



## Legislation Text

**File #: 2747-2018, Version: 1**

### **1. BACKGROUND:**

The City of Columbus, Department of Public Service, received a request from Class One Commercial Realty and Investments, LLC, asking that the City transfer a portion of the Beaumont Avenue right-of-way between Strimple and Minerva Avenues, and a portion of the unnamed east/west right-of-way east of Beaumont Avenue between Strimple and Minerva Avenues, totaling 0.167 acres (7,275 square feet). Transfer of this right-of-way will facilitate the residential re-development of two (2) single family homes on property currently owned by Class One Commercial Realty and Investments, LLC, adjacent to the above noted right-of-way, located at 2194 Strimple Avenue. The Department of Public Service has agreed to transfer the right-of-way as described in the attached exhibit and extinguish the underlying fee. 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, Real Estate Division, asking that they establish a value for this right-of-way. A value of \$5,445.00 was established for these rights-of-way. This request went before the Land Review Commission on August 16, 2018. After review of the request, the Land Review Commission voted to recommend the above referenced rights-of-way be transferred to Class One Commercial Realty and Investments, LLC, for the amount of \$5,445.00.

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

The City will receive a total of \$5,445.00 that will be deposited in Fund 7748, Project P537650, as consideration for the transfer of the requested rights-of-way. (\$0.00)

To authorize the Director of the Department of Public Service to execute those documents required to transfer a portion of the Beaumont Avenue right-of-way between Minerva and Strimple Avenues and a portion of the unnamed east/west right-of-way east of Beaumont Avenue between Minerva and Strimple Avenues to Class One Commercial Realty and Investments, LLC.

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from Class One Commercial Realty and Investments, LLC, asking that the City transfer to them a 0.167 acres (7,275 square feet) portion of the Beaumont Avenue right-of-way between Minerva and Strimple Avenues and a portion of the unnamed east/west right-of-way east of Beaumont Avenue between Minerva and Strimple Avenues, adjacent to property owned by Class One Commercial Realty and Investments, LLC; and

**WHEREAS**, acquisition of these rights-of-way will facilitate the residential re-development of property currently owned by Class One Commercial Realty and Investments, LLC, adjacent to the above noted rights-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 these rights-of-way, the City will not be adversely affected by the transfer of these rights-of-way to Class One Commercial Realty and Investments, 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 these rights-of-way; and

**WHEREAS**, a value of \$5,445.00, to be deposited in Fund 7748, Project P537650, was established for these rights-of-way; and

**WHEREAS**, this request went before the Land Review Commission on August 16, 2018 and after review of the request, the Land Review Commission voted to recommend that the above referenced rights-of-way be transferred to Class One Commercial Realty and Investments, LLC for the amount of \$5,445.00; **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 rights-of-way to Class One Commercial Realty and Investments, LLC to-wit:

0.167 ACRES  
(South Part of Beaumont Avenue & Alley)

Situate in the State of Ohio, County of Franklin, City of Columbus, being a part of Beaumont Street and part of a 15 foot wide alley, inclusive of Block 7 of Villa Park, as is numbered and delineated on the recorded plat thereof, of record in Plat Book 12, Page 5, all records being of the Recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

BEGINNING at a set iron pipe at the intersection of the east line of Beaumont Avenue, 50 feet wide, with the north line of Strimple Avenue, 50 feet wide, also being the southwest corner of Lot 100 of Block 7 of said Villa Park;

Thence, along the north line of Strimple Avenue and across Beaumont Avenue, North 87 degrees 37 minutes 00 seconds West, 50.00 feet to a found 1" O.D. iron pipe at the intersection of the north line of Strimple Avenue with the west line of Beaumont Avenue, also being the southeast corner of Lot 51, Block 11 of said Villa Park;

Thence, along part of the west line of Beaumont Avenue, along the east line of said Lot 51, along the east line of a 0.014 acre tract conveyed to Salee Severe in Instrument Number 199811250304343 and Instrument Number 200402250040432 and along the east line of a 0.014 acre tract conveyed to Latasha Morgan in Instrument Number 200708070138761, Parcel 2, North 02 degrees 14 minutes 00 seconds East, 115.20 feet to a set iron pipe at the northeast corner of said Morgan 0.014 acre tract and the southeast corner of Lot 50 of Block 11 of said Villa Park;

Thence, across Beaumont Avenue, along the north line of said 15 foot wide alley and along the south line of Lots 1, 2, 3, 4 and 5 of said Block 7, South 87 degrees 37 minutes 00 seconds East, 150.00 feet to a set iron pipe at the southeast corner of said Lot 5, at the southwest corner of Lot 6 of said Block 7 and at the northwest corner of a 0.021 acre tract conveyed to Class One Commercial Realty & Investments LLC in Instrument Number 201712270181524;

Thence, across said 15 foot wide alley and along the west line of said 0.021 acre tract, South 02 degrees 14 minutes 00 seconds West, 15.00 feet to a set iron pipe in the south line of said 15 foot wide alley, at the southwest corner of said 0.021 acre tract, at the northeast corner of Lot 96 of said Block 7 and the northwest corner of Lot 95 of said Block 7;

Thence, along the south line of said 15 foot wide alley and along the north lines of Lots 96, 97, 98, 99 and 100 of said Block 7, North 87 degrees 37 minutes 00 seconds West, 100.00 feet to a found 1" solid iron pin at the northwest corner of said Lot 100 and in the east line of Beaumont Avenue;

Thence, along the west line of said Lot 100 and the east line of Beaumont Avenue, South 02 degrees 14 minutes 00 seconds West, 100.20 feet to the POINT OF BEGINNING, CONTAINING 0.167 ACRES. Subject however to all legal easements, restrictions and rights of way of record and of records in the respective utility offices.

Iron pipes set are 1" O.D. x 30" long with an orange plastic cap inscribed "MYERS PS 6579". Basis of bearings is assumed to be North 87 degrees 37 minutes 00 seconds West on the north line of Strimple Avenue. This description is based on a field survey by Myers Surveying Company, Inc. in March and April, 2018.

**SECTION 2.** That the above referenced real property shall be considered excess road right-of-way and the public right 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 rights-of-way shall be and hereby is retained unto the City of Columbus for those utilities located within said rights-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 City will receive a total of \$5,445.00 that will be deposited in Fund 7748, Project P537650, as consideration for the transfer of the requested rights-of-way.

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