



Legislation Text

File #: 1214-2016, **Version:** 1

1. BACKGROUND:

The City of Columbus, Department of Public Service, received a request from Pilot Dogs, Inc. asking that the City sell a portion of the right-of-way identified as a 0.088 acre portion of the Minard Alley right-of-way, between Skidmore and Gift Streets. Transfer of this right-of-way will allow Pilot Dogs, Inc. to re-develop property currently owned by them, and consolidate their operations to one location on land adjacent to the above noted 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. Then 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 \$3,312.00 was established for this right-of-way. A request was made by Pilot Dogs, Inc. for mitigation of the cost of the aforementioned right-of-way. After review of the request, the Land Review Commission voted to recommend 100% mitigation of the cost and the above referenced right-of-way be transferred to Pilot Dogs, Inc. at no cost.

2. FISCAL IMPACT:

N/A

To authorize the Director of the Department of Public Service to execute those documents required to transfer a 0.088 acre portion of the Minard Alley right-of-way, between Skidmore and Gift Streets to Pilot Dogs, Inc.; and to declare an emergency.

WHEREAS, the City of Columbus, Department of Public Service, received a request from Pilot Dogs, Inc., asking that the City transfer a 0.088 acre portion of the Minard Alley right-of-way, between Skidmore and Gift Streets, to them; and

WHEREAS, acquisition of the right-of-way will allow Pilot Dogs, Inc. to re-develop property currently owned and consolidate their operations to one location on land adjacent to the above noted right-of-way; 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 Pilot Dogs, Inc.; 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 \$3,312.00 was established for this right-of-way; and

WHEREAS, Pilot Dogs, Inc. had requested and was granted 100% mitigation of cost of the aforementioned right-of-

way; and

WHEREAS, the Land Review Commission voted to recommend that the above referenced right-of-way be transferred to Pilot Dogs, Inc. at no cost; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Infrastructure Management, in that it is immediately necessary to authorize the transfer of this right-of-way so development of this project can proceed as currently scheduled thereby preserving the public health, peace property safety and welfare; 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 Pilot Dogs, Inc.; to-wit:

ALLEY VACATION

Situated in the City of Columbus, County of Franklin, State of Ohio; also being a portion of Minard Alley between Skidmore Street (originally Liberty Street) and Gift Street as delineated in M.L. Sullivant Second Addition to Franklinton as recorded in Plat Book 1 Page 74; being more particularly described as follows:

Beginning at an iron pin set at the intersection of the easterly right-of-way line of Skidmore Street (49.5' right-of-way) and the northerly line of Minard Alley (16.5' right-of-way), said point also being the southwesterly corner of Lot 20 of said M.L. Sullivant Second Addition, said point also being the southeasterly corner of those lands as conveyed to Pilot Dogs, Inc. as described in Instrument No. 201409300128835 Tract Two, said point also being the TRUE POINT OF BEGINNING, and from said beginning point running thence,

Along the northerly right-of-way line of Minard Alley, also being along the southerly line of said Lot 20 and then the southerly line of Lot 19 of said M.L. Sullivant Second Addition, also being along the southerly line of said lands of Pilot Dogs, Inc. and then along the southerly line of those lands as conveyed to Pilot Dogs, Inc. as described in Instrument No. 201409300128835 Tract six, North 81° 18' 56" East, for a distance of 232.73' to a nail set, said point being the intersection of the northerly right-of-way line of Minard Alley and the westerly right-of-way line of Gift Street (49.5' right-of-way), said point also being the southeasterly corner of said Lot 19 and the southeasterly corner of said lands of Pilot Dogs, Inc.; thence,

Along the westerly right-of-way line of Gift Street, South 08° 30' 24" East, for a distance of 16.50' to a point, said point being the intersection of the westerly right-of-way line of Gift Street and the southerly right-of-way line of Minard Alley, said point also being the northeasterly corner of Lot 30 of said M.L. Sullivant Second Addition, said point also being the northeasterly corner of those lands as conveyed to Weeks Engineered Plastics as recorded in Instrument No. 200308250269125, said point being 0.6' past the face of a building located in said Lot 30, passing over an iron pin set at a distance of 14.50' from the beginning of this course; thence,

Along the southerly right-of-way line of Minard Alley, also being along the northerly line of said Lot 30 and the northerly line of Lot 29 of said M.L. Sullivant Addition, also being along the northerly line of said lands of Weeks Engineered Plastics and then along the northerly line of lands as conveyed to Pilot Dogs, Inc. as recorded in Instrument No. 201409300128835 Tract Seven and Instrument No. 200810070149865 Tract Three, South 81° 18' 56" West, for a distance of 232.67' to an iron pin set; thence,

Along the easterly line of Skidmore Street, North 08° 42' 21" West, for a distance of 16.50' to the point of beginning, containing 0.088 acres of land, more or less, as determined by Michael L. Keller, Professional Surveyor, Ohio License No. 7978, based on a survey performed by The Kleingers Group in June, 2015.

Basis of bearings is the State Plane Coordinate System, Ohio South Zone, based on a GPS survey utilizing CORS Station "COLB" and monument "COC15-83 RESET", with the westerly right-of-way line of Skidmore Street being North 08° 42' 21" West.

Iron pins set are 5/8" diameter rebar, 30" in length, with plastic identifier caps stamped "THE KLEINGERS GROUP".

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 for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.