



## Legislation Text

**File #:** 2572-2018, **Version:** 1

**BACKGROUND:** The Department of Public Service, received a request from the Ohio Department of Transportation ("ODOT") to transfer two parcels of right-of-way located near the intersection of Cleveland Avenue and Schrock Road. Parcel 7WL (0.066 acres) and Parcel 10WL (0.012 acres) were acquired as part of the FRA-710-3.21, Cleveland Avenue at Schrock Road Improvement Project, PID94931. After review by the Department of Public Service it was determined that transferring the two parcels to ODOT at no cost will benefit both ODOT and the City and that the City will not be adversely affected by the transfer of these parcels.

**CONTRACT COMPLIANCE:** Not applicable.

**FISCAL IMPACT:** Not Applicable

**EMERGENCY JUSTIFICATION:** Not Applicable

To authorize the Director of the Department of Public Service to execute those documents required to transfer Parcel 7WL and 10WL acquired as part of the FRA-710.3.21 Cleveland Avenue at Schrock Road Improvement Project, PID 94931 to ODOT; and to waive the Land Review Commission requirements of Columbus City Codes. (\$0.00)

**WHEREAS**, the Department of Public Service, received a request from the Ohio Department of Transportation ("ODOT") to transfer two parcels of right-of-way located near the intersection of Cleveland Avenue and Schrock Road.; and

**WHEREAS**, the two parcels, Parcel 7WL1 (0.066 acres) and Parcel 10WL2 (0.012 acres), were acquired as part of the FRA-710-3.21, Cleveland Avenue at Schrock Road Improvement Project, PID94931; and

**WHEREAS**, after review by the Department of Public Service it was determined that transferring the two parcels to ODOT, at no cost, will benefit both ODOT and the City and that the City will not be adversely affected by the transfer of the parcels; and

**WHEREAS**, the Department of Public Service requests that the Land Review Commission requirements of the Columbus City Code be waived; and

**WHEREAS**, it has become necessary in the usual daily operation of the the Department of Public Service to authorize the Director to execute those documents required to transfer Parcel 7WL and 10WL acquired as part of the FRA-710.3.21 Cleveland Avenue at Schrock Road Improvement Project, PID 94931 to ODOT; **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 transfer a 0.066 acre parcel and a 0.012 acre parcel of right-of-way to ODOT; to-wit:

Parcel 7WL

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 2, Township 2, Range 17 of the United States Military Lands, being out of Reserve "B" as shown on Lauffer Road Dedication and Reserves "A" & "B" and Easements of record in Plat Book 66, Pages 51 and 52, conveyed as Parcel One to Calvary Apostolic Church by deed of record in Instrument Number 200707240128997, (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

***Beginning, for reference,*** at a 3/4 inch solid iron pin in a monument box found marking the intersection of the centerline of construction of Cleveland Avenue as shown on the right-of-way plans FRA-270-18.32N on file with the Ohio Department of Transportation, District 6, Delaware, Ohio with the original centerline of Schrock Road, also being in the northerly line of Parcel 6062B-WL conveyed to the State of Ohio by deed of record in Deed Book 2762, Page 5;

thence South 03° 27' 14" West, with said centerline of construction and across said Parcel 6062B-WL, a distance of 47.95 feet, to a point;

thence South 86° 32' 46" East, across said Parcel 6062B-WL, a distance of 60.98 feet, to a point in the easterly line of said Parcel 6062B-WL, a southwesterly corner of the 0.174 acre tract conveyed as Parcel 12WD to Franklin County by deed of record in Official Record 4132H13, the northwesterly corner of said Reserve "B", and the intersection of the easterly limited access right-of-way line of Cleveland Avenue with the southerly right-of-way line of Schrock Road;

thence South 01° 35' 10" West, with said easterly line, said easterly limited access right-of-way line, and the westerly line of said Reserve "B", a distance of 33.28 feet, to an iron pin set at the ***True Point of Beginning***;

thence across said Reserve "B", the following courses:

South 88° 24' 50" East, a distance of 19.38 feet, to an iron pin set;

South 10° 56' 39" West, a distance of 48.19 feet, to an iron pin set;

