

Columbus transferred portions of Wall Street and portions of Red Bird Alley to Franklin County Convention Facility Authority ("FCCFA") to accommodate the construction of a new parking garage on the south side of Vine Street between Front Street and Wall Street; and

WHEREAS, these rights-of-way were transferred to FCCFA at no charge in recognition of the substantial increase in tax revenue, including but not limited to real property and income taxes generated by the development of this area and the identification of improvements that further the general welfare of the City through significant improvements to the physical environment; and

WHEREAS, FCCFA has recently requested an awning and cantilever encroachment easement into a portion of Vine Street and a portion of Wall Street for this garage; and

WHEREAS, after investigation, it has been determined that the requested encroachment easement will not adversely affect the City's use of the right-of-way and that there are no City objections to the granting of the requested encroachment easement; and

WHEREAS, the Public Service Department, Engineering and Construction Division, has recommended this easement be granted at no charge in recognition of the same mitigating circumstances identified previously; and

WHEREAS, the following legislation authorizes the Director of the Public Service Department to execute those documents necessary to grant the requested easement; now, therefore

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

Section 1. That the Director of the Public Service Department 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 grant the following described awning and cantilever encroachment easement to Franklin County Convention Facility Authority; to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, and being a strip of land lying on, over and across the right-of-way of Vine Street (50' in width) and Wall Street (80' in width), records of the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning for reference at the point of intersection of the southerly right-of-way line of Vine Street (50' in width) and the easterly right-of-way line of Front Street (80' in width);

Thence South 86E37'31" East, a distance of 89.65 feet, along the line common to the right-of-way line of said Vine Street, and Tract A and Tract C as conveyed to The Battleship Building Condominium by deed of record in Official Record 29315 A01, to a point at the common corner of said Tract C and "PARCEL E" (0.486 acre) as conveyed to Franklin County Convention Facilities Authority by deed of record in Instrument Number 199805220125017, as said point being at the Point of True Beginning for the herein described easement;

Thence the following six (6) courses and distances across the right-of-way of said Vine Street and Wall Street:

1. North 03E22'29" East, a distance of 5.00 feet, to a point;
2. South 86E37'31" East, a distance of 89.01 feet, to an angle point;

3. North 81E56'41" East, a distance of 122.81 feet, to a point;

4. North 08E03'19" West, a distance of 4.00 feet, to a point;

5. North 81E56'41" East, a distance of 33.88 feet, to a point;

6. South 08E03'19" East, a distance of 10.98 feet, along the face of an existing Parking Garage, to a point;

7. South 81E37'32" West, a distance of 3.84 feet, to a point in the line common to the right-of-way line of Wall Street and Lot Numbers 41, 42, and 43 of the North Graveyard Addition (a.k.a. City Addition), of record in Plat Book 2, Page 355, and also being said Lots conveyed to a Franklin County Convention Facilities Authority by deed of record in Instrument Number 19980924024754;

Thence North 08E22'28" West, a distance of 2.00 feet, along the line common to the right-of-way line of said Wall Street and said Lot 41, to the point of intersection of the westerly right-of-way line of said Wall Street and the southerly right-of-way line of said Vine Street, the same being the northeasterly corner of said Lot No. 41;

Thence the following two (2) courses and distances, along the line common to the right-of-way line of said Vine Street, said Lot Numbers 41, 42, and 43, and "PARCEL E";

1. South 81E56'41" West, a distance of 143.34 feet, to a point;

2. North 86E37'31" West, a distance of 89.51 feet, to the Point of True Beginning.

The bearings herein described are based on the bearing of North 86E28'25" West for the northerly line of the Conrail Property of record in Deed Book 3714, Page 163, Recorder's Office, Franklin County, Ohio, as delineated upon the State of Ohio, Department of Transportation Plans entitled "Franklin County, FRA-670-1.25-(B-4), Nationwide Boulevard", Sheet 6 of 10.

R.D. ZANDE & ASSOCIATES, INC.
Larry W. Pennington,
P.S. Registered Surveyor No. 6096

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed March 5, 2001
MATTHEW D. HABASH
President of Council
Approved March 6, 2001
MICHAEL B. COLEMAN, Mayor
Attest
TIMOTHY McSWEENEY, City Clerk

ORD. No. 0300-01 - To accept the plat titled RE-SUBDIVISION OF LOTS 80 THRU 90, PART OF AUTUMN VILLAGE, SECTION 4, from October Ridge, LLC, Bruce F. Massa, Managing Member.

