



Legislation Text

File #: 1874-2019, **Version:** 1

1. BACKGROUND

Pursuant to Ordinance numbers 20-48, 2164-91, 1335-75, 827-57 and 1843-97, the City agreed to transfer various streets and alleys ("right-of-way") to various owners over the years to allow the parcels to be combined by the County Auditor's Office for a future project. Within the above mentioned ordinances the City retained easements for existing utilities. The Department of Public Service recently received a request from CHI Franklinton, LP, the current owner of the properties, asking that the City release the reserved easements over these areas to clear title and allow the site to be redeveloped. The project is known as Cover My Meds is planned to consist of 312,782 GSF of office building, surface parking lot and garage with an estimated cost of \$100,000,000.00. After receipt of this request the Department of Public Service, Division of Infrastructure Management, verified with all the public and private utility companies that there are no public utilities or need for easements located within the requested area and that they have no objections to these portions of the easements being released. The following legislation authorizes the Director of the Department of Public Service to execute those documents necessary to release these easements as described and depicted on the attached exhibits.

2. FISCAL IMPACT

The City will not expend funds for this transaction. The City will receive a total of \$500.00 to be deposited in Fund 7748, Project P537650, for releasing of the easements so the title can be cleared and redeveloped.

To authorize the Director of the Department of Public Service to execute those documents necessary to release easements on land to be used for a project known as Cover My Meds. (\$0.00)

WHEREAS, Pursuant to Ordinance numbers 20-48, 2164-91, 1335-75, 827-57 and 1843-97, the City agreed to transfer various streets and alleys ("right-of-way") to various owners over the years to allow the parcels to be combined by the County Auditor's Office for a future project. Within the above mentioned ordinances the City retained easements for existing utilities; and

WHEREAS, The Department of Public Service recently received a request from CHI Franklinton, LP, the current owner of the properties, asking that the City release the reserved easements over these areas to clear title and allow the site to be redeveloped; and

WHEREAS, The project is known as Cover My Meds and planned to consist of 312,782 GSF of office building, surface parking lot, and garage with an estimated cost of \$100,000,000.00; and

WHEREAS, Department of Public Service, Division of Infrastructure Management, verified with all the public and private utility companies that there are no public utilities or need for this easement located within the requested area and that they have no objections to these portions of the easement being released; and

WHEREAS, this ordinance authorizes the Director of the Department of Public Service to execute those documents necessary to release the easement areas as described below and on the attached exhibit to allow the area to clear title for this site; **NOW, THEREFORE;**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. To authorizes the Director of the Department of Public Service to execute those documents necessary to release these easements as described below and depicted on the attached exhibits and approved by the Real Estate Department, City Attorney's Office: to-wit

Easement Areas to be released:

0.112 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Virginia Military District Survey Number 1393, being across that tract as conveyed to CHI Franklinton, LP by deed of record in Instrument Number 201902210020129, across that portion of Meek Avenue as dedicated in "Caputo's Addition No. 2" of record in Plat Book 10, Page 320 and "McKinley Avenue Cottage Place Subdivision" of record in Plat Book 7, Page 276 as vacated by Ordinance Number 20-48 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being described as follows:

BEGINNING at a northwesterly corner of Lot 67 of that subdivision entitled "Caputo's Addition No. 2" of record in Plat Book 10, Page 320;

Thence South 04° 00' 57" West, with the westerly line of said Lot 67 and the easterly line of said vacated Meek Avenue, a distance of 101.50 feet to a northwesterly corner of that 0.050 acre tract conveyed as Parcel 37 WD to City of Columbus, Ohio by deed of record in Instrument Number 200504150070927, an easterly corner of that 17.50 acre tract as conveyed to New York Central Lines LLC Segment H by deed of record in Instrument Number 200212180325201, now known as CSX Transportation, Inc., successor by merger, Instrument Number 200507210144733 and Instrument Number 200507210144738 (more fully defined by Instrument Number 200711080194030), a northeasterly corner of that tract as conveyed to City of Columbus, Ohio by deed of record in Deed Book 1660, Page 530 and being the northerly right of way line of McKinley Avenue (width varies);

Thence North 54° 41' 50" West, with the southerly line of said CHI Franklinton tract and the northerly line of said 17.50 acre tract and across said vacated Meek Avenue, a distance of 67.87 feet to a point in the easterly line of Lot 26 of said subdivision entitled "McKinley Avenue Cottage Place Subdivision" and being the westerly line of said vacated Meek Avenue;

Thence North 04° 00' 57" East, with the easterly line of said Lot 26 and with the westerly line of said vacated Meek Avenue, a distance of 66.27 feet to the northeasterly corner of said Lot 26;

Thence South 85° 58' 19" East, across said vacated Meek Avenue, a distance of 58.00 feet to the POINT OF BEGINNING, containing 0.112 acre, more or less.