South 03° 18' 46" West, a distance of 314.11 feet, to an iron pin set in the southerly line of said Reserve "B" and the northerly line of the 0.578 acre tract conveyed as Parcel Two to Calvary Apostolic Church by deed of record in Instrument Number 200707240128997;

thence North 55° 06' 25" West, said southerly and northerly line, a distance of 2.48 feet, to a common corner thereof, the southeasterly corner of said Parcel 6062B-WL, the northeasterly corner of Parcel 6062A-WL conveyed to the State of Ohio by deed of record in Deed Book 2717, Page 252, and in the easterly limited access right-of-way line of said Cleveland Avenue (reference a 3/4 inch iron pipe found, 0.18 foot westerly and 0.08 foot southerly);

thence North 01° 35' 10" East, with the westerly line of said Reserve "B", the easterly line of said Parcel 6062B-WL, and said easterly limited access right-of-way line, a distance of 360.15 feet, to the ***True Point of Beginning***, containing 0.066 acre, more or less, from Auditor's Parcel Number 600-208624.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

The bearings herein are based on the Ohio State Plane Coordinate System, South Zone per NAD 83 (1986 adjustment). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected Franklin County Engineering Department monuments FRANK 85 and WEST 17. The portion of the centerline of Schrock Road, having a bearing of North 78° 31' 16" East, is designated the "basis of bearing" for the survey.

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.

Parcel 10WL

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 1, Township 2, Range 18 of the United States Military Lands, being out of the 0.532 acre tract conveyed to St. Charles Partners by deed of record in Official Record 10524H16, (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

***Beginning, for reference,*** at a 3/4 inch solid iron pin in a monument box found marking the intersection of the centerline of construction of Cleveland Avenue as shown on the right-of-way plans FRA-270-18.32N on file with the Ohio Department of Transportation, District 6, Delaware, Ohio with the original centerline of Schrock Road, also being in the northerly line of Parcel 6062B-WL conveyed to the State of Ohio by deed of record in Deed Book 2762, Page 5;

thence South 03° 27' 14" West, with said centerline of construction and across said Parcel 6062B-WL, a distance of 148.67 feet, to a point;

thence North 86° 32' 46" West, across said Parcel 6062B-WL and Parcel 6059-WL conveyed as a highway easement to the State of Ohio by deed of record in Deed Book 2625, Page 41, a distance of 59.67 feet, to a point in the westerly line of said Parcel 6059-WL, a southerly corner of the 0.093 acre tract conveyed as Parcel 23-WD to City of Columbus, Ohio by deed of record in Official Record 10048A03, an easterly line of said 0.532 acre tract, and the intersection of the westerly limited access right-of-way line of Cleveland Avenue with the southerly right-of-way line of Schrock Road, being the ***True Point of Beginning***;

thence South 07° 50' 17" West, with the westerly line of said 0.532 acre tract, said westerly limited access right-of-way line, and the westerly line of said Parcel 6059-WL, a distance of 112.40 feet, to the southeasterly corner thereof and the northeasterly corner of the 0.5367 acre tract conveyed to Perfect Image Investments, LLC by deed of record in Instrument Number 200906300095161 (reference a 3/4 inch iron pipe found, 0.11 feet northerly and 0.06 feet westerly);

thence North 85° 59' 46" West, with the line common to said 0.5367 acre and 0.532 acre tracts, a distance of 0.24 feet, to an iron pin set;

thence across said 0.532 acre tract, the following courses:

North 03° 27' 14" East, a distance of 112.07 feet, to an iron pin set;

South 86° 32' 46" East, a distance of 8.83 feet, to the ***True Point of Beginning***, containing 0.012 acre, more or less, from Auditor's Parcel Number 010-191334.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

The bearings herein are based on the Ohio State Plane Coordinate System, South Zone per NAD 83 (1986 adjustment). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected Franklin County Engineering Department monuments FRANK 85 and WEST 17. The portion of the centerline of Schrock Road, having a bearing of North 78° 31' 16" East, is designated the "basis of bearing" for the survey.

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.

**SECTION 2.** That this Council has determined it is in the best interest of the City of Columbus to allow these parcels to be transferred without requiring a recommendation from the Land Review Commission and hereby waives the Land Review Commission provision of Columbus City Code Chapter 328 with regards to the transfer of these parcels.

**SECTION 3.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.