



## Legislation Text

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**File #: 0573-2018, Version: 1**

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### **1. BACKGROUND:**

The City of Columbus, Department of Public Service, received a request from Craig and Kathleen Tedorski asking that the City sell a 0.0128 acre portion of the Frankfort Street right-of-way south of Forest Street between Barth Alley and Bruck Street to them. Transfer of this right-of-way will facilitate the construction of a detached garage on property adjacent to the above noted right-of-way, owned by Craig and Kathleen Tedorski. 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 these rights-of-way. The Department of Public Service submitted a request to the City Attorney's Office, Real Estate Division, asking that they establish a value for this right-of-way. A value of \$5,013.00 was established for this right-of-way. After review of the request, the Land Review Commission voted to recommend the above referenced right-of-way be transferred to Craig and Kathleen Tedorski for \$5,013.00.

### **2. FISCAL IMPACT:**

The City will receive a total of \$5,013.00 that will 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 required to transfer a 0.0128 acre portion of the Frankfort Street right-of-way south of Forest Street between Barth Alley and Bruck Street to Craig and Kathleen Tedorski. (\$0.00)

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from Craig and Kathleen Tedorski asking that the City transfer to them a 0.0128 acre portion of the Frankfort Street right-of-way south of Forest Street between Barth Alley and Bruck, adjacent to property owned by Craig and Kathleen Tedorski; and

**WHEREAS**, acquisition of the right-of-way will facilitate the construction of a detached garage on property currently owned by Craig and Kathleen Tedorski, adjacent to the above noted right-of-way; and

**WHEREAS**, the City of Columbus, Department of Public Service, Division of Infrastructure Management, by this transfer, 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 applicable area commissions, 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 to Craig and Kathleen Tedorski; and

**WHEREAS**, the Department of Public Service submitted a request to the City Attorney's Office, Real Estate Division, asking that they establish a value for the right-of-way; and

**WHEREAS**, a value of \$5,013.00 was established for the right-of-way to be deposited in Fund 7748, Project P537650; and

**WHEREAS**, the Land Review Commission voted to recommend that the above referenced right-of-way be transferred to Craig and Kathleen Tedorski for the amount of \$5,013.00; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Service to authorize the Director to execute those documents required to transfer the right-of-way; **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 City Attorney's Office, Real Estate Division, necessary to transfer the following described right-of-way to Craig and Kathleen Tedorski, to-wit:

Legal Description  
Parcel A

Situated in the City of Columbus, County of Franklin and State of Ohio, and known as being 0.0128 Ac. in Half Section 27, Township 5 Range 22, Refugee Lands, and part of the right of way adjacent to Lot 12 as dedicated in Henry Barth's Subdivision, Plat Book 1, Page 377 as recorded in the Franklin County Recorder's Office and is bound and described as follows:

Beginning at a 5/8" iron pin found at the northwest corner of said Lot 12 in the north line of Forest Street 60' wide;

Thence **South 08°31'52" East a distance of 116.00 feet** along the common line of Lots 11 & 12 of said Barth's Subdivision being the easterly property line of land conveyed to Andrew R. & Karen K. Hanas by deed dated September 15, 1983 and recorded in Official Record 3323A11 of Franklin County Deed Records to an **iron pin set** and the **PRINCIPLE PLACE OF BEGINNING** of the parcel herein described;

Thence **South 86°34'49" East a distance of 27.82 feet** along the northerly Right-of-Way of Frankfort Street varies in width as recorded in said Henry Barth's Subdivision, Miller, Kraner & Knell's Subdivision Plat Book 4, Page 442, and Chapman's Subdivision Plat Book 1, Page 168, and being the south line of Lot 12 as conveyed to Craig J. & Kathleen Tedorski deed dated August 31, 2016 and recorded in Instrument Number 201608310116896, 201608310116144, 201608310116896, and 201608310116144 of the Franklin County Deed records to an **iron pin set**;

Thence **South 8°31'52" East a distance of 20.45 feet** continuing in the northerly Right-of-Way of Frankfort Street being the westerly line of Lot 59 of Chapman's Subdivision, Plat Book 1 Page 168 destroyed by fire, as conveyed to Andrea M. Whaley by deed dated December 11, 2009 and recorded in Instrument Number 200912110179498 of Franklin County Deed Records to an **iron pin set**;

Thence **North 86°34'49" West a distance of 27.82 feet** passing through the Right-of-Way of Frankfort Street 40' wide as dedicated by said Barth's Subdivision to a point referenced by **5/8" iron pin found** at a distance of 0.72 feet southwest;

Thence **North 8°31'52" West a distance of 20.45 feet** passing through the Right-of-Way of Frankfort Street as dedicated by said Barth's Subdivision to the **PRINCIPLE PLACE OF BEGINNING** and containing 0.0128 acres (556.587 square feet) of land as surveyed by Bemba K. Jones, P.S. on May 10, 2017. Said 0.0128 acre fully resides in the Right-of-Way of said Frankfort Street.

The above description was prepared by Bemba K. Jones, P.S. #7343 on May 26, 2017 and is based on existing records and an actual field survey performed by XYZ Professional Services LTD. in May 2017. A drawing of the above description is attached hereto and made a part hereof

Iron pins set are 5/8" diameter iron rebar 30" long with plastic cap inscribed BKJ 7343  
Bearings are based on the Ohio State Plane Coordinate System NAD83, CORS96. A bearing of S 86° 26'23" E was observed and held for the south right of way line of Forest Street.

All references used in this description can be found at the Recorder's Office Franklin County, Ohio unless otherwise

noted.

**Section 2.** That the above 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 above described 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 \$5,013.00 to be received by the City as consideration for the sale of this right-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.