



Legislation Text

File #: 0323-2020, Version: 1

1. BACKGROUND:

The City of Columbus, Department of Public Service, received a request from Curtis Echelberry on behalf of The Boys and Girls Club of Columbus regarding the sale of an approximate 0.055 acre (2,396± square feet) portion of the right-of-way of an unnamed alley running north/south directionally, that is the first alley north of Gibbard Avenue and the first alley east of Cleveland Avenue.

The right-of-way will provide a connection between a proposed parking lot and the main building lot, allowing for safer pedestrian travel between the two lots. The Department of Public Service has agreed to sell the right-of-way as described and shown within the 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 \$23,958.00 was established. Mitigation was not requested. This request went before the Land Review Commission on November 21, 2019. After review of the request, the Land Review Commission voted to recommend the above referenced right-of-way be transferred to The Boys and Girls Club of Columbus at the cost of \$23,958.00.

2. FISCAL IMPACT:

The City will receive a total of \$23,958.00 and the funds are to 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 for the transfer of a portion of the right-of-way of an unnamed alley running north/south directionally, that is the first alley north of Gibbard Avenue and the first alley east of Cleveland Avenue, to The Boys and Girls Club of Columbus. (\$0.00)

WHEREAS, the City of Columbus, Department of Public Service, received a request from Curtis Echelberry on behalf of The Boys and Girls Club of Columbus regarding the possible sale of an approximate 0.055 acre portion of the right-of-way of an unnamed alley running north/south directionally, that is the first alley north of Gibbard Avenue and the first alley east of Cleveland Avenue; and

WHEREAS, the purpose of the transfer of this right-of-way is to provide a connection between a proposed parking lot and the main building lot, allowing for safer pedestrian travel between the two lots; 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 \$23,958.00 was established; and

WHEREAS, this request went before the Land Review Commission on November 21, 2019; and

WHEREAS, after review of the request, the Land Review Commission voted to recommend the above referenced right-of-way be transferred to The Boys and Girls Club of Columbus at the cost of \$23,958.00; **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 a quit claim deed and other incidental instruments prepared by the City Attorney's Office necessary to transfer the legal description as described below and attached exhibit of right-of-way to The Boys and Girls Club of Columbus; to-wit:

DESCRIPTION OF 0.055 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of a 20' alley as dedicated upon the record plat for Woolley's 2nd Addition of record in Plat Book 4, Page 190 and being 0.055 acres of land, more or less, said 0.055 acres more particularly described as follows:

Beginning, at an iron pin set at the right-of-way intersection of the northerly right-of-way line of Gibbard Avenue 50' and the westerly right-of-way line of said 20' alley, both as dedicated upon said record plat, said intersection also being the southeasterly corner of Lot 12 of Woolley's Reserve Addition of record in Plat Book 7, Page 188 with said Lot 12 being in the name of Boys Club of Columbus, Inc. of record in Official Record 5642, Page F20;

Thence N 03° 45' 34" E, with the easterly line of said Lot 12, the easterly lines of Lot 13, 14 and partially with the easterly line of Lot 15 of said Woolley's Reserve Addition, said Lots 13, 14 and 15 being in the name of Boys and Girls Club of Columbus, Inc. of record in Instrument No. 200706220109745 and with the westerly right-of-way line of said 20' Alley, **120.00 feet** to an iron pin set;

Thence S 86° 27' 50" E, across said 20' Alley, **20.00 feet** to an iron pin set at the northwesterly corner of Lot 18 of said Woolley's Reserve Addition, said Lot 18 being in the name of Boys Club of Columbus, Inc. of record in Instrument No. 201410080133124 and in the easterly right-of-way line of said 20' Alley;

Thence S 03° 45' 34" W, with the westerly line of said Lot 18 and with the easterly right-of-way line of said 20' Alley, **120.00 feet** to an iron pin set at the southwesterly corner of said Lot 18, said corner being the right-of-way intersection of the easterly right-of-way line of said 20' Alley and the northerly right-of-way line of said Gibbard Avenue 50';

Thence N 86° 27' 50" W, across said 20' Alley, **20.00 feet** to the **True Point of Beginning**, and containing **0.055 acres** of land, more or less

Subject, however, to all legal highways, easements, and restrictions.

This exhibit was prepared from information obtained from the Franklin County Auditor's Office, the Franklin County Recorder's Office and information obtained from an actual field survey conducted by Advanced Civil Design, Inc. in January of 2019.

All iron pins set are 5/8" diameter rebar, 30" long with a plastic cap inscribed "Advanced 7661".

Bearings are based on the bearing of N 86° 27' 50" W for a portion of the northerly right-of-way line of Gibbard Avenue and as established by using a G.P.S. Survey (Ohio State Plane Coordinate System, South Zone, NAD83, NSRS 2007).

ADVANCED CIVIL DESIGN, INC.

Douglas R. Hock, P.S. 7661

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. The City will receive a total of \$23,958.00 and the funds are to be deposited in Fund 7748, Project P537650, as consideration for the transfer of the requested right-of-way.

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