1. Background:
The City of Columbus, Department of Public Service, received a request from Columbus State Community College asking that the City transfer and extinguish any right-of-way easement for the portion of the Mt. Vernon Avenue right-of-way between Cleveland Avenue and East Spring Street, which is adjacent to property owned by Columbus State Community College. Transfer of the right-of-way and extinguishing any right-of-way easement will facilitate the re-development of property currently owned by Columbus State Community College. The Department of Public Service has agreed to transfer the right-of-way as described below and in the attached exhibit, including extinguishing any right-of-way easements within Mt. Vernon Avenue between Cleveland Avenue and East Spring Street. 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 these rights-of-way, the City will not be adversely affected by the transfer of these rights-of-way and the extinguishing of any right-of-way easements. The Department of Public Service submitted a request to the Department of Law, Real Estate Division, asking that they establish a value for these rights-of-way and right-of-way easement areas. A value of $408,000.00 was established for these areas. Columbus State Community College had submitted a request for mitigation of the cost of the above noted right-of-way. After review of this request, the Land Review Commission voted to recommend the above referenced areas be transferred and extinguished to Columbus State Community College at no cost.

2. Fiscal Impact:
There is no fiscal impact for this transaction. The land is being donated to Columbus State Community College.

To authorize the Director of the Department of Public Service to execute those documents required to extinguish any right-of-way easements for the portion of the Mt. Vernon Avenue right-of-way between Cleveland Avenue and East Spring Street; to authorize the Director of the Department of Public Service to transfer this land to Columbus State Community College at no cost. ($0.00)

WHEREAS, the City of Columbus, Department of Public Service, received a request from Columbus State Community College asking that the City transfer and extinguish any right-of-way easements of a portion of the Mt. Vernon Avenue right-of-way between Cleveland Avenue and East Spring Street, which is adjacent to property owned by Columbus State Community College; and

WHEREAS, transfer of the right-of-way and extinguishing the right-of-way easement will facilitate the re-development of property currently owned by Columbus State Community College; 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 these rights-of-way, the City will not be adversely affected by the transfer of these rights-of-way and the extinguishing of any right-of-way easements; and

WHEREAS, the Department of Public Service submitted a request to the Department of Law, Real Estate Division, asking that they establish a value for these rights-of-way and right-of-way easement areas. A value of $408,000.00 was established for these areas; and

WHEREAS, Columbus State Community College has requested mitigation of the cost of the above mentioned rights-of-way, right-of-way easement and submitted justification for the request for mitigation; and

WHEREAS, after review of the request, the Land Review Commission voted to recommend that the above referenced areas be transferred and extinguished to Columbus State Community College at no cost; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Service to authorize the Director to execute the documents necessary to extinguish any right-of-way easements and transfer the land to Columbus State Community College; **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 Department of Law, Real Estate Division, necessary to extinguish any right-of-way easements and to transfer the following described rights-of-way to Columbus State Community College.; to-wit:

Parcel 1
0.206 ACRE
(Near the intersection of Mt. Vernon Avenue with Cleveland Avenue)

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 9, Township 5, Range 22, Refugee Lands, and being part of Mt. Vernon Avenue as dedicated in that subdivision entitled “Robert Neil’s Addition” of record in Plat Book 1, Page 98, (all references are to the records of the Recorder’s Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at a magnetic nail set at the southeasterly corner of that right-of-way intersection of Cleveland Avenue and Mt. Vernon Avenue, being the northwesterly corner of Lot 1 of that subdivision entitled “Walter Burwells Subdivision” of record in Plat Book 1, Page 217;

Thence North 03° 26’ 29” East, with the easterly right-of-way line of Cleveland Avenue extended, a distance of 68.48 feet to magnetic nail set;

Thence North 77° 57’ 43” East, across said Mt. Vernon Avenue and partly with the southerly line of Lot 29 of said Robert Neil’s Addition, a distance of 40.56 feet to an iron pin set on the northerly right-of-way line of Mt. Vernon Avenue, being a point on curve;

