



Legislation Text

File #: 1930-2022, **Version:** 1

1. BACKGROUND:

The City of Columbus, Department of Public Service, received a request from Samuel Habte for Hebron,, Inc., to sell an approximate 660 square foot portion of the E. Fulton Street right-of-way. This portion of right-of-way is adjacent to property at 1120 E. Fulton Street that is owned by Hebron, Inc. It runs north / south directionally and is between Oakwood Avenue to the east and Glover Alley to the west. The portion totals 0.015 acres.

Sale of this right-of-way will allow it to be incorporated into the parcel already owned by Hebron, Inc., to provide better usability to the owner. 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, the retention of a general utility easement for those utilities currently located within this right-of-way is needed, and 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 \$975.00 was established. This request went before the Land Review Commission on February 21, 2019. After review of the request, the Land Review Commission voted to recommend the above referenced right-of-way be transferred to Hebron, Inc. at the cost of \$975.00.

2. FISCAL IMPACT:

The City will receive a total of \$975.00 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 0.015 acre portion of E. Fulton Street right-of-way to Hebron, Inc. (\$0.00)

WHEREAS, the City of Columbus, Department of Public Service, received a request from Samuel Habte for Hebron, Inc., to sell an approximate 660 square foot portion of the E. Fulton Street right-of-way. This portion of right-of-way is adjacent to property at 1120 E. Fulton Street that is owned by Hebron, Inc. It runs north / south directionally and is between Oakwood Avenue to the east and Glover Alley to the west. The portion totals 0.015 acres; and

WHEREAS, the purpose of the transfer will allow it to be incorporated into the parcel already owned by Hebron, Inc., to provide better usability to the owner; 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, the retention of a general utility easement for those utilities currently located within this right-of-way is needed, and 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 \$975.00 was established; and

WHEREAS, this request went before the Land Review Commission on February 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 Hebron, Inc. at the cost of \$975.00;

WHEREAS, it is necessary in the usual daily operation of the Department of Public Service to authorize the Director to convey the right-of-way to Hebron Inc; **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 Hebron, Inc.

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 the City will receive a total of \$975.00 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.