



## Legislation Text

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**File #:** 1459-2023, **Version:** 1

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### **1. BACKGROUND:**

The Department of Public Service received a request from the Recreation and Parks Department asking that the City extinguish the right-of-way and transfer a 0.340 acre portion of right-of-way from the Department of Public Service to the Recreation and Parks Department to be combined with the public “Park” tract adjoining Olentangy Blvd as dedicated in said Beechwold Addition. The right-of-way area is north-west to south-east directionally. W. Royal Forest Blvd abuts the right-of-way at Olentangy Blvd on the north side and Riverview Park Drive abuts at Olentangy Blvd on the south.

Extinguishing the right-of-way and transferring the asset will facilitate improvements and enhancements to city-owned property. This right-of-way is within Recreation and Parks' boundaries and should not exist as City right-of-way but should be under the control of the Recreation and Parks Department.

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 the right-of-way, the City will not be adversely affected by extinguishing this right-of-way and transferring the asset among City Departments. The Department of Public Service has agreed to transfer the asset as described and shown within the attached legal description and exhibit, and extinguishes its need for this public right-of-way.

This request went before the Land Review Commission on January 16, 2020. After review of the request, the Land Review Commission voted that same day to recommend the above referenced right-of-way be transferred to The City of Columbus, Recreation and Parks Department at no cost to them.

### **2. FISCAL IMPACT**

There is no fiscal impact to the City to transfer the right-of-way.

To extinguish a 0.340 acre portion of right-of-way and transfer the property and control thereof to the Recreation and Parks Department. (\$0.00)

**WHEREAS**, the Department of Public Service received a request from the Recreation and Parks Department asking that the City extinguish the right-of-way and transfer a 0.340 acre portion of right-of-way from the Department of Public Service to the Recreation and Parks Department to be combined with the public “Park” tract adjoining Olentangy Blvd as dedicated in said Beechwold Addition. The right-of-way area is north-west to south-east directionally. W. Royal Forest Blvd abuts the right-of-way at Olentangy Blvd on the north side and Riverview Park Drive abuts at Olentangy Blvd on the south; and

**WHEREAS**, extinguishing the right-of-way and transferring the asset will facilitate improvements and enhancements to city-owned property. This right-of-way is within Park boundaries and should not exist as City right-of-way but should be under the control of the Recreation and Parks Department; and

**WHEREAS**, the Department of Public Service has agreed to transfer the asset 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 the right-of-way, the City will not be adversely affected by extinguishing this right-of-way and transferring the asset among City Departments; and

**WHEREAS**, this request went before the Land Review Commission on January 16, 2020; and

**WHEREAS**, After review of the request, the Land Review Commission voted to recommend the above referenced right-of-way be transferred to The City of Columbus, Recreation and Parks Department at no cost to them; **now, therefore**

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

**SECTION 1.** That the 0.340 acre portion of right-of-way described and depicted in Exhibit A, which is attached hereto and made a part hereof, is no longer needed as public right of way and can be extinguished.

**SECTION 2.** That control of this asset shall be transferred from the Public Service Department to the Recreation and Parks Department.

**SECTION 3.** That a general utility easement in, on, over, across and through this excess right-of-way shall be, and hereby is, retained for those utilities currently located within said excess right-of-way.

**SECTION 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.