;

Thence along a line parallel with said northerly right-of-way line, North 86°39'52" West a distance of 50.00 feet to the TRUE POINT OF BEGINNING containing 1.169 acres more or less.

The above description was prepared by Korda/Nemeth Engineering, Inc. from field and record observations under the direction and supervision of Nathan W. Anderson, Ohio Registered Surveyor No. 8322.

The basis of bearings of this description is based on Livingston Avenue being, North 69°17'17" West (east of Parsons Ave.)

as determined by monumentation found in the field and as shown in Children's Hospital Urban Renewal Area Plat A as recorded in Plat Book 43 Page 17.

Monuments referred to as iron pins set will be 5/8 inch diameter x 30 inches long capped iron bars inscribed "KNE 8322".

A Plat of the above description is on file at the Franklin County Engineer's Office.

CHILDREN'S DRIVE, CHILDREN'S DRIVE WEST AND ANN STREET

Situated in the State of Ohio, County of Franklin, City of Columbus, and being a portion of Children's Drive (60') (also being Parcel 12 with exception to a 0.458 acre right of way conveyance as referenced in Instrument No. 200308270271677), and the portion of Children's Drive (private road) from the east line of said Parcel 12 to the west line of Eighteenth Street (within an 11 acre tract recorded in Deed Book 20 Page 212), and Ann Street Relocated (Parcel 12B), and also being a portion of Parcel 4 (containing all or part of lots 10 & 11 of Stone and Coits Subdivision of Plat Book 4 page 204 and conveyed in Deed Book 2555-361 and 2633-204), all of which parcels noted throughout this description are referenced in the Children's Hospital Urban Renewal Area Plat A as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 43 Page 17, and being the entire portion of Children's Drive Relocated recorded per Instrument No. 200308270271668, all references being recorded in the Franklin County Ohio Recorder's Office, and being more particularly described as follows:

Commencing for reference at a railroad spike found at the southeast corner of Parcel 1 as referenced in said Plat A, said Parcel 1 being all or part of Lots 6, 7, 8, 9, 38, 39, 40, 41, and 42 in Stone and Coits Subdivision as recorded in Plat Book 2 page 264 and conveyed in Deed Books: 2615-270, 2638-380, 2542-207, 2549-10, 2573-666, 2526-282, 2515-001, 2638-386, 2615-272, 2613-221, 2571-184, and on the centerline of Monroe Avenue (50') (Dedicated per ORD 31677 and vacated per ORD 1493-66; and said centerline shown per said Plat A) and being on the north line of Livingston Avenue (66'), thence along the south line of said Parcel 1 and north line of said Livingston Avenue, North 69°18'42" West, a distance of 166.09 feet to an iron pin set at the point of curvature of a curve connecting the north line of Livingston Avenue with the east line of Ann Street Relocated (60') (Parcel 12B of said Plat A) and being the TRUE POINT OF BEGINNING of the parcel herein described:

Thence along a line separating Livingston Avenue with said Plat A, North 69°16'05" West, a distance of 100.00 feet to a mag nail set on a point of curvature of a curve to the left connecting the north line of Livingston Avenue with the west line of said Ann Street;

Thence along said connecting curve, and the southeast curved line of Parcel 2B of said Plat A (said Parcel 2B conveyed in Official Record 06688-H20), having a radius of 20.00 feet, a delta of 89°39'33", an arc length of 31.30 feet, and a chord distance of 28.20 feet bearing North 66°01'18" East to a 3/4" iron pipe found on a point of tangency of the west line of said Ann Street;

Thence along said west line and the east line of said Parcel 2B, North 20°46'06" East, a distance of 16.04 feet to a 3/4" iron pipe found at the point of curvature of a curve to the left;

Thence continuing along said west line and the east lines of Parcel 2B and a portion of Parcel 2A of said Plat A (said Parcel 2A conveyed in Official Record 06688-H20), said curve having a radius of 606.62 feet, a delta of 14°36'31", an arc length of 154.61 feet, and a chord distance of 154.25 feet bearing North 13°25'09" East to an iron pin found (capped "KNE 7357") on a point of curvature of a curve to the left connecting the west line of said Ann Street with the south line of said Children's Drive Relocated;

