



Legislation Details (With Text)

File #: 3449-2018 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 12/4/2018 **In control:** Public Service & Transportation Committee

On agenda: 1/28/2019 **Final action:** 1/31/2019

Title: To authorize the Director of the Department of Public Service to execute those documents required to transfer a 0.132 acre portion of the Mt. Vernon Avenue right-of-way/property between Cleveland Avenue and East Spring Street to Columbus State Community College. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
1/31/2019	1	CITY CLERK	Attest	
1/30/2019	1	MAYOR	Signed	
1/28/2019	1	COUNCIL PRESIDENT	Signed	
1/28/2019	1	Columbus City Council	Approved	Pass
1/14/2019	1	Columbus City Council	Read for the First Time	

1. BACKGROUND:

The City of Columbus, Department of Public Service, received a request from Columbus State Community College asking that the City transfer to them an approximate 0.132 acre (5,750 square feet) portion of the Mt. Vernon Avenue right-of-way/property between Cleveland Avenue and East Spring Street. Transfer of this right-of-way/property will facilitate the development of property adjacent to the above noted right-of-way/property owned by Columbus State Community College. The Department of Public Service has agreed to transfer the right-of-way/property as described below. 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/property, the City will not be adversely affected by the transfer of this right-of-way/property. The Department of Public Service submitted a request to the City Attorney's Office asking that they establish a value for this right-of-way/property. A value of \$46,000.00 was established for this right-of-way/property. Columbus State Community College had requested mitigation and this request went before the Land Review Commission on August 20, 2018. After review of the request, the Land Review Commission voted to support the request of full mitigation and transfer the right-of-way/property to Columbus State Community College at no cost.

2. FISCAL IMPACT:

There is no City expenditure for this transaction.

To authorize the Director of the Department of Public Service to execute those documents required to transfer a 0.132 acre portion of the Mt. Vernon Avenue right-of-way/property between Cleveland Avenue and East Spring Street to Columbus State Community College. (\$0.00)

WHEREAS, the City of Columbus, Department of Public Service, received a request from Columbus State Community College asking that the City transfer a 0.132 acre (5,750 square feet) portion of the Mt. Vernon Avenue right-of-way/property between Cleveland Avenue and East Spring Street, adjacent to property owned by Columbus State

Community College to them; and

WHEREAS, acquisition of the right-of-way/property will facilitate the development of property currently owned by Columbus State Community College adjacent to the above noted right-of-way/property; and

WHEREAS, the City of Columbus, Department of Public Service, Division of Infrastructure Management, by this transfer, extinguishes its need for this public right-of-way/property; 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 this right-of-way/property, the City will not be adversely affected by the transfer of this right-of-way/property to Columbus State Community College; and

WHEREAS, the Department of Public Service submitted a request to the City Attorney's Office asking that they establish a value for the right-of-way/property; and

WHEREAS, a value of \$46,000.00 was established for the right-of-way/property; and

WHEREAS, Columbus State Community College submitted a request for mitigation; and

WHEREAS, this request went before the Land Review Commission on August 20, 2018; and

WHEREAS, after review of the request, the Land Review Commission voted to recommended to support the request for mitigation and to transfer the above noted right-of-way/property to Columbus State Community College at no cost; **now, therefore**

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

Section 1. That the Director of the Department of Public Service be and is hereby authorized to execute quit claim deeds and other incidental instruments prepared by the City Attorney's Office necessary to transfer the following described right-of-way/property to Columbus State Community College.; to-wit:

0.132 Acre Parcel

Being Lot Number Twenty-Two (22) of that subdivision entitled "William B. Jarvis Second Addition to Columbus" of record in Deed Book 36, Page 362, Recorder's Office, Franklin County, Ohio, Less and Excepting, seven (7) feet off of the North side of said Lot Number Twenty-Two (22).

Section 2. That the above referenced real property shall be considered excess road right-of-way/property 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 right-of-way/property shall be and hereby is retained unto the City of Columbus for those utilities located within said right-of-way/property.

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.