



Legislation Details (With Text)

File #: 1730-2021 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/22/2021 **In control:** Public Service & Transportation Committee

On agenda: 7/19/2021 **Final action:** 7/22/2021

Title: To authorizes the Director of the Department of Public Service to execute those documents necessary to release the portions of easements known as a north south alley and two east west alleys, south of West Broad Street, north of State Street, east of McDowell Street and west of the CSX Railroad lines. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 1730-2021 Exhibit

Date	Ver.	Action By	Action	Result
7/22/2021	1	CITY CLERK	Attest	
7/22/2021	1	CITY CLERK	Attest	
7/20/2021	1	MAYOR	Signed	
7/19/2021	1	COUNCIL PRESIDENT	Signed	
7/19/2021	1	Columbus City Council	Approved	Pass
7/12/2021	1	Columbus City Council	Read for the First Time	

1. BACKGROUND

In 1939 and 1947, pursuant to Ordinances 135-39 and 432-47, the City of Columbus vacated portions of right-of-way known as a north south alley and two east west alleys, south of West Broad Street, north of State Street, east of McDowell Street and west of the CSX Railroad lines and reserved utility easements for existing utilities. The Department of Public Service recently received a request from the property owners, Gravity Project 2 - Tower-Garage, LLC, Gravity 2 - Office, LLC, and Gravity 2 - Midrise, LLC c/o Kaufman Development, asking that the City release the reserved easements over this area to clear title for this site. After receipt of this request the Department of Public Service, Division of Infrastructure Management, verified with all the public and private utility companies that there are no public utilities or need for these easements, located within the requested area and that they have no objections to these portions of the easements being released. The following ordinance authorizes the Director of the Department of Public Service to execute those documents necessary to release the portions of easements as described below and attached exhibit to allow the area to clear title for this site. The City will receive a total of \$500.00, to be deposited in Fund 7748, project P537650, for releasing of the easement so the property can clear title.

2. FISCAL IMPACT

The City will receive a total of \$500.00, to be deposited in Fund 7748, project P537650, for granting the request to release the easement.

3. EMERGENCY DESIGNATION

This ordinance is not an emergency and shall take effect and be in force from and after the earliest period allowed by law.

To authorizes the Director of the Department of Public Service to execute those documents necessary to release the portions of easements known as a north south alley and two east west alleys, south of West Broad Street, north of State

Street, east of McDowell Street and west of the CSX Railroad lines. (\$0.00)

WHEREAS, in 1939 and 1947, pursuant to Ordinances 135-39 and 432-47, the City of Columbus vacated portions of right-of-way known as a north south alley and two east west alleys, south of West Broad Street, north of State Street, east of McDowell Street and west of the CSX Railroad lines and reserved utility easements for existing utilities; and

WHEREAS, the Department of Public Service recently received a request from the property owners, Gravity Project 2 - Tower-Garage, LLC, Gravity 2 - Office, LLC, and Gravity 2 - Midrise, LLC c/o Kaufman Development, asking that the City release the reserved easements over this area to clear title for this site; and

WHEREAS, the Department of Public Service Division of Infrastructure Management verified with all the public and private utility companies that there are no public utilities or need for these easements, located within the requested area and that they have no objections to these portions of the easements being released; and

WHEREAS, a value of \$500.00 was established for these encroachment easements to be deposited into fund 7748, project P537650; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Service to execute those documents necessary to release the portions of easements as described below and attached exhibit to allow the area to clear title for this site; **NOW, THEREFORE;**

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

Section 1. To authorize the Director of the Department of Public Service to execute the documents as necessary and approved by the Real Estate Department, City Attorney's Office, to release the portions of easements areas as described below and attached exhibit:

Easement Area to be released:

0.348 ACRES

Situated in the City of Columbus, County of Franklin, State of Ohio; also being a vacated 19' alley and a portion of vacated Rush Alley as established in The Door Sash & Lumber Co. Subdivision as recorded in Plat Book 5 Page 187, vacated by Ordinance 432-47 and vacated Capital Alley as established in said The Door Sash & Lumber Co. Subdivision, vacated by Ordinance 135-39; also being a portion of a 2.738 acre tract as conveyed to Gravity 2-Office, LLC as described in Instrument No. 202102110027628, a part of a 2.738 acre tract as conveyed to Gravity 2-Tower-Garage Holder, LLC as described in Instrument No. 202102110027628, a 0.203 acre tract as conveyed to Gravity 2-Townhomes, LLC as described in Instrument No. 202102110027631, and a 1.203 acre tract as conveyed to Gravity 2-Midrise, LLC as described in Instrument No. 202102110037629; being more particularly described as follows:

Beginning at the intersection of the easterly right-of-way line of McDowell Street (66' right-of-way) and the northerly line of vacated Capital Alley, said point being the southwesterly corner of Lot 4 of said The Door Sash & Lumber Co. Subdivision, said point being the **TRUE POINT OF BEGINNING**, and from said beginning point running;

Thence, along the northerly line of said vacated Capital Alley, North 81° 11' 57" East for a distance of 170.04' to a point;

Thence, along a westerly line of a vacated 19' alley, North 08° 07' 14" West for a distance of 128.67' to a point along the southerly right-of-way line of Broad Street;

Thence, along the southerly right-of-way line of Broad Street, North 81° 07' 04" East for a distance of 19.00' to a point;

Thence, along the easterly line of said vacated 19' alley, South 08° 06' 24" East for a distance of 510.58' to a point;

Thence, along a northerly line of vacated Rush Alley, North 81° 53' 36" East for a distance of 131.06' to a point;

Thence, along a line through said vacated Rush Alley, South 08° 08' 03" East for a distance of 16.00' to a point;

Thence, along the southerly line of said vacated Rush Alley, South 81° 53' 36" West for a distance of 215.85' to a point;

Thence, North 08° 06' 24" West for a distance of 3.39' to a point;

Thence, North 81° 53' 36" East for a distance of 24.47' to a point;

Thence, North 36° 52' 27" East for a distance of 6.52' to a point;

Thence, North 81° 53' 36" East for a distance of 41.93' to a point;

Thence, North 08° 07' 56" West for a distance of 8.00' to a point;

Thence, South 81° 53' 36" West for a distance of 5.10' to a point;

Thence, along the easterly line of said vacated 19' alley, North 08° 07' 14" West for a distance of 365.65' to a point;

Thence, along the southerly line of said vacated Capital Alley, South 81° 11' 57" West for a distance of 170.05' to a point along the easterly right-of-way line of McDowell Street;

Thence, along the easterly right-of-way line of McDowell Street, North 08° 06' 24" West for a distance of 16.00' to the point of beginning, containing 0.348 acres of land, more or less.

Basis of bearings is the State Plane Coordinate System, Ohio South Zone (NAD83-2011) with a portion of the easterly right-of-way line of McDowell Street being North 08° 06' 24" West.

SECTION 2. That the City will receive a total of \$500.00 to be deposited into Fund 7748, project P537650, for the releasing the easements.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.