0.242 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Virginia Military District Survey Number 1393, being across that 1.055 acre tract as conveyed to CHI Franklinton, LP by deed of record in Instrument Number 201902210020129, across that portion of John Street as dedicated in that subdivision entitled "Caputo's Addition No. 2" of record in Plat Book 10, Page 320 as released for sale by Ordinance Number 1843-97, those Alleys as dedicated by said Plat Book 10, Page 320 and as vacated by Ordinance Number 1442-63 and 827-57, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being described as follows:

BEGINNING at the intersection of the northerly right of way line of said John Street (50') and the easterly right of way line of Hartford Avenue (50') at the southwesterly corner of Lot 92 of said "Caputo's Addition No. 2" and in the westerly line of said 1.055 acre tract;

Thence South 85° 58' 19" East, across said 1.055 acre tract, with the southerly line of said Lots 90 thru 92 of said "Caputo's Addition No. 2" and the northerly line of said Vacated John Street, a distance of 97.12 feet to a point;

Thence North 40° 14' 11" East, continuing across said 1.055 acre tract, with the westerly line of said Vacated Alley, an easterly line of said Lot 90, a distance of 5.91 feet to a corner thereof;

Thence North 13° 33' 19" West, with an easterly line of said Lot 90, a distance of 9.48 feet to a point in a northerly line of said 1.055 acre tract and in the southerly line of that 2.288 acre tract as conveyed to OBM HQ, LLC by deed of record in

Instrument Number 201902070015372;

Thence across said Vacated Alley, with the line common to said 1.055 acre tract and said 2.288 acre tract, with the arc of a curve to the right, having a central angle of 03° 50' 46", a radius of 230.00 feet, an arc length of 15.44 feet, a chord bearing of South 89° 53' 31" East and chord distance of 15.44 feet to the easterly line of said Vacated Alley;

Thence South 13° 33' 19" East, across said 1.055 acre tract and the westerly line of that 0.0389 and 0.677 acre tracts as conveyed to GFS Chemicals, Inc. by deed of record in Official Record 27612H07, a distance of 209.66 feet to a southeasterly corner of said Vacated Alley, the northeasterly corner of Lot 44 of said "Caputo's Addition No. 2";

Thence North 85° 58' 19" West, across said 1.055 acre tract and with the southerly line of said Vacated Alley, with the northerly line of Lots 44 thru 48 of said "Caputo's Addition No. 2", a distance of 143.44 feet to the westerly line of said 1.055 acre tract, the easterly line of that tract conveyed to GFS Chemicals, Inc. by deed of record in Instrument Number 201705040060075;

Thence North 04° 00' 57" East, across said Vacated Alley, with the easterly line of said GFS Chemicals, tract, a distance of 15.00 feet to a southwesterly corner of Lot 87 of said "Caputo's Addition No. 2";

Thence South 85° 58' 19" East, across said 1.055 acre tract, with the northerly line of said Vacated Alley, the southerly line of Lots 87 thru 89, a distance of 118.00 feet to a point;

Thence North 45° 34' 17" East, with the easterly line of said Lot 89 and the westerly line of said Vacated Alley, a distance of 5.50 feet to a point;

Thence North 13° 33' 19" West, continuing across said 1.055 acre tract, and the westerly line of said Vacated Alley, the easterly line of said Lot 89, a distance of 121.56 feet to a northeasterly corner of said Lot 89;

Thence North 85° 58' 19" West, continuing across said 1.055 acre tract and with the northerly line of said GFS chemicals Inc. tract, with the southerly line of said Vacated John Street, the northerly line of said Lots 86 thru 89, a distance of 117.95 feet to the northwesterly corner of Lot 86 of said "Caputo's Addition No. 2", the easterly right of way line of said Hartford Avenue;

Thence North 04° 00' 57" East, with the westerly line of said 1.055 acre tract, a distance of 50.00 feet to the POINT OF BEGINNING, containing 0.242 acre, more or less.

