



Legislation Details (With Text)

File #: 0688-2018 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 2/28/2018 **In control:** Public Service & Transportation Committee

On agenda: 3/26/2018 **Final action:** 3/29/2018

Title: To authorize the Director of the Department of Public Service to execute those documents necessary to release portions of the utility easement in a vacated alley between North Sixth Street and Normandy Avenue. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit.pdf

Date	Ver.	Action By	Action	Result
3/29/2018	1	CITY CLERK	Attest	
3/28/2018	1	MAYOR	Signed	
3/26/2018	1	COUNCIL PRESIDENT	Signed	
3/26/2018	1	Columbus City Council	Approved	Pass
3/12/2018	1	Columbus City Council	Read for the First Time	

1. BACKGROUND:

In 1973, pursuant to Ordinance 616-73, the City of Columbus vacated a portion of an alley parallel to and between the west lines of the right-of-way of North Sixth Street and the east right-of-way line of Normandy Avenue and reserved a utility easement for existing utilities. The Department of Public Service recently received a request from the property owner, Gay Street Mews, LLC, asking that the City release a portion of the reserved utility easements from this property to allow for the redevelopment of the property. After receipt of this request the Division of Infrastructure Management verified with all the public and private utility companies that there are no public utilities located within the requested area and that they have no objections to the release of this portion of these easements. The following legislation authorizes the Director of the Department of Public Service to execute those documents necessary to release the portions of easement described below and in the attached exhibit to allow the redevelopment of the real property.

2. FISCAL IMPACT

The City will receive a total of \$500.00, to be deposited in Fund 7748, project P537650, for releasing the easement so the property can obtain clear title.

To authorize the Director of the Department of Public Service to execute those documents necessary to release portions of the utility easement in a vacated alley between North Sixth Street and Normandy Avenue. (\$0.00)

WHEREAS, in 1973, pursuant to Ordinance 616-73, the City of Columbus vacated a portion of an alley parallel to and between the west lines of the right-of-way of North Sixth Street and the east right-of-way line of Normandy Avenue and reserved a utility easement for existing utilities; and

WHEREAS, the Department of Public Service recently received a request from the property owner, Gay Street Mews, LLC, asking that the City release the reserved utility easement within the same area to clear title and allow for the redevelopment of the property; and

WHEREAS, the Division of Infrastructure Management verified with all the public and private utility companies that there are no public utilities or need for this utility easement located within the requested area and that they have no objections to the release of this portion of these easements; and

WHEREAS, the City intends for the Director of the Department of Public Service to execute and acknowledge any document(s) necessary to release these utility easements; and

WHEREAS, the City intends for the City Attorney's Office, Real Estate Division, to approve all document(s) associated with this ordinance; and

WHEREAS, a value of \$500.00 was established for the release of this portion of the general utility easement to be deposited in Fund 7748, Project P537650 for granting these easements to be released; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Service to authorize the Director to execute those documents necessary to release the portions of easement described below and attached exhibit to allow the redevelopment of the real property; **NOW, THEREFORE**

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

SECTION 1. That the Director of the Department of Public Service is authorized to execute those documents necessary to release the portions of the easement as reserved in Ordinance 616-73, as necessary and approved by the City Attorney's Office, Real Estate Division. The portions to be released are described as follows; to-wit:

**Easement Release
Description of 0.035 Acres
East of Normandy Avenue
South of East Long Street**

Situated in the State of Ohio, County of Franklin, City of Columbus, Half Section 25, Township 5, Range 22, Refugee Lands, being part of that 0.771 acre tract of land as conveyed to Gay Street Mews, LLC of record in Instrument No. 201503120030936, part of that 0.015 acre tract of land also conveyed to Gay Street Mews, LLC of record in Instrument No. 201707110094146, also being part of an alley dedicated upon the record plat "Kelley Place Addition" of record in Plat Book 3, Page 238 but vacated by Ordinance No. 616-73, and more particularly described as follows:

Beginning, for Reference, at the southeasterly corner of said 0.771 acre tract, said corner also being the southeasterly corner of Lot 69 of said "Kelley Place Addition" and at the intersection of the westerly right-of-way line of North 6th Street (R/W Varies) and the northerly right-of-way line of an existing alley as dedicated upon said plat;

Thence **S 81° 53' 03" W**, along the southerly line of said 0.771 acre tract, the southerly line of said Lot 69 and the northerly line of said existing alley, **122.50 feet** to the southwesterly corner of said Lot 69 and southeasterly corner of said vacated alley;

Thence **N 8° 13' 27" W**, along the westerly line of said Lot 69, partially along the westerly line of Lot 70, along the easterly line of said vacated alley and across said 0.771 acre tract, **36.10 feet** to the **True Point of Beginning**;

Thence across said 0.771 acre tract and across said 0.015 acre tract, the following two (2) courses and distances:

S 81° 35' 19" W, 15.22 feet to an angle point in the westerly line of said vacated alley and easterly line of Lot 67 of said plat;

N 08° 07' 10" W, with the westerly line of said vacated alley and with the easterly line of Lots 67, 66, 65 and 64 of said plat, **99.49 feet** to a point in the northerly line of said 0.015 acre tract and the southerly line of that Original 0.176 acre tract of land as conveyed to Edwards Long Street, LLC of record in Instrument No.

201503190034776;

Thence **N 81° 47' 55" E**, with the northerly line of said 0.015 acre tract, partially with a northerly line of said 0.771 acre tract and with the southerly line of said Original 0.176 acre tract, **15.04 feet** to a point in the easterly line of said vacated alley and westerly line of Lot 73 of said plat;

Thence **S 08° 13' 27" E**, across said 0.771 acre tract, with the easterly line of said vacated alley and with the westerly lines of Lots 73, 72, 71 and 70, **99.44 feet** to the **True Point of Beginning**. Containing **0.035 acres** of land, more or less.

The above description was written by Advanced Civil Design on December 11, 2017 and is based on existing records and an actual field survey in August 2016. A drawing of the above description has been prepared and is a part hereof.

Bearings are based on the Ohio State Plane Coordinate System South Zone, NAD83, NSRS 2007.
All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

SECTION 2. That the City Attorney's Office, Real Estate Division, is required to approve all document(s) executed by the City pursuant to this ordinance.

SECTION 3. That a value of \$500.00 was established for the release of this portion of the general utility easement to be deposited in Fund 7748, Project P537650, for granting these easements to be released; and

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