



Legislation Text

File #: 2207-2014, Version: 1

1. BACKGROUND:

The City of Columbus, Department of Public Service, received a request from Famous Realty of Cleveland, Inc. asking that the City sell a 0.164 acre parcel of City right-of-way consisting of the unnamed east/west alley south of Bonham Avenue, and the unnamed north/south alley east of Cleveland Avenue. Transfer of this right-of-way will permit the combining of parcels currently owned by Famous Realty of Cleveland, Inc. and facilitate the future re-development of that property.

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 \$5,240.00 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 Famous Realty of Cleveland, Inc. for \$5,240.00.

2. FISCAL IMPACT:

The City will receive a total of \$5,240.00 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 0.164 acre parcel of City right-of-way consisting of the unnamed east/west alley south of Bonham Avenue, and the unnamed north/south alley east of Cleveland Avenue, adjacent to property owned by Famous Realty of Cleveland, Inc., located at 917 Bonham Avenue.

WHEREAS, the City of Columbus, Department of Public Service, received a request from Famous Realty of Cleveland, Inc. asking that the City transfer a 0.164 acre parcel of City right-of-way consisting of the unnamed east/west alley south of Bonham Avenue, and the unnamed north/south alley east of Cleveland Avenue, adjacent to property owned by Famous Realty of Cleveland, Inc., located at 917 Bonham Avenue, to them; and

WHEREAS, acquisition of the right-of-way will facilitate the re-development of the adjacent property owned by Famous Realty of Cleveland, Inc.; and

WHEREAS, the City of Columbus, Department of Public Service, 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 Famous Realty of Cleveland, 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 \$5,240.00 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 Famous Realty of Cleveland, Inc. for the amount of \$5,240.00; 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 Famous Realty of Cleveland, Inc.; to-wit:

BLUE-J SURVEYING, LLC
14450 State Route 56 West
Mount Sterling, Oh 43143
PH. 614-774-8577

Description of 0.164 Acre Tract

Situate in the State of Ohio, County of Franklin and City of Columbus, lying in Fourth Quarter, Township 1, Range 18 of the United States Military District, being all of a 14 foot alley as shown in Amended Plat by E.E. Corwin, Assignee of Simon Roberts as shown in Complete Record 41, Page 385 of Probate Court, and being the residue of a 16 foot alley as shown in Bonham Subdivision of record in Plat Book 13, Page 21, all records herein are from the Recorder's Office, Franklin County, Ohio, said 0.164 acre tract being more particularly described as follows:

BEGINNING, at a PK Nail set in the easterly right-of-way line of Cleveland Avenue and at the northwest corner of a 14 foot Alley, in southwest corner of Lot 2 as conveyed as Parcel 2 to Famous Realty of Cleveland Inc., by deed of record in Instrument Number 200509160193001;

Thence South 64°45'32" East, a distance of 205.08 feet, along the north line of said 14 foot Alley and the south line of said Lot 2, to a PK Nail set at the southeast corner of Lot 5 conveyed as Parcel 1 to Famous Realty of Cleveland Inc., by deed of record in Instrument Number 200509160193001,

Thence North 39°33'23" East, a distance of 108.00 feet, along the southeasterly line of said lot 5, Parcel 1, to an iron pin found in the southerly right-of-way line of Bonham Avenue;

Thence South 64°45'32" East, a distance of 16.46 feet, along the southerly right-of-way line of said Bonham Avenue, to a PK Nail set at the southerly right-of-way line of said Bonham Avenue at the northwest corner of Lot 29 as shown in record plat of Bonham Subdivision of record in Plat Book 12, Page 21

Thence South 39°33'23" West, a distance of 214.09, to a PK Nail set in the southeast corner of Lot 29 being in the residue of the 5.135 acre tract as conveyed to the Pennsylvania, Ohio and Detroit Railroad Company by deed of record in Deed Book 968, Page 164, passing a PK found in the southeast corner of a 0.310 acre tract being conveyed to Famous Realty of Cleveland Inc., by deed of record in Instrument Number 201304190065063, at 204.15 feet;

Thence South 86°26'08" East, a distance of 29.00 feet, to a PK Nail set at the northwest corner of a 16' Alley as vacated by City of Columbus in Ordinance Number 455-32, to a PK Nail found;

Thence South 03°32'53" West, a distance of 16.00 feet, along the west line of a said to a PK Nail Set in the southeast corner of said vacated Alley, in the south line of 16' Alley;

Thence North 86°26'08" West, a distance of 60.34 feet to a PK Nail set in the easterly line of Parcel 4 as conveyed to Famous Realty of Cleveland Inc., by deed of record in Instrument Number 200509160193001 at the northwesterly corner of a 12.446 acre tract conveyed to Phil-Ro Company by deed of record in Instrument Number 200503240054545;

Thence North 39°33'23" East, a distance of 119.38 feet, to a PK Nail set at the northeast corner of Parcel 3 (Lot 30 of said Bonham Subdivision and Lot 1 of said EE Corwin's Amended Subdivision) as conveyed to Famous Realty of Cleveland Inc., by deed of record in Instrument Number 200509160193001;

Thence North 64°45'32" West, a distance of 205.00 feet, along the northerly line of said Parcel 3, to a PK Nail set in the southerly right-of-way line of said Cleveland Avenue;

Thence North 39°14'55" East, a distance of 13.98 feet, along the southerly right-of-way line of said Cleveland Avenue, to the POINT OF BEGINNING, containing 0.164 acres more or less. Being subject to all easements, restrictions and rights-of-way of record.

The bearings in the above description are based on the bearing of South 64°45'32" East, for the centerline of Bonham Avenue as determined by GPS observations using the 1983 adjustment for Ohio State Plane Coordinates South Zone.

All set iron rebar are 5/8 inch, 30 inch long having a yellow I.D. cap stamped "BLUE 8382".

The description is based on an actual field survey as performed by Blue-J Surveying LLC in August, 2014 under the direct supervision of Jennifer L. Blue, Registered Surveyor No. 8382.

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 \$5,240.00 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.