Legislation Details (With Text)

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File created:	10/14/2025	**In control:**	Public Service & Transportation Committee
On agenda:	11/3/2025	**Final action:**	11/5/2025
Title:	To authorize the Director of the Department of Public Service to execute those documents necessary for the transfer of a 0.068 acre portion of right-of-way near Western Avenue to Effler Commercial, LLC or an affiliated entity, provided said entity is the owner of all property abutting the right-of-way at the time of transfer. ($0.00)		
Sponsors:			
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Attachments:	1. Approval-Plat, 2. Approval-Desc		

Date	Ver.	Action By	Action	Result
11/5/2025	1	CITY CLERK	Attest	
11/4/2025	1	MAYOR	Signed	
11/3/2025	1	COUNCIL PRESIDENT	Signed	
11/3/2025	1	Columbus City Council	Approved	Pass
10/27/2025	1	Columbus City Council	Read for the First Time	

1. BACKGROUND

The City of Columbus, Department of Public Service, received a request from Erwin Effler, representative for Effler Commercial, LLC asking that the City transfer them a 2,950 square foot (0.068 acre) portion of the right-of-way near Western Avenue. The right-of-way area is South of Western Avenue and West of Gerrard Avenue. The right-of-way area runs north/south directionally for approximately 185 feet in length and 15 feet in width. Abutted by parcel 010-061953 to the west, 010-061974 to the south, and parcels 010-061950, 010-061951, 010-061952, and 010-061960 to the east.

Transfer of this right-of-way will allow Effler Commercial, LLC or an affiliated entity, provided said entity is the owner of all property abutting the right-of-way at the time of transfer, to incorporate it into the adjoining parcels and build a multi-family housing development across the property. The Department of Public Service has agreed to transfer the right-of-way via a quitclaim deed as described and shown within 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 $36,875.00 was established.

This request went before the Land Review Commission on April 17, 2025. After review of the request, the Land Review Commission voted to recommend the above referenced right-of-way be transferred to Effler Commercial, LLC at the reduced cost of $27,500.00 to them.

2. FISCAL IMPACT
The City will receive a total of $27,500.00 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 a 0.068 acre portion of right-of-way near Western Avenue to Effler Commercial, LLC or an affiliated entity, provided said entity is the owner of all property abutting the right-of-way at the time of transfer. ($0.00)

WHEREAS, the City of Columbus, Department of Public Service, received a request from Erwin Effler, representative for Effler Commercial, LLC asking that the City transfer them a 2,950 square foot (0.068 acre) portion of the right-of-way near Western Avenue. The right-of-way area is South of Western Avenue and West of Gerrard Avenue. The right-of-way area runs north/south directionally for approximately 185 feet in length and 15 feet in width. Abutted by parcel 010-061953 to the west, 010-061974 to the south, and parcels 010-061950, 010-061951, 010-061952, and 010-061960 to the east; and

WHEREAS, transfer of this right-of-way will be to allow Effler Commercial, LLC or an affiliated entity, provided said entity is the owner of all property abutting the right-of-way at the time of transfer, to incorporate it into the adjoining parcels and build a multi-family housing development across the property; and

WHEREAS, the Department of Public Service has agreed to transfer via quitclaim deed 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 $36,875.00 was established; and

WHEREAS, this request went before the Land Review Commission on April 17, 2025; and

WHEREAS, after review of the request, the Land Review Commission voted to recommend the above referenced right-of-way be transferred to Effler Commercial, LLC at the cost of $27,500.00; **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 hereby is, authorized to execute a quitclaim deed and other incidental instruments prepared by the City Attorney's Office, necessary to transfer the right-of-way described below and depicted in the attached exhibit which is incorporated into this ordinance for reference, to Effler Commercial, LLC or an affiliated entity, provided said entity is the owner of all property abutting the right-of-way at the time of transfer; to-wit:

LEGAL DESCRIPTION
0.068 ACRE BOUNDARY

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Quarter Township 3, Township 1, Range 18, United States Military Lands, being part of Lots 12 and 13 of FRANKLIN COUNTY INFIRMARY FARM as delineated in Plat Book 3, Page 4, and being all of an Alley (16 feet wide) as dedicated in DAVID M. ELLIOTT'S SUBDIVISION OF 3 ACRES recorded in Plat Book 5, Page 224, all being of record in the Franklin County Recorder's Office, and being

more particularly described as follows:

