



Legislation Text

File #: 0245-2019, **Version:** 1

1. BACKGROUND:

The City of Columbus, Department of Public Service, received a request from E Corp Land Holdings, LLC, asking that the City transfer a 0.022 acre portion of the unnamed east/west right-of-way east of North Jones Avenue between Scott Street and West Gay Street which is adjacent to property owned by E Corp Land Holdings, LLC. The purpose of the transfer is to combine the properties, adjacent on both sides of the alley, for more effective/efficient use, as permitted in the current zoning district. The Department of Public Service has agreed to sell the right-of-way as described and shown within attached legal description and exhibit, and extinguishes its need for this public right-of-way. 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 asking that they establish a value for this right-of-way, and a value of \$718.00 was established. This request went before the Land Review Commission on September 20, 2018. After review of the request, the Land Review Commission voted to recommend the above referenced right-of-way be transferred to E Corp Land Holdings, LLC for the amount of \$718.00.

2. FISCAL IMPACT:

There is no cost to the City for this transaction. The City will receive a total of \$718.00 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 necessary to transfer a 0.022 acre portion of the unnamed east/west right-of-way east of North Jones Avenue between Scott Street and West Gay Street to E Corp Land Holdings, LLC. (\$0.00)

WHEREAS, the City of Columbus, Department of Public Service, received a request from E Corp Land Holdings, LLC, asking that the City transfer a 0.022 acre portion of the unnamed east/west right-of-way east of North Jones Avenue between Scott Street and West Gay Street which is adjacent to property owned by E Corp Land Holdings, LLC; and

WHEREAS, the purpose of the transfer is to combine the properties, adjacent on both sides of the alley, for more effective/efficient use, as permitted in the current zoning district; and

WHEREAS, the Department of Public Service has agreed to sell the right-of-way as described and shown within attached legal description and exhibit, and 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 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; and

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

WHEREAS, a value of \$718.00 was established to be deposited in Fund 7748, Project P537650; and

WHEREAS, this request went before the Land Review Commission on September 20, 2018; and

WHEREAS, after review of the request, the Land Review Commission voted to recommend the above referenced right-of-way be transferred to E Corp Land Holdings LLC for the amount of \$718.00; 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 necessary to transfer a 0.022 acre portion of the unnamed east/west right-of-way east of North Jones Avenue between Scott Street and West Gay Street to E Corp Land Holdings, LLC.; **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 a quit claim deed and other incidental instruments prepared by the City Attorney's Office necessary to transfer the attached described legal description and exhibit of right-of-way to E Corp Land Holdings, LLC.; to-wit:

LEGAL DESCRIPTION

0.022 ACRE ALLEY

CONVEYANCE

E CORP LAND HOLDINGS, LLC

Situate in the State of Ohio, County of Franklin, City of Columbus, being part of a 10 foot alley dedicated in Stevenson's Subdivision of Lots Nos. 19 to 27 of R.G. Sullivan's Subdivision recorded in Plat Book 4, Page 379 {all references to deeds, microfiche, plats, surveys, etc. refer to the Franklin County Recorder's Office or Engineer's Office) and being more particularly described as follows;

COMMENCING FOR REFERENCE at an iron pin set at the southwest corner of Lot 7 of said Stevenson's Subdivision, also being the east right of way line of Jones Avenue {50 foot wide) and the north right of way line of W. Gay Street {28 foot wide);

Thence along said north right of way line, also being the south line of said Lot 7, and across a 10 foot alley, **North 81°33'24" East**, a distance of **135.00 feet** to an iron pin set at the southwest corner of Lot 8 of said Stevenson's Subdivision;

Thence leaving south north right of way line and said south lot line and along the east right of way line of said 10 foot alley and also being the west line of said Lot 8, **North 08°21'54" West**, a distance of **94.75 feet** to an iron pin set at the northwest corner of said Lot 8, also being on the south right of way line of the 10 foot alley to be conveyed and being the **TRUE POINT OF BEGINNING** of the herein described tract of land;

Thence on a new dividing line across said 10 foot alley to be conveyed, **North 08°21'54" West**, a distance of **10.00 feet** to an iron pin set at the southwest corner of Lot 11 of said Stevenson's Subdivision and also being on the north right of way line of said 10 foot alley to be conveyed;

Thence along said north right of way line and also being the south line of Lots 11, 12, and 13 of said Stevenson's Subdivision, **North 81°33'24" East**, a distance of **97.32 feet** to an iron pin set at the southeast corner of said Lot 13 and being on the west right of way line of a 10 foot alley;

Thence leaving north right of way line and said south lot line on a new dividing line across said 10 foot alley to be conveyed, **South 08°31'17" East**, a distance of **10.00 feet** to an iron pin set on the south right of way line of said 10 foot alley to be conveyed and also being the northeast corner of Lot 10 of Stevenson's Subdivision;

Thence along said south right of way line and also being the north line of Lots 8, 9, and 10 of said Stevenson's Subdivision, **South 81°33'24" West**, a distance of **97.35 feet** to the **TRUE POINT OF BEGINNING**;

Containing a total of 0.022 acres, more or less.

This description is based upon actual field survey performed under my direct supervision in November, 2018 by Sands Decker CPS, LLC.

Together with and subject to covenants, easements, and restrictions of record.

All iron pins set are 3/4" inside diameter iron pipe being 30 inches in length with a 1" yellow plastic cap inscribed "Sands Decker".

Bearings are based on the Ohio State Plane Coordinate System - Ohio South Zone (NAD83) by GPS observation, referenced to the ODOT VRS network with the north line of East Gay street being N81031'24"E as the basis of bearings for the survey.

SANDS DECKER

| | |
|----------------------------|-------------------|
| | <u>11/07/2018</u> |
| Steven W. Newell | Date |
| Ohio Registered | |
| Professional Surveyor 7212 | |

SECTION 2. That the attached 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 attached legal description and exhibit describing the 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 a value of \$718.00 was established to be deposited in Fund 7748, Project P537650 for the transfer of the above referenced right-of-way.

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