



## Legislation Details (With Text)

**File #:** 0286-2004      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 1/30/2004      **In control:** Public Service & Transportation Committee  
**On agenda:** 3/1/2004      **Final action:** 3/2/2004

**Title:** To authorize the Public Service Director to execute those documents required to transfer a portion of the 16 foot wide alley west of Kellner Road from the south right-of-way line of Medway Avenue to the north right-of-way line of the first alley south of Medway Avenue to Algirdas Vasiliauskas and to waive the competitive bidding provisions of Columbus City Codes.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord 0286-2004 LRC file 99-31 Vasiliauskas sale.pdf

Date	Ver.	Action By	Action	Result
3/2/2004	1	MAYOR	Signed	
3/2/2004	1	CITY CLERK	Attest	
3/1/2004	1	Columbus City Council	Approved	Pass
3/1/2004	1	COUNCIL PRESIDENT PRO-TEM	Signed	
2/23/2004	1	Columbus City Council	Read for the First Time	
2/10/2004	1	Service Drafter	Sent to Clerk's Office for Council	
2/9/2004	1	Service Drafter	Sent for Approval	
2/9/2004	1	SERVICE DIRECTOR	Reviewed and Approved	
2/9/2004	1	CITY ATTORNEY	Reviewed and Approved	
2/3/2004	1	Service Reviewer	Reviewed and Approved	
2/3/2004	1	Service Drafter	Sent for Approval	
1/30/2004	1	Service Drafter	Sent for Approval	

The City of Columbus, Public Service Department, Transportation Division, received a request from Algirdas Vasiliauskas, asking that the City sell a portion of the 16-foot wide alley west of Kellner Road to him. Mr. Vasiliauskas has used that portion of this alley south of Medway Avenue to the first alley south of Medway Avenue as his driveway for over 30 years and the sale of this right-of-way will allow him to continue his use of this right-of-way. After investigation it was determined that there are no objections to the sale of this right-of-way. It was also determined that the City will need to retain a general utility easement over this right-of-way for existing utilities. The Department of Law, Real Estate Division established a value of \$3,102.94 for this right-of-way. The Land Review Commission voted to recommend that this right-of-way be sold to Mr. Vasiliauskas for the Real Estate established value of \$3,102.94.

The City will receive a total of \$3,102.94, to be deposited in Fund 748, Project 537650, as consideration for the transfer of the requested right-of-way.

To authorize the Public Service Director to execute those documents required to transfer a portion of the 16 foot wide alley west of Kellner Road from the south right-of-way line of Medway Avenue to the north right-of-way line of the first alley south of Medway

Avenue to Algirdas Vasiliauskas and to waive the competitive bidding provisions of Columbus City Codes.

**WHEREAS**, the City of Columbus, Public Service Department, Transportation Division, received a request from Algirdas Vasiliauskas asking that the City sell him that portion of the 16-foot wide alley west of Kellner Road from Medway Avenue to the first alley south of Medway Avenue; and

**WHEREAS**, Mr. Vasiliauskas has used said portion of this alley as his driveway for over 30 years; and

**WHEREAS**, the sale of this right-of-way to will allow him to continue his use of this right-of-way; and

**WHEREAS**, after investigation it was determined that there are no objections to the transfer of this right-of-way; and

**WHEREAS**, after investigation it was also determined that the City will need to retain a general utility easement over this right-of-way for existing utilities; and

**WHEREAS**, the Department of Law, Real Estate Division established a value of \$3,102.94 for this right-of-way; and

**WHEREAS**, the Land Review Commission voted to recommend that this right-of-way be sold to Mr. Vasiliauskas for the Real Estate Division established value; now, therefore

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

**Section 1.** That the Public Service Director be and is hereby authorized to execute quit claim deeds and other incidental instruments prepared by the Department of Law, Real Estate Division, necessary to transfer the following described right-of-way to Algirdas Vasiliauskas, for \$3,102.94; to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of a sixteen (16) foot wide alley adjacent to and east of Lot 55 of Eastmoor Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 16, Page 21, Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at an iron pipe found at the northeast corner of said Lot 55, being the intersection of the south line of Medway Avenue (50 feet wide) and with the west line of said alley;

Thence, along the south line of said Medway Avenue produced easterly, North 78°00'30" East, 16.36 feet to an iron pipe set at the northwest corner of Lot 56 of said addition, being the intersection of the south line of said Medway Avenue with the east line of said alley;

Thence, along the west line of said Lot 56, west line of Lot 57 and part of the west line of Lot 58 of said addition and along the east line of said alley, South 00°03'00" West, 149.29 feet to an iron pipe set;

Thence, across said alley (parallel with the south line of said Medway Avenue), South 78°00'30" West, 16.36 feet to an iron pipe set at the southeast corner of said Lot 55;

Thence, along the east line of said Lot 55 and west line of said alley, North 00°03'00" East, 149.29 feet to the place of beginning **CONTAINING 0.055 ACRES** (2,389 Sq. Ft.).

The foregoing description was prepared from an actual field survey made by Myers Surveying Company, Inc. in December 2003. Iron pipes set are 30"x1" (O.D) with orange plastic caps inscribed "P.S. 6579". Bearings are based on the centerline of South Kellner Road held as South 00°03'00" West, per Plat Book 16, Page 21.

