



## Legislation Details (With Text)

**File #:** 0799-2019      **Version:** 1

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

**File created:** 3/12/2019      **In control:** Public Service & Transportation Committee

**On agenda:** 4/15/2019      **Final action:** 4/17/2019

**Title:** To authorize the Director of the Department of Public Service to execute and record those documents required to transfer to the Tressie D. Sermon Trust and the Vivian Naomi Sermon Trust a portion of the unnamed east/west right-of-way, west of Rarig Avenue between Lamb Avenue and 17th Avenue. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Approved Legal Description. Alley Conveyance.pdf, 2. 2015-92 Legislation Details (With Text).pdf

Date	Ver.	Action By	Action	Result
4/17/2019	1	CITY CLERK	Attest	
4/16/2019	1	ACTING MAYOR	Signed	
4/15/2019	1	COUNCIL PRESIDENT	Signed	
4/15/2019	1	Columbus City Council	Approved	Pass
4/8/2019	1	Columbus City Council	Read for the First Time	

### 1. BACKGROUND

The City of Columbus, Department of Public Service, received a request in 1992 from Tressie D. Sermon and Vivian Naomi Sermon asking that the City transfer to them a portion of the unnamed east/west right-of-way west of Rarig Avenue between Lamb Avenue and 17<sup>th</sup> Avenue, which is adjacent to property then owned by Tressie D. Sermon and Vivian Naomi Sermon. Ordinance 2015-92 approving this transfer was passed by City Council on September 28, 1992. A value of \$3,200.00 was established for this right-of-way and was received by the City in 1992, but the quit claim deed was never recorded or issued to the applicants of the transfer request. This legislation will allow the transaction to be completed and the quit claim deed to be recorded to the current owners of record, the Tressie D. Sermon Trust and the Vivian Naomi Sermon Trust.

### 2. FISCAL IMPACT

The City received a total of \$3,200.00 in 1992 as consideration for the transfer of the requested right-of-way. No additional money will be received by the City for this transaction and no money will be expended.

To authorize the Director of the Department of Public Service to execute and record those documents required to transfer to the Tressie D. Sermon Trust and the Vivian Naomi Sermon Trust a portion of the unnamed east/west right-of-way, west of Rarig Avenue between Lamb Avenue and 17<sup>th</sup> Avenue. (\$0.00)

**WHEREAS**, the City of Columbus, Department of Public Service, received a request in 1992 from Tressie D. Sermon and Vivian Naomi Sermon asking that the City transfer to them a portion of the unnamed east/west right-of-way west of Rarig Avenue between Lamb Avenue and 17<sup>th</sup> Avenue; and

**WHEREAS**, Ordinance 2015-92 for this transfer request was submitted to and approved by City Council on September 28, 1992; and

**WHEREAS**, a value of \$3,200.00 was established for the right-of-way and received by the City; and

**WHEREAS**, the quit claim deed was not recorded nor was the deed issued to Tressie D. Sermon and Vivian Naomi Sermon for the above noted transfer of right-of-way; and

**WHEREAS**, this legislation will allow the transaction to be completed to the current owners of record, the Tressie D. Sermon Trust and the Vivian Naomi Sermon Trust, and the quit claim deed to be recorded; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Service to authorize the Director to execute and record those documents required to transfer to the Tressie D. Sermon Trust and the Vivian Naomi Sermon Trust a portion of the unnamed east/west right-of-way, west of Rarig Avenue between Lamb Avenue and 17<sup>th</sup> 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 City Attorney's Office necessary to transfer the following described right-of-way to the Tressie D. Sermon Trust and the Vivian Naomi Sermon Trust.; to-wit:

**Legal Description**

Being situated in the State of Ohio, County of Franklin, City of Columbus and being the southerly 10 ft. of an unimproved 20 ft. alley adjacent to the northerly line of lots 1 thru 8, Block K, as shown on the Recorded Subdivision Plat of the Elmhurst Addition (P.B. 11, Pg. 19), and containing 3,200 square feet, more or less.

**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.