



## Legislation Details (With Text)

**File #:** 1494-2024      **Version:** 1

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

**File created:** 5/16/2024      **In control:** Public Service & Transportation Committee

**On agenda:** 6/10/2024      **Final action:** 6/13/2024

**Title:** To authorize the Director of the Department of Public Service to execute those documents necessary for the transfer of a 0.065 acre portion of right-of-way adjacent to N. 22nd Street to Markrob Properties LLC.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord. 1494-2024 Legal Description and Depiction of Right-of-Way

| Date      | Ver. | Action By                 | Action                  | Result |
|-----------|------|---------------------------|-------------------------|--------|
| 6/13/2024 | 1    | CITY CLERK                | Attest                  |        |
| 6/12/2024 | 1    | MAYOR                     | Signed                  |        |
| 6/10/2024 | 1    | COUNCIL PRESIDENT PRO-TEM | Signed                  |        |
| 6/10/2024 | 1    | Columbus City Council     | Approved                | Pass   |
| 6/3/2024  | 1    | Columbus City Council     | Read for the First Time |        |

### 1. BACKGROUND:

The City of Columbus, Department of Public Service, received a request from Markrob Properties LLC asking that the City sell them a 2,820 square foot (0.065 Acre) portion of the right-of-way adjacent to N. 22<sup>nd</sup> Street. The right-of-way area is an unnamed alley with PID 010-034024 adjacent at the north of the requested portion and PID 010-034022 adjacent at the south of the requested portion.

Sale of this right-of-way will facilitate the combining of parcels and allow the redevelopment of property adjacent to the above noted right-of-way. The Department of Public Service has agreed to sell the right-of-way as described and shown within attached legal description and exhibit, and extinguishes its need for this public 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, 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 City Attorney’s Office, asking that they establish a value for this right-of-way, and a value of \$6,345.00 was established.

This request went before the Land Review Commission on November 16, 2023. After review of the request, the Land Review Commission voted to recommend the above referenced right-of-way be transferred to Markrob Properties LLC at the cost of \$6,345.00 to them.

### 2. FISCAL IMPACT:

The City will receive a total of \$6,345.00 and the funds are to be deposited in Fund 7748, Project P537650, 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 necessary for the transfer of a 0.065 acre portion of right-of-way adjacent to N. 22<sup>nd</sup> Street to Markrob Properties LLC.

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from Markrob Properties LLC asking that the City sell them a 2,820 square foot (0.065 Acre) portion of the right-of-way. Right-of-way area is an unnamed alley with PID 010-034024 adjacent at the north of the requested portion and PID 010-034022 adjacent at the south of the requested portion; and

**WHEREAS**, the purpose of the transfer is to facilitate the combining of parcels and allowing the redevelopment of property adjacent to the above noted right-of-way, Markrob Properties LLC; and

**WHEREAS**, the Department of Public Service has agreed to sell the right-of-way as described and shown within the attached legal description and exhibit, and 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 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; and

**WHEREAS**, the Department of Public Service submitted a request to the City Attorney's Office, asking that they establish a value for this right-of-way; and

**WHEREAS**, a value of \$6,345.00 was established; and

**WHEREAS**, this request went before the Land Review Commission on November 16, 2023; and

**WHEREAS**, after review of the request, the Land Review Commission voted to recommend the above referenced right-of-way be transferred to Markrob Properties LLC at the cost of \$6,345.00 to them; **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 a quit claim deed and other incidental instruments prepared by the City Attorney's Office, necessary to transfer the legal description as described below and attached exhibit of right-of-way to Markrob Properties LLC; to-wit:

**DESCRIPTION OF 0.065 AC.  
(2,820 SF)**

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of a Twenty (20) foot wide alley in Miller, Joyce, Gray, et al. Subdivision as shown in Plat Book 4, Page 5, Franklin County Recorder's Office and being more particularly described as follows:

Beginning at a mag nail set in concrete curb at the southwest corner of Lot 88 of said subdivision, being the intersection of the east right of way line of N. Twenty-Second Street (50 foot wide) with the north right of way line of said alley;

Thence, along the north line of said alley, along the south line of said Lot 88 and Lots 87, 86 and 85 of said subdivision, North 89° 06' 00" East, 141.00 feet to an iron pipe set at the southeast corner of said Lot 85, the intersection of the north line of said alley with the west right of way line of a twenty (20) foot alley shown in said subdivision;

Thence, across said alley, SOUTH, 20.00 feet to a set iron pipe at the northeast corner of Lot 84 of said subdivision,

the intersection of the south right-of way line of said alley with the west right of way line of said twenty (20) foot alley;

Thence, along the south line of said alley, along the north line of said Lot 84, South 89° 06' 00" West, 141.00 feet to an iron pipe set at the northwest corner of said Lot 84, the intersection of the south line of said alley with the east line of said N. Twenty-Second Street;

Thence, across said alley, along the east line of said N. Twenty-Second Street, NORTH, 20.00 feet to the place of beginning **CONTAINING 0.065 ACRE (2,820 SF)**. Iron pipes set are 1" O.D. x 30" long with an orange plastic cap inscribed MYERS P.S. 6579. Basis of bearing is the east right-of-way line of said N. Twenty-Second Street assumed NORTH.

The foregoing described was based on a boundary survey by Myers Surveying in March, 2024.

**SECTION 2.** That the attached 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 quitclaim deed to the grantee thereof.

**SECTION 3.** That a general utility easement in, on, over, across and through the attached legal description and exhibit describing the 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 the City will receive a total of \$6,345.00, to be deposited in Fund 7748, Project P537650.

**SECTION 6.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.