



## Legislation Text

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File #: 3254-2019, Version: 1

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### 1. BACKGROUND

The City of Columbus, Department of Public Service, received a request from the Department of Finance and Management asking that the City extinguish the right-of-way and transfer the asset identified as the first east/west alley south of West Capital Street between Clarendon Avenue and South Highland Avenue. Transfer of this right-of-way will facilitate the construction of the new City of Columbus Pre-K educational facility on property adjacent to the above noted City right-of-way. The Department of Public Service has agreed to extinguish the right-of-way and transfer the asset as described below. Per current practice, comments were solicited from interested parties, including City agencies, private utilities and the applicable area commission, before it was determined that the City will not be adversely affected by the transfer of this right-of-way.

### 2. FISCAL IMPACT

There is no fiscal impact for this transaction.

### 3. EMERGENCY JUSTIFICATION

Emergency action is requested to allow development and construction of the Pre-K educational facility to proceed as currently scheduled.

To authorize the Director of the Department of Public Service to execute those documents required to extinguish the right-of-way and transfer the asset identified as the first east/west alley south of West Capital Street between Clarendon Avenue and South Highland Avenue from the Department of Public Service to the Department of Finance and Management in order to facilitate the construction of the new City of Columbus Pre-K educational facility; and to declare an emergency. (\$0.00)

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from the Department of Finance and Management to extinguish the right-of-way and transfer the asset to the Department of Finance and Management in order to facilitate the construction of the new City of Columbus Pre-K educational facility; and

**WHEREAS**, the east/west alley south of West Capital Street between Clarendon Avenue and South Highland Avenue is publicly dedicated right-of-way currently controlled by the Department of Public Service, and

**WHEREAS**, transfer of this right-of-way will facilitate the construction of the new City of Columbus Pre-K educational facility on property adjacent to the above noted City right-of-way; and

**WHEREAS**, the Department of Public Service, Division of Infrastructure Management, has determined this area is no longer needed for roadway purposes and wishes to transfer the asset to the Department of Finance and Management; and

**WHEREAS**, per Department of Public Service current practice, comments were solicited from interested parties, including City agencies, private utilities, and applicable area commissions before it was determined that the City will not be adversely affected by the transfer of this right-of-way to the Department of Finance and Management; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Finance and Management in that it is immediately necessary to authorize the transfer of the maintenance responsibilities of this public right-of-way to the Department of Finance and Management in order to allow the Pre-K educational facility project to proceed as scheduled, thereby preserving the public health, peace, property and safety; **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 any necessary documents and other incidental instruments prepared by the City Attorney's Office necessary to transfer the following described right-of-way to the Department of Finance and Management; to-wit:

**.092 Acre Parcel**

Being an approximate .092 acre parcel of the east/west alley south of West Capital Street between Clarendon Avenue and South Highland Avenue.

**SECTION 2.** That the control of this asset shall be transferred from the Department of Public Service to the Department of Finance and Management.

**SECTION 3.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.