Thence continuing with said northerly right-of-way line, with the arc of a curve to the right, having a central angle of 14° 38’ 22”, a radius of 660.00 feet, an arc length of 168.63 feet, a chord bearing of South 78° 55’ 52” East and chord distance of 168.17 feet to an iron pin set on the northerly line of Lot 4 of said Walter Burwells Subdivision;

Thence South 77° 57’ 43” West, with said southerly right-of-way line, with the northerly line of Lots 4, 3, 2, and 1 of said Walter Burwells Subdivision, a distance of 213.53 feet to the POINT OF BEGINNING, containing 0.206 acre, more or less.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The Bearings shown hereon are based on the Ohio State Plane Coordinate System South Zone as per NAD83 (1986 Adjustment). The portion of the centerline of Cleveland Avenue, having a bearing of North 03° 26' 29" East is designated the "basis of bearing" for this survey.

This description is based on an actual field survey performed by or under the direct supervision of Joshua M. Meyer, Professional Surveyor Number 8485 in November 2016.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Parcel 2
0.029 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 9, Township 5, Range 22, Refugee Lands, being part of Naghten Street and part of that 17 foot wide Alley as shown on that subdivision plat entitled "Mitchell & Watson's Cleveland Avenue Addition" of record in Plat Book 2, Page 161, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at a magnetic nail set at the intersection of the easterly right-of-way line of Cleveland Avenue with the southerly right-of-way line of Mt. Vernon Avenue, being the northwesterly corner of Lot 1 of that subdivision entitled "Walter Burwells Subdivision" of record in Plat Book 1, Page 217;

Thence North 77° 57' 43" East, with said southerly right-of-way line and the northerly line of said Walter Burwells Subdivision, a distance of 69.33 feet to a point on a curve;

Thence continuing with said southerly right-of-way line, across Lots 2, 3, and 4 of said Walter Burwells Subdivision, across Lots 1 & 2 of that subdivision entitled "Isaac Cool's Estate" of record in Plat Book 1, Page 17, across a 20 foot and an 11 foot alley vacated by City of Columbus Ordinance Number 2120-83, across Lots 24, 23, 22, 21, 20, and 19 of that subdivision entitled "Mitchell & Watson's Cleveland Avenue Addition" of record in Plat Book 2, Page 161, the following courses and distances:

with the arc of a curve to the right, having a central angle of 28° 16' 58", a radius of 600.00 feet, an arc length of 296.18 feet, a chord bearing of South 69° 25' 47" East and chord distance of 293.18 feet to a point;

South 55° 17' 18" East, a distance of 195.84 feet to an iron pin set on the southerly line of said Lot 19, being the northerly right-of-way line of said Naghten Street, the TRUE POINT OF BEGINNING;

Thence South 86° 23' 31" East with the southerly line of said Lot 19, the northerly right-of-way line of said Naghten Street, a distance of 12.90 feet to an iron pin set at the southeasterly corner of said Lot 19, being the intersection of the northerly right-of-way line of said Naghten Street and the westerly right-of-way line of said 17 foot wide Alley;

Thence North 03° 04' 27" East with the easterly line of said Lot 19, the westerly right-of-way line of said 17 foot wide Alley, a distance of 62.65 feet to a magnetic nail set at the southerly line of that portion of said 17 foot wide Alley that was vacated by City of Columbus Ordinance Number 2120-83, being the northerly right-of-way easement line of Mt. Vernon Avenue as conveyed to the City of Columbus in Deed Book 3764, Page 807;

Thence South 55° 17' 18" East with the southerly line of that portion of said 17 foot wide Alley that was vacated by City of Columbus Ordinance Number 2120-83, being the northerly right-of-way easement line of Mt. Vernon Avenue as established in Deed Book 3764, Page 807, a distance of 19.97 feet to an iron pin set in the easterly right-of-way line of said 17 foot wide Alley and the westerly line of Lot 21 of that subdivision entitled "William B. Jarvis Second Addition to Columbus" of record in Deed Book 36, Page 362;

Thence South 03° 04' 27" West with the easterly line of said 17 foot wide Alley, the westerly line of said Lot 21 and Lot 22 of that subdivision entitled "William B. Jarvis Second Addition to Columbus" of record in Deed Book 36, Page 362, a distance of 70.47 feet to an iron pin set on the northerly line of that portion of Naghten Street vacated by City of Columbus Ordinance Number 2120-83, being the southerly right-of-way easement line of Mt. Vernon Avenue as established in Deed Book 3764, Page 807;

