



## Legislation Details (With Text)

**File #:** 1956-2007      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 11/14/2007      **In control:** Public Service & Transportation Committee

**On agenda:** 12/3/2007      **Final action:** 12/5/2007

**Title:** To authorize the Director of the Public Service Department to execute those documents required to transfer the 10 foot wide alley east of Seventh Street, from Dering Avenue north to its northern terminus, to Hansen Properties, LLC for \$2,060.00; and to waive the competitive bidding provisions of Columbus City Codes, 1959.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Legistar Ord 1956-2007.pdf

Date	Ver.	Action By	Action	Result
12/5/2007	1	CITY CLERK	Attest	
12/4/2007	1	MAYOR	Signed	
12/3/2007	1	Columbus City Council	Approved	Pass
12/3/2007	1	COUNCIL PRESIDENT	Signed	
11/26/2007	1	Columbus City Council	Read for the First Time	
11/16/2007	1	SERVICE DIRECTOR	Reviewed and Approved	
11/16/2007	1	CITY ATTORNEY	Reviewed and Approved	
11/16/2007	1	Service Reviewer	Sent to Clerk's Office for Council	
11/14/2007	1	Service Drafter	Sent for Approval	
11/14/2007	1	Service Reviewer	Reviewed and Approved	

The City of Columbus, Public Service Department, Transportation Division, recently received a request from Hansen Properties, LLC asking that the City transfer the 10 foot wide alley east of Seventh Street from Dering Avenue north to its northern terminus to them. Sale of this alley to Hansen Properties, LLC, will allow them to consolidate their properties on both sides of the alley and will allow for future business expansion. Per current Transportation Division practice, comments were solicited from interested parties, including City departments, private utilities and applicable area commissions, before it was determined that there would be no adverse impact to the City upon the transfer of this alley to Hansen Properties, LLC, subject to the retention of a general utility easement for those utilities currently located within the alley. At the request of the Transportation Division, the Department of Law, Real Estate Division, established a value of \$2,060.00 for this alley right-of-way. The Land Review Commission then voted to recommend that this alley right-of-way be transferred to Hansen Properties, LLC, for the \$2,060.00 value established by the Real Estate Division.

To authorize the Director of the Public Service Department to execute those documents required to transfer the 10 foot wide alley east of Seventh Street, from Dering Avenue north to its northern terminus, to Hansen Properties, LLC for \$2,060.00; and to waive the competitive bidding provisions of Columbus City Codes, 1959.

**WHEREAS**, the City of Columbus, Public Service Department, Transportation Division, received a request from Hansen Properties, LLC, asking that the City transfer the 10 foot wide alley east of Seventh Street, from Dering Avenue north to its northern terminus, to

Hansen Properties, LLC; and

**WHEREAS**, the Hansen Properties, LLC, would like to acquire this alley to allow for consolidation of their properties on both sides of the alley and to allow for future business expansion; and

**WHEREAS**, per current Transportation Division practice, comments were solicited from interested parties, including City departments, private utilities and applicable area commissions, before it was determined that there would be no adverse impact to the City upon transfer of this alley, subject to the retention of a general utility easement for those utilities currently located within the alley; and

**WHEREAS**, the Department of Law, Real Estate Division, established a total value of \$2,060.00 for this right-of-way; and

**WHEREAS**, the Land Review Commission voted to recommend that this right-of-way be transferred to Hansen Properties, LLC, for the \$2,060.00 value established by the City Attorney's Real Estate Division; now, therefore

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

**Section 1.** That the Director of the Public Service Department 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 Hansen Properties, LLC; to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 4, Township 4, Range 22, Matthews Survey of Congress Lands East of Scioto River, being the 10 foot alley east of Seventh Street as shown on that subdivision plat entitled "Malinda & Charles Obetz Subdivision" of record in Plat Book 5, Page 424, and described as follows:

*Beginning for reference*, at a 1 inch iron pipe found marking the intersection of the north right-of-way line of Dering Avenue (50') with the east right-of-way line of Seventh Street (50') and the southwest corner of Lot 63 as shown on said subdivision plat;

Thence South 85°37'56" East, a distance of 130.00 feet, with said north right-of-way line and the south line of said Lot 63, to an iron pin set at the southeast corner of said Lot 63 and the intersection of said north right-of-way line with the west right-of-way line of said 10 foot alley, to the *True Point of Beginning*;

Thence North 03°00'00" East, a distance of 508.72 feet, with said west right-of-way line, the east line of Lots 63 through 58 as shown on said subdivision plat, and the east line of Lot No. 1 and Lot No. 2 as shown on that subdivision plat entitled "Teeters Parking Co. Subdivision" of record in Plat Book 20, Page 59, to a ¾ inch iron pipe found at a northeast corner of said Lot No. 1 and in the intersection of said west right-of-way line with the south right-of-way line of Fornoff Road (25', formerly Henderson Avenue);

Thence South 85°37'56" East, a distance of 10.00 feet, with said south right-of-way line extended, to an iron pin set in the west line of that 6.063 acre tract conveyed to Hansen Properties, LLC of record in Instrument Numbers 200512190266329, 200512190266331 and 200512190266333;

Thence South 03°00'00" West, a distance of 508.72 feet, with said west line and the east right-of-way line of said 10 foot alley, to a 1 inch iron pipe in concrete found at the southwest corner of said 6.063 acre tract and the intersection of said east right-of-way line with said north right-of-way line;

Thence North 85°37'56" West, a distance of 10.00 feet, with said north right-of-way line extended, to the *Point of Beginning*, containing 0.117 acre (5087.20 square feet), more or less.

References are to the records of the Recorder's Office, Franklin County, Ohio.

Iron pins set, where indicated, are iron pipes, thirteen sixteenth (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

Bearings are based on the same meridian as that subdivision entitled "Malinda & Charles Obetz Subdivision" of record in Plat Book 5, Page 424, having a bearing of North 03°00'00" East for the east line of the 10' alley east of Seventh Street, also being the east line of said subdivision.

**EVANS, MECHWART, HAMBLETON & TILTON INC**

Edward J. Miller

Registered Surveyor No. 8250

**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 alley shall be and hereby is retained unto the City of Columbus for those utilities currently 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 the Director of the Public Service Department 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 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 right-of-way.

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