Thence crossing through said Parcel 2A and along said connecting curve having a radius of 8.50 feet, a delta of 73°04'02", an arc length of 10.84 feet, and a chord distance of 10.12 feet bearing North 32°46'27" West to an iron pin found (capped "KNE 7357") on a point of tangency of the south line of Children's Drive Relocated;

Thence along said south line and continuing through Parcel 2A and said Parcel 4, North 69°18'16" West, a distance of 286.92 feet to a 3/4" iron pin found on a point of curvature of a curve to the right of the south line of Children's Drive Relocated; and passing an iron pin found (capped "KNE 7357") at 249.30 feet on the east line of Parcel 4 and the west line of Parcel 2A;

Thence continuing through Parcel 4 along said curve having a radius of 161.50 feet, a delta of 40°27'36", and arc length of 114.04 feet, and a chord distance of 111.69 feet bearing North 49°04'30" West to an iron pin found (capped "KNE 7357") on the westerly property line of said Parcel 4 and on the east line of a 1.531 acre tract within Parcel 5A and Parcel 5 of said Plat A (said 1.531 acre tract conveyed in Instrument #200607270147359);

Thence along said easterly and westerly line, North 03°18'57" East, a distance of 3.00 feet to an iron pin found (capped "KNE 7357") on a curve to the right of the west line of Children's Drive West (60') (Parcel 12) and also being on a northeasterly corner of said Parcel 5A;

Thence along said west line and the east lines of said 1.531 acre tract and a 1.739 acre portion of said Parcel 5 (said 1.739 acre tract conveyed in Instrument #200208270211253), along said curve having a radius of 130.00 feet, a delta of 36°19'04", an arc length of 82.40 feet, and a chord distance of 81.03 feet bearing North 14°37'35" West to a mag nail set on a point of tangency of the west line of Children's Drive West and on the east line of said Parcel 5 and passing a Northeast corner of said Parcel 5A and the Southeast corner of said Parcel 5 at 9.20 feet and the southeast corner of said 1.739 acre tract and the northeast corner of said 1.531 acre tract at 24.32 feet;

Thence continuing along said westerly line and easterly line of said 1.739 acre tract and the easterly line of a 4.792 acre portion of Parcel 5 recorded in Official Record 06688-H20, North 03°21'51" East, a distance of 506.93 feet, passing and iron pin found (capped "ME Companies") being the northeast corner of said 1.739 acre tract at 196.09 feet, to an iron pin set on a point of curvature of a curve to the left connecting the west line of Children's Drive West with the south line of Mooberry Street (width

varies);

Thence along said connecting curve and along a curved northeast line of said Parcel 5, said curve having a radius of 10.00 feet, a delta of $96^{\circ}39'44''$, an arc length of 16.87 feet, and a chord distance of 14.94 feet bearing North $44^{\circ}57'59''$ West to a mag nail set on the south line of Mooberry Street and on the north line of said Parcel 5;

Thence along a curved line separating Mooberry Street from Children's Drive West, said curve to the right having a radius of 2266.83 feet, a delta of $02^{\circ}03'01''$, an arc length of 81.11 feet, and a chord distance of 81.11 feet bearing North $87^{\circ}43'41''$ East to an iron pin set on a curve to the left connecting the south line of Mooberry Street with the east line of Children's Drive West and also being on the north line of Parcel 6 of said Plat A (said Parcel 6 conveyed in Official Record 06688-H20);

Thence along said connecting curve and along a curved northwest line of said Parcel 6, said curve having a radius of 10.00 feet, a delta of $85^{\circ}22'30''$, an arc length of 14.90 feet, and a chord distance of 13.56 feet bearing South $46^{\circ}03'31''$ West to an iron pin set on the east line of Children's Drive West and on the west line of said Parcel 6;

