



Legislation Text

File #: 1403-2023, **Version:** 1

1. BACKGROUND:

The City of Columbus, Department of Public Service, received a request from The City of Columbus, Recreation and Parks Department asking that the City extinguish the right-of-way and transfer the asset of an approximate 0.252 acre portion of right-of-way from the Department of Public Service to the Recreation and Parks Department to be combined with parcel 010-071202. The right-of-way area is located adjacent to the Whetstone Park area; and is located at the south-west corner of the Olentangy/Ceramic intersection.

Extinguishing the right-of-way and transferring the asset will facilitate improvements and enhancements to city-owned property; this right-of-way is within Park boundaries and should not exist as City right-of-way but should be under the control of the Recreation and Parks Department.

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 the right-of-way, the City will not be adversely affected by extinguishing this right-of-way and transferring the asset among City Departments. This request went before the Land Review Commission on February 16, 2023. The Department of Public Service has agreed to transfer the asset at no cost to them, as described and shown within the attached legal description and exhibit, and extinguishes its need for this public right-of-way.

2. FISCAL IMPACT:

There is no cost to the City to transfer the right of way.

To extinguish a 0.252 acre portion of the above mentioned right-of-way and transfer control of the property to the Recreation and Parks Department. (\$0.00)

WHEREAS, the Department of Public Service (DPS) received a request from the Recreation and Parks Department (R&P) asking for the transfer of an approximate 0.252 acre portion of right-of-way from DPS to the R&P's to be combined with R&P's existing Franklin County tax parcel number 010-071202. The right-of-way area is located adjacent to the Whetstone Park (Park) area and is located at the south-west corner of the Olentangy Blvd. and Ceramic Dr. intersection; and

WHEREAS, extinguishing the right-of-way and transferring the property will facilitate improvements and enhancements to City owned property. The right-of-way is within Park boundaries and should not exist as right-of-way, but should be under the control of R&Ps; and

WHEREAS, this request went before the Land Review Commission on February 16, 2023; and

WHEREAS, after review of this request the Land Review Commission voted to recommend the above referenced right-of-way be transferred to the City of Columbus, Recreation and Parks Department at no cost to them; 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 the right-of-way, the City will not be adversely affected by extinguishing this right-of-way and transferring the property among City Departments; **NOW, THEREFORE,**

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

Section 1. That the 0.252 acre portion of right-of-way described and depicted in Exhibit A, which is attached hereto and made a part hereof, is no longer needed as public right of way and can be extinguished.

Section 2. That control of this property shall be transferred from the Public Service Department to the Recreation and Parks Department.

Section 3. That a general utility easement in, on, over, across and through this excess right-of-way shall be, and hereby is, retained for those utilities currently located within said excess right-of-way.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.