Thence North 55° 17' 18" West with the northerly line of that portion of Naghten Street vacated by City of Columbus Ordinance Number 2120-83 and with the southerly right-of-way easement line of Mt. Vernon Avenue as established in Deed Book 3764, Page 807, a distance of 35.12 feet to the TRUE POINT OF BEGINNING containing 0.029 acre, more

or less;

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The Bearings shown hereon are based on the Ohio State Plane Coordinate System South Zone as per NAD83 (1986 Adjustment). The portion of the centerline of Cleveland Avenue, having a bearing of North 03° 26' 29" East is designated the "basis of bearing" for this survey.

This description is based on an actual field survey performed by or under the direct supervision of Joshua M. Meyer, Professional Surveyor Number 8485 in November 2016.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Parcel 3
0.206 ACRE
(Near the intersection of Mt. Vernon Avenue and East Spring Street)

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 9, Township 5, Range 22, Refugee Lands, being all of that 0.081 acre tract conveyed to The City of Columbus, Ohio by deed of record in Deed Book 3789, Page 200, being a part of Washington Avenue as dedicated in that subdivision entitled “William B. Jarvis Second Addition to Columbus” of record in Deed Book 36, Page 362, part of Lots 23 & Lot 24 of said subdivision entitled “William B. Jarvis Second Addition to Columbus”, part of Lot 1 of that subdivision entitled “W.H. and H.R. Miller’s Subdivision” of record in Plat Book 4, Page 2, (all references are to the records of the Recorder’s Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at a magnetic nail set at the intersection of the easterly right-of-way line of Cleveland Avenue with the southerly right-of-way line of Mt. Vernon Avenue, being the northwesterly corner of Lot 1 of that subdivision entitled “Walter Burwells Subdivision” of record in Plat Book 1, Page 217;

Thence North 77° 57' 43" East, with said southerly right-of-way line and the northerly line of said Walter Burwells Subdivision, a distance of 69.33 feet to a point on a curve;

Thence continuing with said southerly right-of-way line, across Lots 2, 3, and 4 of said Walter Burwells Subdivision, across Lots 1 & 2 of that subdivision entitled “Isaac Cool’s Estate” of record in Plat Book 1, Page 17, across a 20 foot and an 11 foot alley vacated by Ordinance Number 2120-83, across Lots 24, 23, 22, 21, 20, and 19 of that subdivision entitled “Mitchell & Watson’s Cleveland Avenue Addition” of record in Plat Book 2, Page 161, across Naghten Street (50 Foot) and a 17 foot alley vacated by Ordinance Number 2120-83, across Lot 22 of said subdivision “William B. Jarvis Second Addition to Columbus”, the following courses and distances:

with the arc of a curve to the right, having a central angle of 28° 16’ 58”, a radius of 600.00 feet, an arc length of 296.18 feet, a chord bearing of South 69° 25’ 47” East and chord distance of 293.18 feet to a point;

South 55° 17’ 18” East, a distance of 284.08 feet to an iron pin set on the southerly line of said Lot 22 as appropriated by the City of Columbus in Franklin County Probate Court Case No. 24309, July 14, 1910, and northerly line of Lot 23, being the northwesterly corner of said 0.081 acre tract, the TRUE POINT OF BEGINNING;

Thence South 85° 57’ 31” East, across said Mt. Vernon Avenue, with the common line of said Lots 22 and 23 and the southerly line of said appropriated City of Columbus tract and a portion of said Lot 22 as conveyed to the City of Columbus in Deed Book 492 page 3 with the northerly line of said 0.081 acre tract, a distance of 76.87 feet to magnetic nail set at the common corner of said Lots 22 and 23 and a corner of said 0.081 acre tract;

Thence North 08° 20’ 45” West, with the easterly line of said Lot 22 and the original westerly right-of-way line of Washington Avenue across said Mt. Vernon Avenue, a distance of 27.08 feet to a magnetic nail set on the northerly right-of-way line of said Mt. Vernon Avenue and a westerly line of the 0.655 acre tract conveyed to Columbus State