0.594 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Virginia Military District Survey Number 1393, being across that tract as conveyed to CHI Franklinton, LP by deed of record in Instrument Number 201902210020129, part of Meek Avenue as dedicated in that plat titled Caputo's Addition No. 2 of record in Plat Book 10, Page 320 and that plat titled McKinley Avenue Cottage Place Subdivision of record in Plat Book 7, Page 276, as released for sale by Ordinance Number 2164-91, part of those Alleys as dedicated by said Plat Book 10, Page 320 and Plat Book 7, Page 276, as released for sale by Ordinance Number 2164-91 and vacated by Ordinance Number 20-48 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being described as follows: BEGINNING at the northeasterly corner of Lot 93 of said "Caputo's Addition No. 2", in the westerly line of that 2.288 acre tract conveyed to OBM HQ, LLC by deed of record in Instrument Number 201902070015372;

Thence across said CHI Franklinton, LP parcel, the following courses and distances:

North 82° 29' 49" West, with the northerly line of Lots 93 through 110 of said "Caputo's Addition No. 2", with the southerly line of said Vacated Alley, a distance of 585.29 feet to a northwesterly corner of said Lot 110;

Thence South 04° 00' 57" West, with the westerly line of said Lot 110 and with the easterly line of said Vacated Meek Avenue, a distance of 138.17 feet to the southwesterly corner of said Lot 110;

Thence North 85° 58' 19" West, across said Vacated Meek Avenue, a distance of 58.00 feet to a southeasterly corner of

Lot 58 of said subdivision entitled "McKinley Avenue Cottage Place Subdivision";

Thence North 04° 00' 57" East, with the easterly line of said Lot 58 and with the westerly line of said Vacated Meek Avenue, a distance of 136.80 feet to the southerly line of said Vacated Alley;

Thence North 40° 54' 26" West, continuing with said easterly line and with the southerly line of said Vacated Alley, a distance of 5.00 feet to a point on a curve;

With the northerly line of Lots 46 through 58 of said McKinley Avenue Cottage Place Subdivision" and continuing with the southerly line of said Vacated Alley, with the arc of a curve to the left, having a central angle of 26° 09' 17", a radius of 890.37 feet, an arc length of 406.44 feet, a chord bearing of South 81° 01' 38" West and chord distance of 402.92 feet to a point of tangency;

South 67° 56' 59" West, with the northerly line of said Lot 46 and continuing with the southerly line of said Vacated Alley, a distance of 113.05 feet to a westerly corner of said Lot 46;

North 85° 58' 19" West, across said Vacated Alley, a distance of 34.12 feet to the southerly line of Parcel 219WL as conveyed to State of Ohio by deed of record in Official Record 34804D01 and being the southerly limited access right of way line of Interstate Route 670 (FRA-670-1.02 (A-1));

Thence North 67° 56' 59" East, continuing with the southerly line of said Parcel 219WL and said southerly limited access right of way line, a distance of 143.69 feet to a point of curvature;

Thence continuing with the southerly limited access right of way line, with the southerly line of said Parcel 219WL with the arc of a curve to the right, having a central angle of 29° 33' 12", a radius of 905.37 feet, an arc length of 466.99 feet, a chord bearing of North 82° 43' 35" East and chord distance of 461.83 feet to a point of tangency;

Thence South 82° 29' 49" East, with the southerly limited access right of way line, the southerly line of said Parcel 219WL, across said CHI Franklinton, LP parcel, with the northerly line of said Vacated Alley, a distance of 593.14 feet to a point in a westerly line of said 2.288 acre tract;

Thence South 04° 00' 57" West, with a westerly line of said 2.288 acre tract, a distance of 15.03 feet to the POINT OF BEGINNING, containing 0.594 acre, more or less.

1.454 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Virginia Military District Survey Number 1393, being across that tract as conveyed to CHI Franklinton, LP by deed of record in Instrument Number 201902210020129, across that portion of John Street as dedicated in "Caputo's Addition No. 2" of record in Plat Book 10, Page 320 and McKinley Avenue Cottage Place Subdivision of record in Plat Book Plat Book 7, Page 276 as released for sale by Ordinance Number 2164-91 and as vacated by Ordinance Number 20-48, part of Meek Avenue as dedicated in said Plat Book 10, Page 320 and Plat Book 7, Page 276 as vacated by Ordinance Number 1335-75, those Alleys dedicated in said Plat Book 7, Page 726 and vacated by Ordinance Number 20-48, and part of Meek Avenue (a.k.a. Rogers Avenue) as dedicated in said Plat Book 7, Page 276 and vacated by Ordinance Number 20-48 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being described as follows:

BEGINNING at a northeasterly corner of Lot 81 of that subdivision entitled "Caputo's Addition No. 2" of record in Plat Book 10, Page 320, at the northwesterly corner of Lot 82 of said subdivision entitled "Caputo's Addition No. 2" as conveyed to GFS Chemicals, Inc., by deed of record in Deed Book 3783, Page 387 and being the southerly line of John Street of record in Plat Book 10, Page 320;

Thence across said CHI Franklinton, LP parcel, the following courses and distances:

North 85° 58' 19" West, with the northerly line of said Lots 68 through 81 and with the southerly line of vacated John Street, a distance of 452.02 feet to a northwesterly corner of said Lot 68;

