



## Legislation Text

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**File #:** 0294-2015, **Version:** 1

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### **1. BACKGROUND:**

The City of Columbus, Department of Public Service, received a request from The Division of Recreation and Parks asking that the City transfer the maintenance responsibilities for the rights-of-way identified as an approximate 0.038 acre portion of the 15 foot wide east/west right-of-way north of Hinkle Avenue between Bruck and 6<sup>th</sup> Streets, and an approximate 0.034 acre portion of the 15 foot wide north/south right-of-way west of Bruck Street between Barthman and Hinkle Avenues. These parcels are located within property owned by The Division of Recreation and Parks, known as Southeast Lions Park. Transfer of these rights-of-way will allow the combining of parcels currently owned by The Division of Parks and Recreation. The Division of Recreation and Parks has requested that these rights-of-way be transferred to facilitate the proposed renovation project for Southeast Lions 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.

To transfer the control and maintenance responsibilities of the rights-of-way identified as an approximate 0.038 acre portion of the 15 foot wide east/west right-of-way north of Hinkle Avenue, and an approximate 0.034 acre portion of the 15 foot wide north/south alley west of Bruck Street between Barthman and Hinkle Avenues from the Department of Public Service, Division of Infrastructure Management, to the Division of Recreation and Parks to facilitate the improvements and enhancements to Southeast Lions Park.

**WHEREAS**, the 0.038 acre portion of the 15 foot wide east/west right-of-way north of Hinkle Avenue between Bruck and 6<sup>th</sup> Streets, and the 0.034 acre portion of the 15 foot wide north/south right-of-way west of Bruck Street between Barthman and Hinkle Avenues 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 Division of Recreation and Parks, asking that the City transfer the control and maintenance responsibilities of these public rights-of-way to the Division of Recreation and Parks to facilitate the proposed improvements and enhancements to Southeast Lions Park; and

**WHEREAS**, the City of Columbus, Department of Public Service, Division of Infrastructure Management, no longer needs these areas for roadway purposes, and will transfer control and 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 to the Division of Parks and recreation; and

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

**Section 1.** That the approximate 0.038 acre portion of the 15 foot wide east/west right-of-way north of Hinkle Avenue, and the approximate 0.034 acre portion of the 15 foot wide north/south right-of-way west of Bruck Street between

Barthman and Hinkle Avenues are no longer needed by The City of Columbus for roadway purposes.

**Section 2.** That the control of these assets shall be transferred from the Department of Public Service to the Division of Recreation and Parks.

**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.