



## Legislation Details (With Text)

**File #:** 3144-2015      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 12/3/2015      **In control:** Public Service & Transportation Committee  
**On agenda:** 1/11/2016      **Final action:** 1/14/2016

**Title:** To authorize the Director of the Department of Public Service to execute those documents required to transfer all of the Pearl Street right-of-way, east of North High Street between 8th and 9th Avenues, as shown on the plat titled "South of Gateway" (Plat Book 118, pages 56-58). (AMENDED BY ORD. 3313 -2016 PASSED 1/9/2017) (REPEALED BY ORD. 1387-2017; PASSED 6/5/2017)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. South of Gateway plat

Date	Ver.	Action By	Action	Result
1/14/2016	1	CITY CLERK	Attest	
1/13/2016	1	MAYOR	Signed	
1/11/2016	1	COUNCIL PRESIDENT	Signed	
1/11/2016	1	Columbus City Council	Approved	Pass
12/14/2015	1	Columbus City Council	Read for the First Time	

### 1. BACKGROUND:

The City of Columbus, Department of Public Service, received a request from Edwards Communities Development Company, asking that the City sell all of the Pearl Street right-of-way, east of North High Street between 8<sup>th</sup> and 9<sup>th</sup> Avenues, as shown on the plat titled "South of Gateway" (Plat Book 118, pages 56-58). Transfer of this right-of-way will facilitate the development of property adjacent to the above noted right-of-way, controlled by Edwards Communities Development Company. 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 this right-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 this right-of-way. A value of \$13,380.00 was established for this right-of-way. After review of the request, the Land Review Commission voted to recommend the above referenced right-of-way be transferred to Edwards Communities Development Company for \$13,380.00.

### 2. FISCAL IMPACT:

The City will receive a total of \$13,380.00 that will be deposited in Fund 748, Project 537650, 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 all of the Pearl Street right-of-way, east of North High Street between 8<sup>th</sup> and 9<sup>th</sup> Avenues, as shown on the plat titled "South of Gateway" (Plat Book 118, pages 56-58). (AMENDED BY ORD. 3313-2016 PASSED 1/9/2017) (REPEALED BY ORD. 1387-2017; PASSED 6/5/2017)

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from Edwards Communities Development Company asking that the City transfer all of the Pearl Street right-of-way, east of North High Street between 8<sup>th</sup> and 9<sup>th</sup> Avenues, as shown on the plat titled “South of Gateway” (Plat Book 118, pages 56-58), to them; and

**WHEREAS**, acquisition of this right-of-way will facilitate the development of property adjacent to the above noted right-of-way, controlled by Edwards Communities Development Company; 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 Edwards Communities Development Company; 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 this right-of-way; and

**WHEREAS**, a value of \$13,380.00 was established for this right-of-way; 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 Edwards Communities Development Company; to-wit:

All of the Pearl Street right-of-way, east of North High Street between 8<sup>th</sup> and 9<sup>th</sup> Avenues, as shown on the plat titled “South of Gateway” (Plat Book 118, page 58).

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