



# City of Columbus

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

## Legislation Text

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**File #:** 1255-2013, **Version:** 1

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### **1. BACKGROUND:**

The City of Columbus, Department of Public Service, received a request from The City of Columbus, Department of Recreation and Parks asking that the City transfer the maintenance responsibilities for the rights-of-way identified as a 0.107 acre portion of the 16 foot wide east/west alley north of Weldon Avenue, a 0.135 acre portion of the 16 foot wide north/south alley east of Kenlawn Street, and a 0.103 acre portion of the 8 foot wide east/west alley south of Eddystone Avenue. Transfer of these rights-of-way responsibilities will facilitate improvements and enhancements to Kenlawn Park, currently owned by the Department of Parks and Recreation. The Department of Recreation and Parks has requested that these rights-of-way responsibilities be transferred to the Department of Recreation and Parks to facilitate the proposed renovation project for Kenlawn Park. 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 these rights-of-way maintenance responsibilities.

To transfer the maintenance responsibilities of the rights-of-way identified as a 0.107 acre portion of the 16 foot wide east/west alley north of Weldon Avenue, a 0.135 acre portion of the 16 foot wide north/south alley east of Kenlawn Street, and a 0.103 acre portion of the 8 foot wide east/west alley south of Eddystone Avenue from the Department of Public Service, Division of Planning and Operations, to the Department of Recreation and Parks to facilitate the improvements and enhancements to Kenlawn Park.

**WHEREAS**, the 0.107 acre portion of the 16 foot wide east/west alley north of Weldon Avenue, the 0.135 acre portion of the 16 foot wide north/south alley east of Kenlawn Street, and the 0.103 acre portion of the 8 foot wide east/west alley south of Eddystone Avenue, are publicly dedicated rights-of-way currently controlled by the Department of Public Service, and

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from the Department of Recreation and Parks, asking that the Department of Public Service transfer the maintenance responsibilities of these public rights-of-way to the Department of Recreation and Parks to facilitate the proposed improvements and enhancements to Kenlawn Park; and

**WHEREAS**, the City of Columbus, Department of Public Service, Division of Planning and Operations, no longer needs these areas for roadway purpose but will retain ownership and transfer this maintenance responsibility to the Department of Recreation and Parks; 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 these rights-of-way, the City will not be adversely affected by the transfer of these rights-of-way maintenance responsibilities to the Department of Recreation and Parks; and

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That the 0.107 acre portion of the 16 foot wide east/west alley north of Weldon Avenue, the 0.135 acre portion of the 16 foot wide north/south alley east of Kenlawn Street, and the 0.103 acre portion of the 8 foot wide east/west alley south of Eddystone Avenue are no longer needed by the City of Columbus for roadway purposes.

**Section 2.** That the maintenance responsibilities of these assets shall be transferred from the Department of Public Service to the Department of Recreation and Parks but the Department of Public Service shall retain ownership.

**Section 3.** That a general utility easement in, on, over, across and through the above described rights-of-way shall be and hereby is retained unto the City of Columbus for those utilities located within said rights-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 ordinance shall take effect and be in force from and after the earliest period allowed by law.