



## Legislation Text

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**File #: 1475-2008, Version: 1**

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The City of Columbus, Department of Public Service, Division of Transportation, received a request from Michael Bradley, on behalf of Central Ohio Transit Authority ("COTA"), asking that the City transfer that portion of Corrugated Way, from the north right-of-way line of Eighth Avenue north to its terminus, to COTA. COTA would like to acquire this unimproved right-of-way to facilitate expansion of their existing parking to accommodate additional staff at their expanded paratransit operations adjacent to Corrugated Way. Per current Division of Transportation practice, comments were solicited from interested parties, including City departments, 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 COTA. Also, per current Division practice, a request was submitted to the Department of Law, Real Estate Division, asking that they establish a value for this unimproved right-of-way; they established a value of \$5,985.00. After review, the Land Review Commission voted to recommend that the above referenced unimproved right-of-way be transferred to COTA for \$5,985.00.

**Emergency Justification:** Emergency action is requested so the excess right-of-way can be transferred and COTA can begin construction of the additional parking required for additional staff at their expanded paratransit operation without delay.

To authorize the Director of the Department of Public Service to execute those documents required to transfer that portion of Corrugated Way, from the north right-of-way line of Eighth Avenue north to its terminus, to COTA for \$5,985.00; to waive the competitive bidding provisions of Columbus City Codes and to declare an emergency.

**WHEREAS**, the City of Columbus, Department of Public Service, Division of Transportation, received a request from Michael Bradley, on behalf of Central Ohio Transit Authority ("COTA"), asking that the City transfer that portion of Corrugated Way, from the north right-of-way line of Eighth Avenue north to its terminus, to COTA; and

**WHEREAS**, COTA would like to acquire this unimproved right-of-way to facilitate expansion of their existing parking to accommodate additional staff at their expanded paratransit operations adjacent to Corrugated Way; and

**WHEREAS**, per current Division of Transportation practice, comments were solicited from interested parties, including City departments, 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 COTA; and

**WHEREAS**, also per current Division practice, a request was submitted to the Department of Law, Real Estate Division, asking that they establish a value for this unimproved right-of-way; and

**WHEREAS**, the Real Estate Division established a value of \$5,985.00 for this right-of-way; and

**WHEREAS**, after review the Land Review Commission voted to recommend that the above referenced unimproved right-of-way be transferred to COTA for \$5,985.00 and

**WHEREAS**, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to authorize the Director of the Department of Public Service to execute those documents necessary to transfer that portion of Corrugated Way, from the north right-of-way line of Eighth Avenue north to its terminus, to COTA so that construction of the additional parking required for additional staff at their expanded paratransit operation can begin without delay; 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 Central Ohio Transit Authority; to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, being in the Fourth Quarter of Township 1 North, Range 18 West, United States Military Lands, and being the portion of 50' right-of-way that lies north of the north line of Eighth Avenue and south of Pennsylvania Lines, LLC railroad (I.N. 200312180325195) and further described as follows:

Beginning at an iron pin found (3/4 inch hollow pipe, no cap and slightly bent north) at the intersection of the north right of way line of Eighth Avenue and the east right of way line of Corrugated Way (formerly Ohlen Avenue), said point being the southwest corner of that property owned by Serex Properties, LLC (I.N. 200003310062561), and being the **True place of Beginning**;

Thence N 86°35'01" E along the north line of Eighth Avenue projected, for a distance of 50.00 feet to an iron pin set on the existing westerly right of way line of Corrugated Way, said point also lying on the east line of the property owned by Central Ohio Transit Authority (COTA), as described in ORV 2509 at page A06;

Thence N 3°24'59" E along said right of way line and east line of said COTA property a distance of 199.84 feet to an iron pin found (3/4 inch hollow pipe, no cap in good condition), said point being the northern end of Corrugated Way;

Thence S 86°35'01" E along the northern end of Corrugated Way (and the south line of the road vacation as described in the Columbus Vacation Ordinance 455-32, dated 10/10/32) a distance of 50.00 feet to an iron pin set on the existing easterly right of way line of Corrugated Way and the west line of said Serex property;

Thence S 3°24'59" W along said right of way line and west line of the Serex property a distance of 199.84 feet to the **True Place of Beginning**.

Containing 0.229 acres, more or less, and being based on a survey of the adjacent properties for the Central Ohio Transit Authority by Dynotec, Inc. This description was prepared and reviewed on June 23, 2008 by Joseph S. Bolzenius, Registered Surveyor # 7526.

The bearings are based on the Ohio State Plane Coordinate System, Ohio South Zone, as per NAD 83 (1986 adjustment), established by Dynotec, Inc. surveyors, using Global Positioning Procedures and Equipment, and holding the east line of the COTA property as N 3°24'59" E.

**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 currently 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 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 329.29 with regards to the transfer of this right-of-way.

**Section 6.** 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 passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.