COMMENCING at a MAG Nail set at the intersection of the westerly line of Gerrard Avenue (formerly Center Street) (50 feet wide) and the southerly line of Western Avenue (40 feet wide) as dedicated in said DAVID M. ELLIOTT'S SUBDIVISION OF 3 ACRES, also being the northeasterly corner of Lot 8 as delineated in said DAVID M. ELLIOTT'S SUBDIVISION OF 3 ACRES;

Thence along the southerly right-of-way line of said Western Avenue and also being along the northerly line of said Lot 8, North 86°49'52" West, 134.72 feet to an iron pin set at the northwesterly corner of said Lot 8, also being the intersection of said southerly right-of-way line with the easterly right-of-way line of said 16-foot Alley, and also being the **TRUE POINT OF BEGINNING**;

Thence leaving said southerly right-of-way line and along said easterly right-of-way line, also along the westerly lines of said Lot 8 and Lots 9-13, inclusive, of said DAVID M. ELLIOTT'S SUBDIVISION OF 3 ACRES, South 04°01'44" West, 184.49 feet to the southwesterly corner of said Lot 13, also being the northwesterly corner of a 0.220 acre tract of land as conveyed to Martin W. Wilt and Karen L. Wilt in Official Record 30182, Page E15, also being the northeasterly corner of a 0.981 acre tract of land as conveyed to Spellman Management, Ltd. in Instrument Number 201012300178386, and also being the southeasterly corner of said 16-foot Alley, said corner being referenced by a 3/4" iron pipe found 0.16 feet west;

Thence along the northerly line of said 0.981 acre Spellman Management, Ltd. tract and also along the southerly right-of-way line of said 16-foot Alley, North 86°47'19" West, 16.00 feet to an iron pin set at the southeasterly corner of Lot 14 of said DAVID M. ELLIOTT'S SUBDIVISION OF 3 ACRES and also being the southwesterly corner of said 16-foot Alley;

Thence leaving said northerly line, along the easterly line of said Lot 14, and also along the westerly right-of-way line of said 16-foot Alley, North 04°01'44" East, 184.48 feet to an iron pin set at the northeasterly corner of said Lot 14, and also being at the intersection of the said westerly right-of-way line with the southerly right-of-way line of said Western Avenue;

Thence along said southerly right-of-way line and also along the northerly right-of-way line of said 16-foot Alley, South 86°49'52" East, 16.00 feet to the **TRUE POINT OF BEGINNING**.

The above described parcel contains 0.068 acres (2,952 S.F.), of which 0.068 acres are in the present road occupied.

Subject however to all legal easements, restrictions, and rights of way of record and of records in the respective utility offices.
Bearings referenced herein are based on the Ohio State Plane Coordinate System, Ohio South Zone, NAD83 (2011 Adjustment, Epoch 2010.00) as determined by ODOT RTN observations, with the centerline of Gerrard Avenue bearing North 04°02'24" East.
Iron pins set are 5/8" rebar, 30" in length with a yellow plastic cap with "EP FERRIS SURVEYOR 8797" inscribed on top unless otherwise noted. Mag Nails set are magnetic nails with a 1.5" diameter brass washer with "EP FERRIS SURVEYOR 8797" inscribed on top.
This description was prepared by Garrett G. Brown, Ohio Registered Professional Surveyor 8797 and is based on a field survey conducted on June 12, 2025.
This description was prepared on October 16, 2025.

SECTION 2. That the attached referenced real property shall be, and hereby is, considered excess road right-of-way and the public rights therein shall terminate upon the Director's execution and delivery of said quitclaim deed to the grantee thereof.

SECTION 3. That a general utility easement in, on, over, across and through the legal description and attached exhibit describing the right-of-way shall be 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 $27,500.00 to be received by the City as consideration for the sale of these rights-of-way shall be deposited in Fund 7748, Project P537650.

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