Community College by deed of record in Official Record 26350D18, being a point on curve;

Thence with said northerly right-of-way line and said westerly line, with the arc of a curve to the right, having a central angle of 30° 01’ 47”, a radius of 215.00 feet, an arc length of 112.68 feet, a chord bearing of South 34° 43’ 38” East and chord distance of 111.40 feet to an iron pin set on the westerly line of Lot 1 of that subdivision entitled “Susan Walkers Subdivision” of record in Plat Book 3, Page 271 and in the original easterly right-of-way line of said Washington Avenue;

Thence South 08° 20’ 45” East, with the westerly line of Lots 1, 2, 3 of said Susan Walkers Subdivision, the original easterly right-of-way line of said Washington Avenue, and across said Mt. Vernon Avenue, a distance of 51.61 feet to a magnetic nail set, on the northerly right-of-way line of East Spring Street extended in the westerly line of said Lot 3 as conveyed to the City of Columbus in Deed Book 2361, Page 402;

Thence South 75° 59’ 17” West, with said northerly right-of-way extended across said Lot 1 of W.H. and H.R. Miller’s Subdivision, with the northerly line of a portion of said Lot 1 as conveyed to the City of Columbus in Deed Book 2370, Page 627, with the southerly line of said 0.081 acre tract, a distance of 83.84 feet to an iron pin set at a southwest corner of said 0.081 acre tract, in the easterly line of Tract C conveyed to Columbus Technical Institute by deed of record in Official Record 2228J03, being the intersection of the westerly right-of-way line of Mt. Vernon and the northerly right-of-way line of East Spring Street, being a point on curve;

Thence with the westerly right-of-way line of Mt. Vernon Avenue, with the westerly line of said 0.081 acre tract, with said easterly line, across Lot 1 of said W.H. and H.R. Miller’s subdivision and Lot 24 of said William B. Jarvis Second Addition to Columbus, with the arc of a curve to the left, having a central angle of 90° 00’ 01”, a radius of 30.00 feet, an arc length of 47.12 feet, a chord bearing of North 30° 59’ 16” East and chord distance of 42.43 feet to an iron pin set, being a point of compound curvature;

Thence continuing with said westerly right-of-way line and the westerly line of said 0.081 acre tract, said easterly line, across Lots 24 and 23 of said William B. Jarvis Second Addition to Columbus, with the arc of a curve to the left, having a central angle of 41° 16’ 34”, a radius of 155.00 feet, an arc length of 111.66 feet, a chord bearing of North 34° 39’ 01” West and chord distance of 109.26 feet to an iron pin set at a point of tangency;

Thence North 55° 17’ 18” West, with said westerly right-of-way line, with the westerly line of said 0.081 acre tract, and with said easterly line, across Lot 23 of said William B. Jarvis Second Addition to Columbus, a distance of 26.85 feet to the TRUE POINT OF BEGINNING containing 0.206 acre, more or less.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The Bearings shown hereon are based on the Ohio State Plane Coordinate System South Zone as per NAD83 (1986 Adjustment). The portion of the centerline of Cleveland Avenue, having a bearing of North 03° 26' 29" East is designated the "basis of bearing" for this survey.

This description is based on an actual field survey performed by or under the direct supervision of Joshua M. Meyer, Professional Surveyor Number 8485 in November 2016.

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Section 2. That the above referenced real property shall be considered excess road right-of-way and the public rights therein shall terminate upon Council’s approval this request and the Director's execution and delivery of said quit claim deed(s) to the grantee thereof.

Section 3. That the right-of-way easements for Mt. Vernon Avenue between Cleveland Avenue and East Spring Street as recorded in Deed Book 3764, page 807 is considered excess road right-of-way easement and the public rights therein shall terminate upon Council’s approval of this request and the Director's execution of any required documents thereof.

Section 4. That a general utility easement in, on, over, across and through the above described right-of-way and right-of-

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way easement shall be and hereby is retained unto the City of Columbus for those utilities located within said right-of-way.

Section 5. 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 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.