



Legislation Text

File #: 0672-2018, Version: 1

1. BACKGROUND:

The City of Columbus, Department of Public Service, received a request from Mark W. Catalano, on behalf of 3342 Henderson Rd LLC, asking that the City sell a 0.103 acre portion of the Chevy Chase Court right-of-way north of Henderson Road to 3342 Henderson Rd. LLC. Transfer of this right-of-way will facilitate the development of a number of parcels adjacent to the above noted right-of-way, owned by 3342 Henderson Rd LLC. 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 Department of Law, Real Estate Division, asking that they establish a value for this right-of-way. A value of \$15,698.00 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 3342 Henderson Rd LLC for \$15,698.00.

2. FISCAL IMPACT:

The City will receive a total of \$15,698.00 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 0.103 acre portion of the Chevy Chase Court right-of-way north of Henderson Road to 3342 Henderson Rd. LLC.

WHEREAS, the City of Columbus, Department of Public Service, received a request from Mark W. Catalano, on behalf of 3342 Henderson Rd LLC asking that the City transfer a 0.103 acre portion of the Chevy Chase Court right-of-way north of Henderson Road, adjacent to property owned by 3342 Henderson Rd. LLC, to them; and

WHEREAS, acquisition of the right-of-way will facilitate the development of a number of parcels of property currently owned by 3342 Henderson Rd. LLC 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 3342 Henderson Rd. LLC; 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 \$15,698.00 was established for the right-of-way; and

WHEREAS, the Land Review Commission voted to recommend that the above referenced right-of-way be transferred to 3342 Henderson Rd LLC for the amount of \$15,698.00; **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 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 3342 Henderson Rd LLC, to-wit:

EXHIBIT "A"
0.103 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, in Quarter Township 1, Township 1, Range 19, United States Military Lands, being a part of Chevy Chase Court, Width Varies, as delineated on the plat of Slate Run Woods as recorded in Plat Book 49, Page 65, all records being of the Recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

Commencing at a "MAG" nail set at the intersection of the westerly right-of-way line of Chevy Chase Court (Width Varies) and the centerline of Henderson Road (Width Varies), being the southeast corner of a 3.615 acre tract conveyed to 3342 Henderson Rd LLC in Instrument Number 201510060141288;

Thence along the westerly right-of-way line of Chevy Chase Court and the easterly line of said 3.615 acre tract, North 03° 41'44" East, 54.71 feet to a set iron pin, and being the **TRUE POINT OF BEGINNING** of the parcel herein intended to be described;

Thence continuing along the westerly right-of-way line of Chevy Chase Court, easterly line of said 3.615 acre tract, and along the easterly line of a 0.461 acre tract conveyed to 3342 Henderson Rd LLC in Instrument Number 201510060141277, North 03°41'44" East, 448.98 feet to a 3/4" hollow iron pin found at the northeast corner of said 3.615 acre tract and being in the southerly line of Lot 11 of said Slate Run Woods;

Thence along a northerly right-of-way line of Chevy Chase Court and the southerly line of said Lot No. 11, South 86° 18'16" East, 10.00 feet to a set iron pin;

Thence crossing said Chevy Chase Court, South 03°41'44" West, 442.65 feet to a set iron pin at a point of curvature;

Thence continuing across said Chevy Chase Court along a curve to the right having a radius of 7.00 feet, a central angle of 113 degrees 57 minutes 26 seconds, an arc length of 13.92 feet, South 60 degrees 40 minutes 27 seconds West, 11.74 feet to a set iron pin at a point of tangency, said pin being 50 feet northerly of the centerline of right-of-way line of Henderson Road;

Thence continuing across said Chevy Chase Court and being 50 feet northerly and parallel to the centerline of Henderson Road, North 62°20'50" West, 0.17 feet to the **TRUE POINT OF BEGINNING, CONTAINING 0.103 ACRES (4,485 S.F.)**

Subject however to all legal easements, restrictions and rights of way of record and of records in the respective utility offices

Basis of bearings is assumed to be North 03 degrees 41 minutes 44 seconds East on the westerly line of Chevy Chase Court.

All monuments found are in good condition unless otherwise noted.

This description was prepared by Matthew Lee Sloat, Ohio Registered Professional Surveyor 8342 and is based on field surveys conducted by E. P. Ferris & Associates, Inc. in September 2015 under the direct supervision of Matthew Lee Sloat, Ohio Registered Professional Surveyor 8342. Iron pins set are 5/8" rebar, 30" in length with a yellow plastic cap with "EP FERRIS SURVEYOR 8342" inscribed on top.

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 \$15,698.00 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.