Thence along said easterly and westerly line and the west lines of Parcels 12C, 8, 12D, and 9 (said Parcels conveyed in Official Record 06688-H20, and Parcels 12C and 12D vacated per ORD 1785-83 and 1903-83), South $03^{\circ}21'51''$ West, a distance of 514.86 feet to a mag nail set on a point of curvature of a curve to the left;

Thence along said curve having a radius of 70.00 feet, a delta of $24^{\circ}20'12''$, an arc length of 29.73 feet, and a chord distance of 29.51 feet bearing South $08^{\circ}10'42''$ East to an iron pin found (capped "KNE 7357") on a former curve to the left of the north line of Children's Drive, vacated per ORD 1124-03, and part of a right of way conveyance in Instrument No. 200308270271677;

Thence crossing said Parcel 12, South $68^{\circ}56'06''$ West, a distance of 11.36 feet to an iron pin found (capped "KNE 7357") on a curve to the left of the north line of said Children's Drive Relocated;

Thence continuing through said Parcel 12 along said curve having a radius of 128.50 feet, a delta of $54^{\circ}06'44''$, an arc length of 121.36 feet, and a chord distance of 116.90 feet bearing South $42^{\circ}14'56''$ East to an iron pin found (capped "KNE 7357") on the north line of said Children's Drive Relocated;

Thence continuing through said Parcel and crossing through said Parcel 2A along said north line, South $69^{\circ}18'16''$ East, a distance of 248.78 feet to an iron pin found (capped "KNE 7357") on a point of curvature of a curve to the left;

Thence along said curve having a radius of 5.00 feet, a delta of $90^{\circ}00'00''$, an arc length of 7.85 feet, and a chord distance of 7.07 feet bearing North $65^{\circ}41'44''$ East to an iron pin found (capped "KNE 7357");

Thence continuing through said Parcel 2A, North $20^{\circ}41'44''$ East, a distance of 37.12 feet to a $\frac{3}{4}$ " iron pipe found on the west line of Ann Street at the point of curvature of a former curve to the left connecting the west line of Ann Street with the south line of Children's Drive (conveyed per Instrument No. 200308270271667);

Thence crossing through said Ann Street (Parcel 12B), North $03^{\circ}15'37''$ East, a distance of 11.76 feet to an iron pin set;

Thence continuing through said Parcel 12B and crossing said Parcel 12 (along the east line of said 0.458 acre tract), North $50^{\circ}32'51''$ East, a distance of 64.78 feet to a point;

Thence continuing through said Parcel 12 and said east line, North $03^{\circ}24'19''$ East, a distance of 24.80 feet to a mag nail set on the north line of Children's Drive (Parcel 12) and on the south line of Parcel 11 of said Plat A (said Parcel 11 conveyed in Official Record 06688-H20);

Thence along the northerly line of Children's Drive (Parcel 12), the northerly line of Children's Drive (being a private road running through an 11 acre tract conveyed in Deed Book 20-212), the southerly line of said Parcel 11, the southerly line of 3.158 acre tract conveyed in Official Record 06688-H20, and along the south line of a portion of Parcel E of said Plat A (said portion of Parcel E conveyed in Official Record 18010-A13), South $86^{\circ}40'52''$ East, a distance of 781.37 feet to an iron pin set on a point of curvature of a curve to the left connecting the north line of Children's Drive with the west line of Eighteenth Street ($60'$) and passing the northeast corner of said Parcel 12 and southeast corner of said Parcel 11 at 121.96 feet;

Thence along said connecting curve and the curved southeast line of said Parcel E, said curve having a radius of 10.00 feet, a delta of $90^{\circ}37'58''$, and a chord distance of 14.22 feet bearing North $48^{\circ}07'47''$ East to an iron pin set on the west line of Eighteenth Street and the east line of Parcel E, said pin being 118.49 feet from the northeast corner of said Parcel E and 671.81 feet from the intersection of the west line of Eighteenth Street with the north line of said Livingston Avenue;

