



Legislation Details (With Text)

File #: 1099-2022 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 4/7/2022 **In control:** Public Service & Transportation Committee

On agenda: 5/9/2022 **Final action:** 5/11/2022

Title: To authorize the Director of the Department of Public Service to execute those documents necessary for the transfer of 7,650± square foot portion of right-of-way on Morning Street to Christopher A. Wood & Alesha S. Wood. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ord 1099-2022 Exhibit.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|-------------------------|--------|
| 5/11/2022 | 1 | ACTING CITY CLERK | Attest | |
| 5/10/2022 | 1 | MAYOR | Signed | |
| 5/9/2022 | 1 | COUNCIL PRESIDENT | Signed | |
| 5/9/2022 | 1 | Columbus City Council | Approved | Pass |
| 5/2/2022 | 1 | Columbus City Council | Read for the First Time | |

1. BACKGROUND

The City of Columbus, Department of Public Service, received a request from Christopher A. Wood & Alesha S. Wood, owner and resident at 158 Chase Road, PID = 010-110658-00, to sell an approximate 7,650± square foot portion of Morning Street right-of-way. This portion of right-of-way is an unimproved portion of Morning Street. It is directly west of and adjacent to this address at the intersection of Morning Street and Chase Road. Sale of this right-of-way is for future plans to address safety concerns by extending a privacy fence in the area, build an addition to the family home and relocate the garage.

The Department of Public Service has agreed to sell the right-of-way as described and shown within the attached legal description and exhibit, and extinguishes its need for this public right-of-way. 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, the City will not be adversely affected by the transfer of this right-of-way. 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, and a value of \$16,552.00 was established. This request went before the Land Review Commission on July 16, 2020. After review of the request, the Land Review Commission voted to recommend the above referenced right-of-way be transferred to Christopher A. Wood & Alesha S. Wood at the cost of \$16,552.00.

2. FISCAL IMPACT

The City will receive a total of \$16,552.00 and the funds are to be deposited in Fund 7748, Project P537650, as consideration for the transfer of the requested right-of-way.

To authorize the Director of the Department of Public Service to execute those documents necessary for the transfer of

7,650± square foot portion of right-of-way on Morning Street to Christopher A. Wood & Alesha S. Wood. (\$0.00)

WHEREAS, the City of Columbus, Department of Public Service, received a request from Christopher A. Wood & Alesha S. Wood, owner and resident at 158 Chase Rd. PID = 010-110658-00, to sell an approximate 7,650± square foot portion of the Morning St. right-of-way. This portion of right-of-way is an unimproved portion of Morning Street. It is directly west of and adjacent to this address at the intersection of Morning Street and Chase Road; and

WHEREAS, the purpose of the transfer is to continue to care for and maintain this portion of the ROW. Future plans will be to address safety concerns by extending a privacy fence in the area, build an addition to the family home and relocate the garage; and

WHEREAS, the Department of Public Service has agreed to sell the right-of-way as described and shown within attached legal description and exhibit, and extinguishes its need for this public right-of-way; and

WHEREAS, 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, the City will not be adversely affected by the transfer of this right-of-way; and

WHEREAS, 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; and

WHEREAS, a value of \$16,552.00 was established; and

WHEREAS, this request went before the Land Review Commission on July 16, 2020; and

WHEREAS, after review of the request, the Land Review Commission voted to recommend the above referenced right-of-way be transferred to Christopher A. Wood & Alesha S. Wood at the cost of \$16,552.00; **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 a quit claim deed and other incidental instruments prepared by the City Attorney's Office, necessary to transfer the legal description as shown in the attached exhibit of right-of-way to Christopher A. Wood & Alesha S. Wood.

SECTION 2. That the attached 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 attached legal description and exhibit describing the right-of-way shall be and hereby is retained unto the City of Columbus for those utilities 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 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 the City will receive a total of \$16,552.00 to be deposited in Fund 7748, Project P537650, as consideration for the transfer of the requested right-of-way.

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

