



## Legislation Details (With Text)

**File #:** 2674-2019      **Version:** 1

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

**File created:** 10/8/2019      **In control:** Public Service & Transportation Committee

**On agenda:** 10/28/2019      **Final action:** 10/31/2019

**Title:** To authorize the Director of the Department of Public Service to execute those documents necessary to dedicate land owned by the City to City right-of-way, naming it Elliott Alley, for the Roadway Improvements - I71 East Freeway-Phase 3 project; and to declare an emergency. (\$0.00)

### Sponsors:

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### Code sections:

**Attachments:** 1. 16-WDV\_clo, 2. Pages from E03490\_FRA-71-17.14\_ROW\_Plans\_041019-4-15-19row, 3. 16-WDV

Date	Ver.	Action By	Action	Result
10/31/2019	1	CITY CLERK	Attest	
10/30/2019	1	MAYOR	Signed	
10/28/2019	1	COUNCIL PRESIDENT	Signed	
10/28/2019	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This Ordinance authorizes the Director of the Department of Public Service to execute those documents necessary to the City to dedicate land owned by the City, parcel 16-WDV, Franklin County Parcel Number 010-011436, to City right-of-way, thus naming it Elliott Alley, for the Roadway Improvements - I71 East Freeway - Phase 3 project.

The City of Columbus and the Ohio Department of Transportation (ODOT) are involved in a joint project, the Roadway Improvements - I71 East Freeway - Phase 3 project. As part of ODOT's downtown 70/71 corridor improvements, the new Elijah Pierce Avenue (urban avenue) between Parsons Avenue and Oak Street, will allow for the development of new parking spaces in the project area. As part of the urban avenue improvements, a decorative screen wall is to be placed along the east side of Elijah Pierce Avenue. By doing so, access to one property adjacent to the current 73 Parsons Avenue parking lot, Franklin County Parcel Number 010-011436, needs to be provided to the project via public right-of-way, and will be named Elliott Alley. Current plans identify the parcel as 16-WDV, being approximately 0.163 acre.

### 2. FISCAL IMPACT

There is no fiscal impact. No funds will be expended for this transaction.

### 3. EMERGENCY JUSTIFICATION

Emergency action is requested to allow ODOT's work to proceed as scheduled.

To authorize the Director of the Department of Public Service to execute those documents necessary to dedicate land owned by the City to City right-of-way, naming it Elliott Alley, for the Roadway Improvements - I71 East Freeway-Phase 3 project; and to declare an emergency. (\$0.00)

**WHEREAS**, the City of Columbus and ODOT are involved in a joint project, the Roadway Improvements - I71 East Freeway - Phase 3 project; and

**WHEREAS**, the City of Columbus performed right-of-way acquisition for the project; and

**WHEREAS**, City owned land parcel 16-WDV, Franklin County Parcel Number 010-011436, will be dedicated to City right-of-way, thus naming it Elliott Alley; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize the Director of Public Service to execute those documents necessary to convert the land to City right-of-way in order to allow ODOT's work to proceed as scheduled, thereby preserving the public health, peace, property, safety, and welfare; **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 those documents necessary to the City to dedicate the City owned land parcel, 16-WDV, to City right-of-way, thus naming it Elliott Alley; to-wit:

**PARCEL 16-WDV**

Situated in the State of Ohio, County of Franklin, City of Columbus and being located in Section 16, Half Section 26, Township 5, Range 22 of the Refugee Lands and being all of Lot Number 20 and part of Lot Number 19 as described in Morgan and Gill's Subdivision of Outlots No. 68 and 69 and recorded in Plat Book 1, Page 22, and part of a 10 foot alley shown on said subdivision and vacated by City of Columbus Ordinance 225-50 dated May 9, 1950. Being a parcel of land lying on the Right side of proposed Elijah Pierce Avenue. All stations and offsets are based on the Right-of-Way plans prepared by Burgess & Niple for the Ohio Department of Transportation as shown on the centerline plat for FRA-71 -17.14, as recorded in Plat Book 126 , Page 50 of the Franklin County Recorder's Office. Being all the lands conveyed to the Grantor "CITY OF COLUMBUS, OHIO a municipal corporation" (hereafter referred to as Grantor) as described in Official Record 02941, Page J01 also of the Franklin County Recorder's Office and being more particularly described as follows:

