



Legislation Text

File #: 0592-2024, Version: 1

1. BACKGROUND

In 1930 and 1964, pursuant to Ordinances 337-30 and 498-64, the City of Columbus vacated portions of right-of-way known as an east/west portion of South Avenue and a 20 foot Alley, being between Edgehill Road and Delashmut Avenue, south of Fifth Avenue and reserving utility easements for existing utilities.

The Department of Public Service recently received a request from the property owner, WC ECP Edgehill Apartments, LLC, asking that the City release the reserved easements over these areas to clear title so the site can be redeveloped. 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 these 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 the portions of easements as described below and in the attached exhibit to allow the area to clear title so the site can be redeveloped.

2. FISCAL IMPACT

The City will receive a total of \$500.00, to be deposited in Fund 7748, Project P537650, for granting the request to release the easement.

To authorizes the Director of the Department of Public Service to execute those documents necessary to release the portions of easements known as an east/west portion of South Avenue and a 20 foot Alley south of Fifth Avenue to allow the area to clear title so the site can be redeveloped. (\$500.00)

WHEREAS, in 1930 and 1964, pursuant to Ordinances 337-30 and 498-64, the City of Columbus vacated portions of right-of-way known as an east /west portion of South Avenue and a 20 foot Alley, being between Edgehill Road and Delashmut Avenue, south of Fifth Avenue and reserving utility easements for existing utilities; and

WHEREAS, the Department of Public Service recently received a request from the property owner, WC ECP Edgehill Apartments, LLC, asking that the City release the reserved easements over these areas to clear title so the site can be redeveloped; and

WHEREAS, 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 these easements, located within the requested area and that they have no objections to these portions of the easements being released; and

WHEREAS, the following legislation authorizes the Director of the Department of Public Service to execute those documents necessary to release the portions of easements as described above and in the attached exhibit to allow the area to clear title so the site can be redeveloped at the cost of \$500.00 to WC ECP Edgehill Apartments, LLC; **now, therefore**

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

SECTION 1. To authorize the Director of the Department of Public Service to execute the documents as necessary and

approved by the Real Estate Department, City Attorney's Office, to release the portions of easements areas as described below and attached exhibit:

Easement Areas to be released:

0.148 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, and being in Section 6, Township 5 North, Range 22 West, Refugee Lands, being part of a 3.770 acre tract of land conveyed to WC ECP EDGEHILL APARTMENTS, LLC by deed of record in Instrument Number 202308030078051, being of record in the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

BEGINNING at the intersection of the easterly right-of-way line of Delashmut Avenue (30 feet wide) as dedicated in Plat Book 5, Page 404 and formerly known as Franklin Avenue prior to Ordinance 178-31, dated 06-11-31, and the southerly line of an Alley (20 feet wide) as dedicated in Plat book 5, Page 404, and also being at a westerly corner of said 3.770 acre tract, and also being the southwest corner of a vacated Alley (20 feet wide) as dedicated in Plat Book 5, Page 404 and as vacated in Ordinance 337-30, dated 6-16-1930;

Thence along a westerly line of said 3.770 acre tract, also being said easterly right-of-way line, North 03°17'58" East, 20.00 feet to a point at the northwest corner of said vacated Alley;

Thence leaving said westerly line and said easterly right-of-way line and across said 3.770 acre tract, and also along the north line of said vacated roadway, South 85°50'31" East, 322.87 feet to a point on an easterly line of said 3.770 acre tract, and also being on the westerly line of Edgehill Road (variable width) as dedicated in Plat Book 5, Page 404;

Thence along said easterly line and said westerly right-of-way line, and also across said vacated Alley, South 03°23'24" West, 20.00 feet to the southeasterly line of said vacated Alley;

Thence leaving said easterly line and said westerly right-of-way line, across said 3.770 acre tract, and also along the southerly line of said vacated Alley, North 85°50'31" West, 322.84 feet to the **POINT OF BEGINNING**;

Containing 0.148 acres (6,457 S.F.) and being a 0.148 acre part of Parcel Number 010-062664-00.

