



## Legislation Text

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**File #: 0069-2005, Version: 1**

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The City of Columbus is the owner of a 15 foot wide alley east of Loew Street, north of the railroad tracks and south of Gibbard Avenue, as shown on the plat of Hayden Subdivision in Plat Book 10, Page 362. After investigation by Transportation Division staff it was determined that this alley is now and has always been landlocked and the City cannot legally access it. As a result, the City has never improved this alley. The adjacent property owners have, however, improved and are currently using this right-of-way. As a result of this private use of public right-of-way, the Franklin County Auditor has rescinded the City's tax-exempt status for this alley and has presented the City with tax bills totaling \$202.95 for this right-of-way. After consultation with the City Attorney's Office, the Public Service Department notified the adjacent property owners that the City intends to vacate this right-of-way and suggested they submit petitions requesting the vacation of said alley to the Transportation Division. One hundred percent (100%) of the adjacent property owners have submitted petitions to the Transportation Division praying for the City to vacate this landlocked 15 foot wide alley.

To vacate the 15 foot wide alley east of Loew Street, north of the railroad tracks and south of Gibbard Avenue; and to the extent they may apply to waive the competitive bidding provisions and the Land Review Commission requirements of Columbus City Codes.

**WHEREAS**, pursuant to the plat titled Hayden Subdivision, of record in Plat Book 10, Page 362, in the Franklin County, Ohio, Recorder's Office, the City of Columbus is the owner of the 15 foot wide alley east of Loew Street, north of the railroad tracks and south of Gibbard Avenue; and

**WHEREAS**, this alley is now and has always been landlocked; and

**WHEREAS**, the City cannot legally access this right-of-way, therefore, the City has never improved this alley; and

**WHEREAS**, the adjacent property owners have improved and are currently using this right-of-way; and

**WHEREAS**, as a result of this private use of public right-of-way the Franklin County Auditor has rescinded the City's tax-exempt status for this right-of-way; and

**WHEREAS**, the City has received tax bills totaling \$202.95 for this alley; and

**WHEREAS**, after consultation with the City Attorney's office the Public Service Department notified the adjacent property owners that the City intends to vacate this right-of-way and suggested they submit petitions requesting the vacation of said alley; and

**WHEREAS**, 100% of the adjacent property owners have submitted petitions praying for the City to vacate this landlocked 15 foot wide alley; now, therefore

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

**Section 1.** That the first alley east of Loew Street, north of the railroad tracks and south of Gibbard Avenue as shown on the plat titled Hayden Subdivision, of record in Plat Book 10, Page 362, Franklin County, Ohio, Recorder's Office, be and hereby is vacated.

**Section 2.** That this Council has determined it is in the best interest of the City of Columbus to allow this right-of-way to be transferred without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (1959) Revised, Section 329.29 with regards to the transfer of this excess right-of-way.

**Section 3.** That this Council has determined it is in the best interest of the City of Columbus to allow this right-of-way to be transferred without requiring a recommendation from Land Review Commission and hereby waives the Land Review Commission

provision of Columbus City Codes (1959) Revised, Section 328.01 with regards to the transfer of this excess right-of-way.

**Section 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.