**COMMENCING** at the Southeast corner of existing intersection of Right-of-Ways as originally platted (40' Right-of-Way) for the South Right-of-Way line of Oak Street (existing Right-of-Way width varies, also, platted centerline of R/W not centered in current City of Columbus controlled Right-of-Way) and the East Right-of-Way line of Grape Alley, a 20 foot Right-of-Way as dedicated by Plat Book 1, Page 22, also being the Northwest corner of Lot 18 at 38.66 feet Right of the centerline station 314+21.57 of Elijah Pierce Avenue, also at 20.00 feet Right of the existing centerline station 23+08.55 of Oak Street

**THENCE** with the platted East line of said Grape Alley, the West line of Lot 18 and 19, also being the West line of a 0.152 acre tract conveyed to C & W Investment Company, LLC as described in Instrument No. 20038080251441, also being the West line of a 0.002 acre strip of land conveyed to the City of Columbus as recorded in Official Record 2940 C04 and Official Record 3958 G09, South 08° 14' 39" East for a distance of 62.14 feet to an Iron Pin Set at the northwest corner of said Grantor's lands at 40.50 feet Right of the centerline station 313+59.46 of Elijah Pierce Avenue and **THE TRUE POINT OF BEGINNING** of the herein described parcel;

**THENCE** with the North line of said Grantor's lands and the South line of said City of Columbus' lands and the South line of said C & W Investment Company's lands, North 81° 39' 06" East for a distance of 110.23 feet to the northeast corner of the Grantor's lands, the Southeast corner of said C & W Investment Company's lands, and also being on the westerly Right of Way line of Parsons Avenue originally created as East Public Lane, 49.5 feet wide, as dedicated in Deed Book F, Page 332, destroyed by fire, replatted in Plat Book 3, Page 347, also represented in Plat Book 14, Page 27 at 150.67 feet Right of the centerline of Elijah Pierce Avenue at Station 313+62.92;

**THENCE** with the westerly line of said Parsons Avenue and the Grantor's East line, South 03° 30' 29" West for a distance of 70.53 feet to a Mag Nail Set at the Grantor's southeast corner and the northeast corner of lands conveyed to C & W Investment Company, LLC as described in Instrument No. 200308080251444 at 138.35 feet Right of the centerline of Elijah Pierce Avenue at Station 312+93.47;

**THENCE** with the northerly line of said C & W Investment Company's lands, the Grantor's southerly line, and continuing to along the northerly line of a tract of lands conveyed to E. T. Paul Co., Inc. as described in Deed Book 2575, Page 493, South 81° 45' 21" West for a distance of 95.86 feet to the East line of Grape Alley at 42.53 feet Right of the centerline of Elijah Pierce Avenue at station 312+90.64;

**THENCE** with the East line of Grape Alley and the West line of Lots 20 and 19, North 08° 14' 39" West for a distance of 68.85 feet **BACK TO THE TRUE POINT OF BEGINNING**.

The above-described parcel contains 0.163 acres (as calculated by survey), including 0.000 acres in the present road occupied (PRO), lying within Franklin County Auditors parcel numbers 010-011436.

The basis of bearings in the above described parcel are based on Grid North as resolved by GPS observations taken from Franklin County Engineer Monuments: "Frank 134" and "Frank 143" with a bearing of North 39° 51' 21" East, based on datum: Ohio State Plane South, NAD83(86 adjustment) and are for the determination of angles only. All distances recited are ground distances.

All iron pins described as set are 3/4" x 30" rebar with a 2" aluminum cap stamped "City of Columbus R/W, PS No. 7664, Burgess & Niple" and shall be placed upon notification from the City of Columbus or the Ohio Department of Transportation at the completion of construction.

This description was prepared under the direct supervision of Michael D. Jones, P.S., Ohio License No. 8459 and is based on field surveys performed by Burgess and Niple, Inc. in May, 2010 and upon base mapping provided by the Ohio Department of Transportation in 2010 by the Office of Aerial Engineering, ODOT.

Burgess and Niple, Inc.

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Michael D. Jones, PS  
Ohio Reg. No. 8459

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Date

**SECTION 2.** That the City will dedicate the parcel 16-WDV to City right-of-way at no cost.

**SECTION 3.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.