**Myers Surveying Company Inc.**

Matthew D. Farley, P.S., Registered Surveyor No. 7566

**Section 2.** That the above 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 above described excess right-of-way shall be and hereby is retained unto the City of Columbus for those utilities currently located within said excess rights-of-way.

**Section 4.** That the \$3,102.94 to be received by the City as consideration for the sale of this right-of-way shall be deposited in Fund 748, Project 537650.

**Section 5.** That this Council has determined it is in the best interest of the City of Columbus to allow this right-of-way to be

transferred without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (1959) Revised, Section 329.25 with regards to the transfer of these properties.

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

# Myers Surveying Company, Inc.

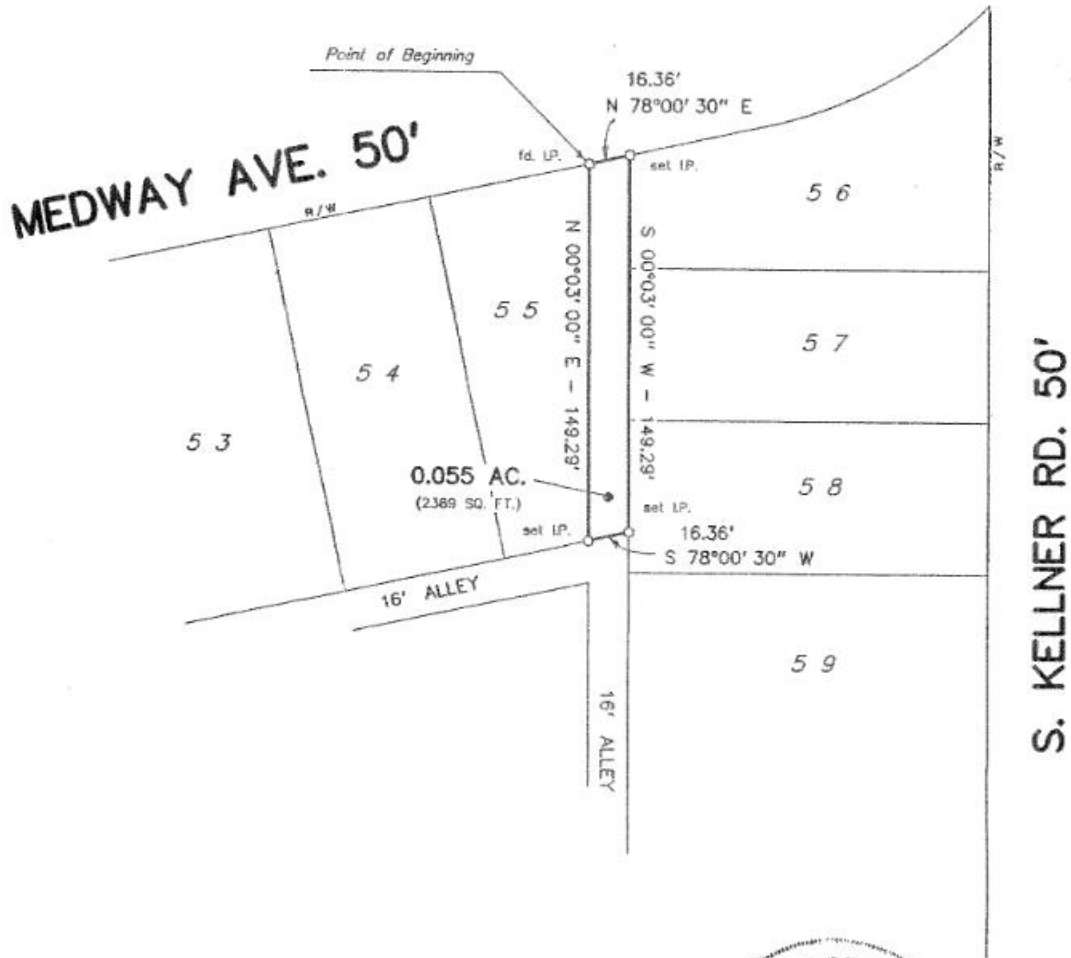
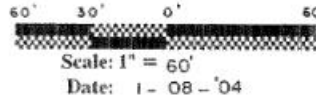
2740 East Main Street, Columbus 43209 (Bexley), Ohio  
 614-235-8677 FAX: 614-235-4559

A Boundary Survey prepared for and certified to:  
**Algirdas Vasiliauskas**

Legal Description: Situated in Ohio, County of Franklin, City of Columbus, Being Lot 55 Eastmoor Addition Plat Book 16, Page 21

Applicant:

Posted Address: 3175 Medway Ave, Columbus, Ohio



We hereby certify that the foregoing Boundary Survey was prepared from actual field measurements in accordance with Chapter 4733-37 Ohio Administrative Code. Iron pins set are 30"x1" O.D. with an orange plastic plug inscribed "P.S. 6579", unless otherwise noted. Basis of bearing is the centerline of South Kellner Road held as South 00 degrees 03 minutes 00 seconds West, per Plat Book 16, Page 21

Myers Surveying Co., Inc.  
 By Matthew D. Fowler  
 Professional Surveyor