



# City of Columbus

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org

## Legislation Text

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**File #:** 0825-2012, **Version:** 1

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### **1. Background:**

The City of Columbus, Department of Public Service, received a request from 582 West Goodale, LLC asking that the City sell the right-of-way identified as a 0.260 acre portion of the Goodale Street right-of-way, adjacent to 582 Goodale Street. Transfer of this right-of-way will facilitate the redevelopment of property owned by 582 West Goodale, LLC located at this site.

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 Department of Law, Real Estate Division, asking that they establish a value for this right-of-way. A value of \$16,422.00 was established for this right-of-way. After review of the request, the Land Review Commission voted to recommend the above referenced right-of-way be transferred to 582 West Goodale, LLC for \$16,422.00.

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

The City will receive a total of \$16,422.00 that will be deposited in Fund 748, Project 537650, 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 0.260 acre portion of the Goodale Street right-of-way, adjacent to 582 Goodale Street.

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from 582 West Goodale, LLC, asking that the City transfer a 0.260 acre portion of the Goodale Street right-of-way, adjacent to 582 Goodale Street., to them; and

**WHEREAS**, acquisition of the right-of-way will allow 528 West Goodale, LLC to redevelop property that is currently owned by 528 West Goodale, LLC; 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 582 West Goodale, LLC; 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 \$16,422.00 was established for this right-of-way; and

**WHEREAS**, the Land Review Commission voted to recommend that the above referenced right-of-way be transferred to 582 West Goodale, LLC for the amount of \$16,422.00; and; 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 582 West Goodale, LLC; to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Half Sections 8 and 9, Township 5 North, Range 22 West, Refugee Lands, and being part of Parcel 15LA (of Plan FRA 3-15.28) as conveyed in Standard Highway Easement to the State of Ohio in Apportions proceedings Franklin County Court of Commons Pleas Case No. 197554, with the underlying fee conveyed to the City of Columbus in a 1.524 acre tract described in Deed Book 2054, Page 561, all references being those of record in the Franklin County, Ohio Recorder's Office and being more particularly described as follows:

Commencing at the southwest corner of said 1.524 acre tract and the southeast corner of a 4.244 acre tract conveyed to 582 West Goodale, LLC as described in Instrument Number 201009020114330, also being in the north line of the easement right-of-way of Goodale Street with the underlying fee of said street being the residual of Half Sections 8 and 9 conveyed to the United States Cast Iron Pipe and Foundry Company in Deed Book 331, Page 590;

Thence northerly, with the west line of said 1.524 acre tract and the east line of said 4.244 acre tract, North  $03^{\circ} 01' 25''$  East, 16.55 feet to an iron pin set, being the **TRUE POINT OF BEGINNING**;

Thence northerly, continuing with the west line of said 1.524 acre tract and the east line of said 4.244 acre tract, North  $03^{\circ} 01' 25''$  East, 155.92 feet to a  $3/4''$  hollow iron pin found, being an angle point in said east and west lines;

Thence easterly, continuing with the west line of said 1.524 acre tract and the east line of said 4.244 acre tract, South  $85^{\circ} 48' 48''$  East, 10.10 feet to a  $3/4''$  hollow iron pin found, being an angle point in said east and west lines;

Thence northerly, continuing with the west line of said 1.524 acre tract and the east line of said 4.244 acre tract, North  $03^{\circ} 05' 37''$  East, 200.00 feet to a "MAG" Nail set, being an angle point in said east and west lines;

Thence easterly, continuing with the west line of said 1.524 acre tract and the east line of said 4.244 acre tract, South  $86^{\circ} 51' 48''$  East, 28.53 feet to an iron pin set;

Thence southerly, crossing said 1.524 acre tract, South  $03^{\circ} 13' 22''$  West, 341.53 feet to an iron pin set;

Thence southwesterly, continuing across said 1.524 acre tract, South  $72^{\circ} 32' 19''$  West, 40.52 feet to the **TRUE POINT OF BEGINNING**, containing 0.260 acres more or less.

Subject to all legal rights-of-way and/or easements, if any of previous record.

All iron pins set are  $5/8''$  rebar, 30" in length with a yellow plastic cap with "EP FERRIS SURVEYOR 8230" inscribed on top.

The bearings are based on the Ohio State Plane Coordinate System, (North/South) Zone, NAD83 (CORS). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station network. The portion of the centerline of West Goodale Street, having a bearing of North  $86^{\circ} 44' 56''$  West, is designated the "basis of bearing" for this description.

This description was prepared by Matthew E. Ferris, Registered Surveyor No. 8230, of E.P. Ferris & Associates, Inc. on January 26, 2012.

**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 \$16,422.00 to be received by the City as consideration for the sale of this right-of-way shall be deposited in Fund 748, Project 537650.

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