Thence along a line parallel with the west line of Eighteenth Street, South $02^{\circ}49'02''$ West, a distance of 70.09 feet to an iron pin set at the intersection of the west line of Eighteenth Street with the south line of said Children's Drive (Private);

Thence crossing through said 11 acre tract along said south line and the north line of said Parcel 1, North $86^{\circ}40'52''$ West, a distance of 759.96 feet to a mag nail set on a curve to the left connecting the south line of Children's Drive with the East line of Ann Street and passing the northeast corner of said Parcel 1 at 645.09 feet and the southeast corner said Parcel 12 at 670.09 feet;

Thence along said connecting curve and the curved northwest line of said Parcel 1, said curve having a radius of 20.00 feet, a delta of $94^{\circ}11'34''$, an arc length of 32.88 feet, and a chord distance of 29.30 feet bearing South $46^{\circ}11'32''$ West to a mag nail set on the east line of said Ann Street and on the west line of said Parcel 1;

Thence continuing along said easterly and westerly lines, South $03^{\circ}12'14''$ West, a distance of 58.20 feet to a mag nail set on a point of curvature of a curve to the right;

Thence continuing along said easterly and westerly lines, along said curve having a radius of 666.62 feet, a delta of $17^{\circ}35'55''$, an arc length of 204.75 feet, and a chord distance of 203.95 feet bearing South $11^{\circ}55'11''$ West to an iron pin set on a point of tangency of the east line of Ann Street;

Thence continuing along said easterly and westerly lines, South $20^{\circ}46'06''$ West, a distance of 16.14 feet to an iron pin set on

a curve to the left connecting the east line of Ann Street with the north line of said Livingston Avenue;

Thence along said curve and the curved southwest line of said Parcel 1, said curve having a radius of 20.00 feet, a delta of $89^{\circ}17'46''$, an arc length of 31.17 feet, and a chord distance of 28.11 feet bearing South $24^{\circ}29'08''$ East to the TRUE POINT OF BEGINNING and containing 2.715 acres more or less, of which 0.042 acres being out of said Parcel 4 (Auditors Parcel #010-082625) recorded in Deed Book 2555 Page 361 and Deed Book 2623 Page 204, and of which 0.922 acres being an undedicated private road within said 11 acre tract recorded in Deed Book 20 Page 212, and of which 1.754 acres out of public right of way.

The above description was prepared by Korda/Nemeth Engineering, Inc. from field and record observations under the direction and supervision of Nathan W. Anderson, Ohio Registered Surveyor No. 8322.

The basis of bearings of this description is based on the north right of way line of Livingston Avenue being, North $69^{\circ}17'17''$ West as determined by monumentation found in the field and as shown in Children's Hospital Urban Renewal Area Plat A as recorded in Plat Book 43 Page 17.

Monuments referred to as iron pins set will be $5/8$ inch diameter x 30 inches long capped iron bars inscribed "KNE 8322".

A plat of the above description is on file at the Franklin County Engineers Office.

Section 2. That the above referenced real property shall be considered excess road rights-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 general utility easements in, on, over, across and through the above described rights-of-way shall be and hereby are retained unto the City of Columbus for those utilities currently located therein.

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

Section 5. That the Director of the Public Service Department be and is hereby authorized to execute a release of the easement for sidewalk purposes granted to the City in the document recorded as instrument number 200701120007449 in the Franklin County, Ohio Recorder's Office and other incidental documents prepared by the Department of Law, Real Estate Division, necessary to release said easement.

Section 6. That Nationwide Children's Hospital shall transfer the Additional Rights-of-Way (as defined above) to the City, in a form acceptable to the City Attorney's Office, Real Estate Division and at no charge to the City, at such time as the Additional Rights-of-Way are needed for the construction of the roadway improvements contemplated by the Nationwide Children's Hospital master plan.

Section 7. That this Council has determined it is in the best interest of the City of Columbus to allow these rights-of-way to be transferred, and said easement to be released, without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (1959) Revised, Section 329.25 with regards to the transfer of these properties.

Section 8. That this ordinance shall take and be in force from and after the earliest period allowed by law.