



## Legislation Text

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**File #: 2942-2016, Version: 1**

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### **1. BACKGROUND:**

The City of Columbus, Department of Public Service, received a request from Ms. Yamma Hinton asking that the City sell a 0.007 acre portion of the unnamed north/south right-of-way south of Bryden Road between Carpenter and 20<sup>th</sup> Streets, and a 0.026 acre portion of the unnamed east/west right-of-way south of Bryden Road between Carpenter and 20<sup>th</sup> Streets, which are adjacent to property owned by Ms. Hinton. Transfer of these rights-of-way will facilitate improvements and enhancements to property owned by Ms. Hinton, adjacent to the above noted right-of-way, located at 257 South 20<sup>th</sup> Street. 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 these rights-of-way, the City will not be adversely affected by the transfer of these rights-of-way. The Department of Public Service submitted a request to the Department of Law, Real Estate Division, asking that they establish a value for these rights-of-way. A value of \$710.00 was established for this right-of-way. After review of the request, the Land Review Commission voted to recommend the above referenced rights-of-way be transferred to Ms. Hinton for \$710.00.

### **2. FISCAL IMPACT:**

The City will receive a total of \$710.00 that will 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 required to transfer a 0.007 acre portion of the unnamed north/south right-of-way south of Bryden Road between Carpenter and 20<sup>th</sup> Streets, and a 0.026 acre portion of the unnamed east/west right-of-way south of Bryden Road between Carpenter and 20<sup>th</sup> Streets, to Ms. Yamma Hinton which is adjacent to property owned by Ms. Yamma Hinton at 257 South 20<sup>th</sup> Street.

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from Ms. Yamma Hinton asking that the City transfer a 0.007 acre portion of the unnamed north/south right-of-way south of Bryden Road between Carpenter and 20<sup>th</sup> Streets, and a 0.026 acre portion of the unnamed east/west right-of-way south of Bryden Road between Carpenter and 20<sup>th</sup> Streets, right-of-way, adjacent to property owned by Ms. Yamma Hinton to them; and

**WHEREAS**, acquisition of the right-of-way will facilitate improvements and enhancements to property currently owned by Ms. Yamma Hinton, 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 Ms. Yamma Hinton; 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 the right-of-way; and

**WHEREAS**, a value of \$710.00 was established for the right-of-way; and

**WHEREAS**, the Land Review Commission voted to recommend that the above referenced right-of-way be transferred to Ms. Yamma Hinton for the amount of \$710.00; **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 Ms. Yamma Hinton; to-wit:

March 2, 2015, Revised March 16, 2015 & June 17, 2016

**DESCRIPTION OF A 0.007 ACRE PORTION OF ALLEY**

Situated in the City of Columbus, County of Franklin, State of Ohio, being a 10 (ten) foot wide alley, said alley being dedicated in the George M. Parsons 4<sup>th</sup> Town Street Addition, of record in Plat Book 3, Page 336, said alley being more particularly described as:

Commencing, for reference, at a 5/8-inch rebar found at the southeasterly corner of Lot 27 in said George M. Parsons Addition, as conveyed to Yamma C. Hinton in I.N. 200801300014336, being also the point of intersection of the northerly line of a 10 foot wide private alley and the westerly right-of-way line of Twentieth Street (33' r/w);

Thence, North 88°06'31" West, with the northerly line of said 10 foot wide alley, with the northerly line of Reserve "A" in said subdivision (said portion of Reserve "A" being conveyed to George M. Parson in D.B. 43, Page 94) and with the southerly line of said Yamma C. Hinton tract (Lot 27 in said subdivision), a distance of 113.22 feet to the base of a bent 5/8-inch rebar found at the southwesterly corner of said Lot 27, the same being the point of intersection of the northerly line of said 10 foot wide private alley in the southeasterly corner of the 10' foot wide alley (George M. Parsons 4<sup>th</sup> Town Street Addition) and being the TRUE PLACE OF BEGINNING;

Thence, from said TRUE PLACE OF BEGINNING, North 88°06'31" West, a distance of 10.01 feet to the base of a bent 5/8-inch rebar found, said rebar being the southeasterly corner of Lot 29 in said subdivision;

Thence, North 03°45'32" East, with the easterly line of said Lot 29 and with the westerly line of said 10' foot wide alley (dedicated in said plat) a distance of 29.94 feet to a rebar set;

Thence, South 88°06'31" East, crossing said alley, a distance of 10.01 feet to a rebar set, said rebar being the southeasterly corner of Lot 26 in said subdivision;

Thence, South 03°45'32" West, with the westerly lines of said Lot 27 and with the easterly line of said 10 foot wide alley, a distance of 29.94 feet to the TRUE PLACE OF BEGINNING.

Containing 0.007 acres, subject to all easements of record.

Bearings are assumed as South 03°13' 31" West, for the westerly right-of-way line of Twentieth Street as there are no bearings on the associated subdivision plat.

All references are to records of the Recorder's Office, Franklin County, Ohio.

March 2, 2015, Revised March 16, 2015 & June 17, 2016

**DESCRIPTION OF A 0.026 ACRE PORTION OF A 10 FOOT PRIVATE ALLEY**

Situated in the City of Columbus, County of Franklin, State of Ohio, being a 10 (ten) foot wide private alley, said alley being a portion of Reserve "A" in the George M. Parsons 4<sup>th</sup> Town Street Addition, of record in Plat Book 3, Page 336 and as conveyed to George Parson in Deed Book 43, Page 94, said alley being more particularly described as:

BEGINNING at a 5/8-inch rebar found at the southeasterly corner of Lot 27 in said George M. Parsons Addition, as conveyed to Yamma C. Hinton in I.N. 200801300014336, being also the point of intersection of the northerly line of said 10 foot wide alley and the westerly right-of-way line of Twentieth Street (33' r/w);

Thence, South 03°13'31" West, with said westerly right-of-way line, a distance of 10.00 feet to a rebar set, said rebar being the northeasterly corner of that tract of land conveyed to L&N UP ALUM CREEK PARTNERSHIP in I.N. 201107250091710 and being the northwesterly corner of that tract of land conveyed to The City of Columbus in D.B. 362, Page 145;

Thence, North 88°06'31" West, with the southerly line of said 10 foot wide private alley, parallel with the northerly line of Reserve "A" in said subdivision and with the northerly line of said L&N UP ALUM CREEK PARTNERSHIP tract, a distance of 113.22 feet to a 5/8-inch rebar found;

Thence, North 03°45'32" East, crossing said 10.00 foot wide alley, a distance of 10.01 feet to the base of a bent 5/8-inch rebar found, said rebar being the southeasterly corner of Lot 29 in said subdivision, being in the north line of said Reserve "A" and being in the westerly right-of-way line of a 10 foot wide alley (as dedicated in said plat);

Thence, South 88°06'31" East, with the north line of said Reserve "A", crossing the southerly terminus of a 10' foot wide alley (as dedicated in said plat) with the northerly line of said 10 foot wide private alley and with the southerly line of said Yamma C. Hinton tract (Lot 27 in said subdivision), a distance of 113.13 feet to the TRUE PLACE OF BEGINNING.

Containing 0.026 acres, subject to all easements of record.

Bearings are assumed as South 03°13' 31" West, for the westerly right-of-way line of Twentieth Street as there are no bearings on the associated subdivision plat.

All references are to records of the Recorder's Office, Franklin County, Ohio

**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 the \$710.00 to be received by the City as consideration for the sale of this right-of-way shall 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.