



## Legislation Text

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**File #:** 1162-2020, **Version:** 1

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### **1. BACKGROUND:**

The City of Columbus, Department of Public Service, received a request from Autumn Glover, Interim President on behalf of PACT and Blueprint Community Development, to sell to them an approximate 0.243 acre portion of right-of-way adjacent to Taylor Avenue. This right-of-way area runs north/south directionally and is on the west side of Taylor Avenue. It is located between Atcheson Street to the south and Maryland Avenue to the north. This portion of right-of-way is adjacent to parcels already owned by Blueprint Community Development.

The land west of this Taylor Avenue right-of-way was purchased by Blueprint Community Development in coordination with Ohio State University. The acquisition of this right-of-way will provide more acreage for better designed parking and landscaping improvements on the property already owned by Blueprint Community Development. The Department of Public Service has agreed to sell the right-of-way as described and shown within the attached legal description and exhibit, and extinguishes its need for this public 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. The Department of Public Service submitted a request to the City Attorney's Office asking that they establish a value for this right-of-way, and a value of \$11,288.00 was established. This request went before the Land Review Commission on January 16, 2020. After review of the request, the Land Review Commission voted to recommend the above referenced right-of-way be transferred to Blueprint Community Development at the cost of \$11,288.00 to them.

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

The City will receive a total of \$11,288.00 and the funds are to 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 necessary for the transfer of a 0.243 acre portion of right-of-way adjacent to Taylor Avenue between Atcheson Street and Maryland Avenue to Blueprint Community Development. (\$0.00)

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from Autumn Glover, Interim President on behalf of PACT and Blueprint Community Development, to sell to them an approximate 0.243 acre portion of right-of-way adjacent to Taylor Avenue between Atcheson Street to the south and Maryland Avenue to the north; and

**WHEREAS**, the purpose of the transfer is to allow better designed parking and landscaping improvements on land adjacent to the right-of-way to be purchased; and

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

**WHEREAS**, the Department of Public Service submitted a request to the City Attorney's Office asking that they

establish a value for this right-of-way; and

**WHEREAS**, a value of \$11,288.00 was established to be deposited in Fund 7748, Project P537650, as consideration for the transfer of the requested right-of-way; 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 Blueprint Community Development at the cost of \$11,288.00 to them; **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 a quit claim deed and other incidental instruments prepared by the City Attorney's Office necessary to transfer the legal description as described below and on the attached exhibit of right-of-way to Blueprint Community Development; to-wit:

**0.243 ACRE PROPERTY DESCRIPTION**

Situated in the State of Ohio, Franklin County, City of Columbus, Half Section 10, Township 5, Range 22, Refugee Lands and being part of Reserve "A", a portion of Maryland Avenue, 30 feet in width, originally dedicated as Home Avenue and a portion of Atcheson Street, 25 feet in width, vacated by the City of Columbus in Ordinance Number 22872, as delineated in the plat of Hayes Addition Plat Book 5, Page 437 and also being part of a tract of land conveyed to The Board of Commissioners of Franklin County by deed of record in Deed Book 435, Page 435 and part of a tract of land conveyed to The Board of Commissioners of Franklin County by deed of record in Deed Book 431, Page 496.

**Commencing** at a survey nail set at the northeast corner of Half Section 10, Township 5, Range 22, Refugee Lands, said point also being the intersection of the centerline of Taylor Avenue with the centerline of Maryland Avenue, originally dedicated as Atcheson Street, Plat Book 2, Page 132;

**Thence** along the north line of said Half Section 10 and the Hayes Addition North 86° 04' 50" West for a distance of 43.35 feet to an iron pin set at the **True Point of Beginning**;

**Thence** across Maryland Avenue and a tract of land conveyed to The Board of Commissioners of Franklin County by deed of record in Deed Book 435, Page 435, South 02° 13' 08" East a distance of 76.91 feet to an iron pin set;

**Thence** continuing across said Board of Commissioners of Franklin County tract, across a vacated portion of Atcheson Avenue (vacated by Ordinance Number 22872) and a tract of land conveyed to The Board of Commissioners of Franklin County by deed of record in Deed Book 431, Page 496, South 04° 02' 16" West a distance of 195.87 feet to an iron pin set in an extension of the current northerly line of Atcheson Street (50' wide);

**Thence** continuing through said Board of Commissioners of Franklin County tract and along the extension of the northerly line of Atcheson Street North 86° 53' 03" West a distance of 40.01 feet to the southeasterly corner of a 2.139 acre tract owned by the Blueprint Community Development LLC, described in Instrument Number 201710100141228, said point also being the intersection of the current northerly line of Atcheson Street with the current westerly line of Taylor Avenue (width varies);

**Thence** along the westerly line of Taylor Avenue and the easterly line of said Blueprint Community Development LLC tract North 04° 02' 15" East for a distance of 272.90 feet (passing a point at 192.47 feet that is referenced by a 5/8" iron pin found bearing South 55° 15' 55" East at a distance of 0.84 feet and a point on the southerly line of the former Maryland Avenue at 242.51 feet, said point being referenced by a 5/8 inch diameter iron pin found bearing South 60° 21' 16" East at a distance of 0.89 feet) to an iron pin set on the northerly line of Half Section 10, in the northerly line of the former Maryland Avenue, and in the southerly line of a 4.981 acre tract of land conveyed to The Ohio State University by

deed of record in Instrument Number 201008200107573;

**Thence** along the northerly line of Half Section 10, the northerly line of former Maryland Avenue, the southerly line of said Ohio State University tract and the southerly line of a 0.355 acre tract of land conveyed to the State of Ohio by Ordinance 9254, Page J12 and Ordinance 9370, Page E06 (Parcel 104B-WL) South 86° 04' 57" East for a distance of 31.62 feet (passing a 5/8" iron pin at a distance of 2.08 feet) to the True Point of Beginning, and containing 0.243 acres, more or less, subject however to all other legal rights of way, easements and agreements of record. Said 0.243 acres fully resides in the present right of way of Taylor Avenue.

The bearing North 04° 02' 15" East on the westerly existing right of way line of Taylor Avenue is referenced to the State Plane Coordinate System, Ohio South NAD 89 (NSRS 2007).

Iron pins set are 5/8"x30" rebar topped by an orange plastic identification cap, stamped "KNE PS No. 7803".

**Daniel L. Quick, P.S.7803 Korda/Nemeth Engineering, Inc.**

**SECTION 2.** That the attached referenced real property shall be considered excess road right-of-way and the public rights therein shall terminate upon the Director of the Department of Public Service's execution and delivery of said quitclaim deed to the grantee thereof.

**SECTION 3.** That a general utility easement in, on, over, across and through the attached legal description and exhibit describing the 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 a value of \$11,288.00 was established, to be deposited in Fund 7748, Project P537650, as consideration for the transfer of the requested right-of-way.

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