Subject however to all legal easements, restrictions, and rights of way of record and of records in the respective utility offices.

The bearings for this survey are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (2011), being the west right of way line of Edgehill Road, bearing South 03°23'24" West. The bearings originated from field traverse which was referenced to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network.

This description was prepared by Matthew Lee Sloat, Ohio Registered Professional Surveyor 8342, on February 21, 2024 and is based on a field survey conducted by E.P. Ferris & Associates, Inc. conducted from 12-07-2021 to 11-28-2022 under the direct supervision of Matthew Lee Sloat, Ohio Registered Professional Surveyor 8342.

0.372 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, and being in Section 6, Township 5 North, Range 22 West, Refugee Lands, being part of a 3.770 acre tract of land conveyed to WC ECP EDGEHILL APARTMENTS, LLC by deed of record in Instrument Number 202308030078051, being of record in the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

COMMENCING at a northwesterly corner of said 3.770 acre tract, also being the southwest corner of a 0.4067 acre tract of land conveyed to EOS REALTY, LLC by deed of record in Instrument Number 201706260086673, and also being on the easterly right-of-way line of Delashmut Avenue (30 feet wide) as dedicated in Plat Book 5, Page 404 and formerly known as Franklin Avenue prior to Ordinance 178-31, dated 06-11-31;

Thence along a westerly line of said 3.770 acre tract, also being said easterly right-of-way line, South 03°17'58" West, 5.37 feet to a point at the northwest corner of a vacated roadway formerly known as South Avenue (50 feet wide) as dedicated in Plat Book 5, Page 404 and as vacated in Ordinance 337-30 dated 6-16-1930, said point also being the **TRUE POINT OF BEGINNING**;

Thence leaving said westerly line and said easterly right-of-way line, across said 3.770 acre tract, and along the northerly line of said vacated roadway, South 85°57'43" East, 330.15 feet to a point at the northeast corner of said vacated roadway, also being on an easterly line of said 3.770 acre tract, and also being on the westerly right-of-way line of Edgehill Road (variable width) as dedicated in Plat Book 5, Page 404;

Thence along the easterly line of said vacated roadway, also being said easterly line, and also being said westerly right-of-

way line, South 03°23'24" West, 6.29 feet to a point;

Thence continuing along said easterly line of said 3.770 acre tract, also being said westerly right-of-way-line, and across said vacated roadway, for the following two (2) courses:

1) North 86°36'36" West, 7.00 feet to a point;

2) South 03°23'24" West, 43.63 feet to a point on the southerly line of said vacated roadway;

Thence leaving said easterly line and said westerly right-of-way line and along the southerly line of said vacated roadway, across said 3.770 acre tract, North 85°57'43" West, 323.07 feet to a point on a westerly line of said 3.770 acre tract, and also being the easterly right-of-way line of said Delashmut Avenue;

Thence along said westerly line and said easterly right-of-way line, North 03°17'58" East, 50.00 feet to the **TRUE POINT OF BEGINNING**.

Containing 0.372 acres (16,200 S.F.) and being a 0.372 acre part of Parcel Number 010-062664-00.

Subject however to all legal easements, restrictions, and rights of way of record and of records in the respective utility offices.

The bearings for this survey are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (2011), being the west right of way line of Edgehill Road, bearing South 03°23'24" West. The bearings originated from field traverse which was referenced to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network.

This description was prepared by Matthew Lee Sloat, Ohio Registered Professional Surveyor 8342, on February 21, 2024 and is based on a field survey conducted by E.P. Ferris & Associates, Inc. conducted from 12-07-2021 to 11-28-2022 under the direct supervision of Matthew Lee Sloat, Ohio Registered Professional Surveyor 8342.

These descriptions were prepared on February 6, 2024.

SECTION 2. That the City will receive a total of \$500.00 as cost to clear title to the site from WC ECP Edgehill Apartments, LLC, to be deposited in Fund 7748, Project P537650.

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