



## Legislation Details (With Text)

**File #:** 0063-2005      **Version:** 1

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

**File created:** 1/5/2005      **In control:** Public Service & Transportation Committee

**On agenda:** 1/31/2005      **Final action:** 2/2/2005

**Title:** To authorize the Public Service Director to execute those documents required to transfer Harvey Court from East Fifth Avenue to its northern terminus to YWCA Housing Corporation at no charge and to waive the competitive bidding provisions of Columbus City Codes.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord 0063-2005 transfer of ROW to YWCA.pdf

Date	Ver.	Action By	Action	Result
2/2/2005	1	CITY CLERK	Attest	
2/1/2005	1	MAYOR	Signed	
1/31/2005	1	Columbus City Council	Approved	Pass
1/31/2005	1	COUNCIL PRESIDENT	Signed	
1/24/2005	1	Columbus City Council	Read for the First Time	
1/12/2005	1	CITY ATTORNEY	Reviewed and Approved	
1/12/2005	1	Service Drafter	Sent to Clerk's Office for Council	
1/11/2005	1	Service Drafter	Sent for Approval	
1/11/2005	1	SERVICE DIRECTOR	Reviewed and Approved	
1/11/2005	1	Service Drafter	Sent for Approval	
1/5/2005	1	Service Drafter	Sent for Approval	
1/5/2005	1	Service Reviewer	Reviewed and Approved	
1/5/2005	1	Service Drafter	Sent for Approval	

The City of Columbus, Public Service Department, Transportation Division, received a request from YWCA Housing Corporation, asking that the City transfer Harvey Court from East Fifth Avenue to its northern terminus to them. YWCA Housing Corporation has submitted plans to the City for the construction of a new YWCA Family Center on property abutting the northern terminus of Harvey Court; the acquisition of the requested Harvey Court right-of-way will allow for the construction of a driveway to access the proposed Family Center. After investigation Transportation Division staff determined there were no objections to the transfer of the requested portion of excess right-of-way subject to the retention of a general utility easement for existing utilities currently located within this right-of-way. The proposed YWCA Family Center will be a \$5 million improvement on a previously abandoned industrial site abutting a residential neighborhood that will generate over \$500,000.00 annually in new payroll to the City of Columbus while providing safe, supportive, temporary housing and childcare to homeless families. The Department of Law, Real Estate Division, established a value of \$9,709.00 for this excess right-of-way, however, the Land Review Commission voted to recommend that this right-of-way be transferred to YWCA Housing Corporation at no charge in recognition of the value of improvements to the general welfare of the City and the substantial increase in tax revenue that will be generated by the construction and operation of the proposed Family Center.

**Fiscal Impact:** N/A

To authorize the Public Service Director to execute those documents required to transfer Harvey Court from East Fifth Avenue to its northern terminus to YWCA Housing Corporation at no charge 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 YWCA Housing Corporation, asking that the City transfer Harvey Court from East Fifth Avenue to its northern terminus to them; and

**WHEREAS**, YWCA Housing Corporation has submitted plans to the City for the construction of a new YWCA Family Center on property abutting the northern terminus of Harvey Court; and

**WHEREAS**, the acquisition of the requested Harvey Court right-of-way will allow for the construction of a driveway to access the proposed Family Center; and

**WHEREAS**, after investigation Transportation Division staff determined there were no objections to the transfer of the requested portion of excess right-of-way subject to the retention of a general utility easement for existing utilities currently located within this right-of-way; and

**WHEREAS**, the proposed YWCA Family Center will be a \$5 million improvement on a previously abandoned industrial site abutting a residential neighborhood that will generate over \$500,000.00 annually in new payroll to the City of Columbus while providing safe, supportive, temporary housing and childcare to homeless families; and

**WHEREAS**, the Department of Law, Real Estate Division established a value of \$9,709.00 for this excess right-of-way; and

**WHEREAS**, the Land Review Commission voted to recommend that this right-of-way be transferred to YWCA Housing Corporation at no charge in recognition of the value of improvements to the general welfare of the City and the substantial increase in tax revenue that will be generated by the construction and operation of the proposed Family Center; now, therefore

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

**Section 1.** That the Public Service Director 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 YWCA Housing Corporation at no charge; to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, being the remaining dedicated highway known as Harvey Court as shown on Harvey G. Price's Addition, of record in Plat Book 18, Page 64, Franklin County Recorder's Office and being more particularly described as follows:

Beginning at a set iron pipe at the southeast corner of Lot 7 of said addition, also being the intersection of the north line of E. Fifth Avenue (60 feet wide) with the west line of said Harvey Court (50 feet wide);

Thence, along the east line of said Lot 7, across a sixteen (16) foot alley, also being the remaining west line of said Harvey Court, North 03°16'53" East, 146.00 feet to a set iron pipe at the southeast corner of Lot 25 of said Addition; also being a southwest corner of a 4.077 Acre tract conveyed to YWCA Housing Corporation, as shown of record in Instrument No. 200407060155594;

Thence, along the remaining north line of said Harvey Court, along part of the south line of said 4.077 Acre tract, South 86°35'00" East, 50.00 feet to a found ¾ inch iron pipe at the southwest corner of Lot 26 of said Addition; also being on the remaining east line of said Harvey Court;

Thence, along the remaining east line of said Harvey Court, along a west line of said 4.077 Acre tract, along the west line of a 16 foot wide Alley vacated by City of Columbus Ordinance #324-62 (3-12-62), along the west line of Lot 8 of said Addition, South 03°16'53" West, 146.00 feet to a set iron pipe at the southwest corner of said Lot 8 also being on the north line of said E. Fifth Avenue;

Thence, along the remaining south line of said Harvey Court, along the north line of said E. Fifth Avenue, North 86°35'00" West, 50.00 feet to the place of beginning **CONTAINING 0.168 ACRES (7,300 SQ. FT.)**. The forgoing description was prepared from an actual field survey made in March 2004 by Myers Surveying Company, Inc. Iron pipes set are 30" x 1" O.D. with orange plastic caps inscribed "PS 6579". Basis of bearings is the centerline of East Fifth Avenue held as North 86°35'00" West per Plat Book 18, Page 64.

MYERS SURVEYING CO., INC.

Joseph P. Myers P.S., 7361

**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 excess right-of-way shall be and hereby is retained unto the City of Columbus for those utilities currently located within said excess right-of-way.

**Section 4.** That this Council has determined it is in the best interest of the City of Columbus to allow this right-of-way to be transferred 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 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.