South 04° 00' 57" West, with the westerly line of said Lot 68 and an easterly line of said vacated Meek Avenue, a distance of 120.00 feet to a southwesterly corner of said Lot 68;

North 85° 58' 19" West, across said vacated Meek Avenue, a distance of 58.00 feet to a southeasterly corner of Lot 27 of said subdivision entitled "McKinley Avenue Cottage Place Subdivision";

North 04° 00' 57" East, with the easterly line of said Lot 27 and with the westerly line of said vacated Meek Avenue, a distance of 120.00 feet to a northeasterly corner of said Lot 27 and in the southerly line of said vacated John Street;

North 85° 58' 19" West, with the northerly line of Lots 27 through 38 of said subdivision entitled "McKinley Avenue Cottage Place Subdivision" and the southerly line of said vacated John Street, a distance of 360.00 feet to a northwesterly corner of said Lot 38;

South 04° 00' 57" West, with the westerly line of said Lot 38, a distance of 38.30 feet to an angle point in a northerly line of that 17.50 acre tract conveyed to New York Central Lines LLC by deed of record in Instrument Number 200212180325201 now known as CSX Transportation, Inc., successor by merger, Instrument Number 200507210144733 and Instrument Number 200507210144738, more fully defined by Instrument Number 200711080194030;

Thence with the northerly line of said 17.50 acre tract, the following courses and distances:

North 85° 58' 19" West, across said vacated Meek Avenue, a distance of 25.00 feet to a point;

North 04° 00' 57" East, continuing across said vacated Meek Avenue, a distance of 20.95 feet to a point;

North 85° 58' 19" West, continuing across said vacated Meek Avenue, a distance of 25.00 feet to the easterly line of Lot 39 the westerly line of said Vacated Meek Avenue of said McKinley Avenue Cottage Place Subdivision;

Thence across said CHI Franklinton, LP parcel, the following courses and distances:

North 04° 00' 57" East, with the easterly line of said Lot 39 and the westerly line of said Vacated Meek Avenue, a distance of 17.35 feet to a northwesterly corner of said Lot 39 and in the southerly line of said vacated John Street;

North 85° 58' 19" West, with the northerly line of Lots 39 through 45 and with the southerly line of said vacated John Street, a distance of 192.51 feet to a northwesterly corner of said Lot 45 and in the easterly line of said vacated Alley;

South 49° 50' 27" West, with the westerly line of said Lot 45 and the easterly line of said vacated Alley, a distance of 24.89 feet to a point in the northerly line of said 17.50 acre tract;

Thence North 85° 58' 19" West, with the northerly line of said 17.50 acre tract, across said Vacated Alley, a distance of 21.52 feet to the easterly line of that tract conveyed to Baltimore and Ohio Railway by deed of record in Deed Book 592, Page 1 now known as CSX Transportation, Inc., successor by merger, whose merger documents have been summarized and recorded as Official Record 132756 A14 and Official record 132756 B14 subsequently re-recorded as Official Record 13283 G13, originally partitioned to railroad right-of-way in Deed Book 325, Page 1 and in the westerly right of way line of said vacated Alley;

Thence North 49° 50' 27" East, with the easterly line of said Baltimore and Ohio Railway tract and the westerly line of said vacated Alley, a distance of 38.97 feet to an easterly corner of that 1.085 acre tract conveyed as Parcel 204-WL to State of Ohio by deed of record in Instrument Number 199810230270653, a southerly corner of that 8.063 acre tract conveyed as Parcel 219WL to The State of Ohio by deed of record in Official Record 34804D01 and being in the southerly limited access right of way line of Interstate Route 670 (FRA-670-1.02(A-1));

Thence North 67° 56' 59" East, with said southerly limited access right of way and the northerly right of way of said vacated Alley, a distance of 91.42 feet to a point;

Thence South 85° 58' 19" East across said CHI Franklinton, LP parcel, across said vacated Alley and with the southerly line of Lots 46 through 58 of said McKinley Avenue Cottage Place Subdivision, across said Meek Avenue and the southerly lines of Lots 97 through 110 of said Caputo's Addition No. 2, a distance of 1041.83 feet to a southeasterly corner of said Lot 97, a southwesterly corner of Lot 96 of said Caputo's Addition No. 2;

Thence South 04° 00' 57" West, with an easterly line of said CHI Franklinton, LP, parcel, across said John Street, a distance of 50.00 feet to the POINT OF BEGINNING, containing 1.454 acres, more or less.

EVANS, MECHWART, HAMBLETON AND TILTON, INC.

SECTION 2. The City will receive a total of \$500.00 to be deposited in Fund 7748, Project P537650, as consideration for releasing of the easements.

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