WHEREAS, the plat titled RE-SUBDIVISION OF LOTS 80 THRU 90, PART OF AUTUMN VILLAGE, SECTION 4, (hereinafter "plat") has been submitted to the City Engineer's Office for approval and acceptance; and

WHEREAS, after examination it has been found to be in the best interest of the City to accept said plat; now, therefore,

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

Section 1. That the plat titled RE-SUBDIVISION OF LOTS 80 THRU 90, PART OF AU-

TUMN VILLAGE, SECTION 4, on file in the office of the City Engineer, Division of Engineering and Construction, be and the same is hereby accepted.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed March 5, 2001
MATTHEW D. HABASH
President of Council
Approved March 6, 2001
MICHAEL B. COLEMAN, Mayor
Attest
TIMOTHY McSWEENEY, City Clerk

ORD. No. 0301-01 - To authorize the Director of the Public Service Department to execute those documents required to sell that City owned right-of-way identified as the alley north of Cable Avenue from Rodgers Avenue to the Alley west thereof and the alley west of Rodgers Avenue from Cable Avenue to the alley north thereof to the abutting property owners; and to waive the competitive bidding provisions of Columbus City Codes.

WHEREAS, the City of Columbus, is the owner of that right-of-way identified as the alley north of Cable Avenue from Rodgers Avenue to the alley west thereof and the alley west of Rodgers Avenue from Cable Avenue; and

WHEREAS, the Public Service Department, Engineering and Construction Division, has received a request from Patricia A. Tomacelli, single, Michael J. Tomacelli, single, Nettie Esposito, married, AKA Nettie Brunello, Carolyn Caldwell, widow, AKA Carolyn Schierer, Eileen Ebricht, married, AKA Eileen Grubb as Tenants in Common ("Tenants in Common") and Southwestern Tile & Marble Co. asking for the opportunity to acquire these alleys to allow for property expansion and to eliminate existing encroachments into the right-of-way; and

WHEREAS, a general utility easement in, on, over, across, under and through this right-of-way must be and shall be retained unto the City of Columbus; and

WHEREAS, all appropriate Departments/Divisions, Area Commissions and utility companies were notified of the proposed transfer; and

WHEREAS, after investigation, it has been determined that the transfer of the requested right-of-way will not adversely affect the City; and

WHEREAS, the Department of Law, Real Estate Division, estimated a value of \$1,200.00 for these alleys; and

WHEREAS, the Land Review Commission voted to recommend that said rights-of-way be transferred to the abutting property owners; and

WHEREAS, subsequent to notification of the Land Review Commission vote, Southwestern Tile & Marble Co. rescinded their offer to purchase; and

WHEREAS, the Engineering and Construction Division then offered to transfer all of said rights-of-way to the Tenants in Common for a total of \$1,00.00; and

WHEREAS, the following legislation authorizes the proposed transfer; now, therefore

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

Section 1. That the Director of the Public Service Department be and is hereby authorized to

execute quit claim deeds and other incidental instruments prepared by the Real Estate Division, Department of Law, necessary to transfer the following described right-of-way to Patricia A. Tomacelli, single, Michael J. Tomacelli, single, Nettie Esposito, married, AKA Nettie Brunello, Carolyn Caldwell, widow, AKA Carolyn Schierer, Eileen Ebright, married, AKA Eileen Grubb as Tenants in Common for \$1,000.00; to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Virginia Military Survey No. 1393, containing 0.037 acre of land, more or less, said 0.037 acre being part of Lot 126 as said Lot is shown and delineated upon the recorded plat of Cottage Place Addition, of record in Plat Book 4, Page 262, said 0.037 acre also being out of that tract of land conveyed to The City of Columbus by Ordinance 22935 (dated July 23, 1903), both being of record in the Recorder's Office, Franklin County, Ohio, said 0.037 acre tract of land being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Rodgers Avenue (50.00 feet in width) and Cable Avenue (5.00 feet in width); thence S 81E33'54" W, with the centerline of said Cable Avenue, a distance of 24.93 feet to a point; thence N 8E26'06" W, at right angles to said centerline, a distance of 25.00 feet to a ¼ inch (I.D.) iron pipe found at the intersection of the westerly right-of-way line of Rodgers Avenue with the northerly right-of-way line of Cable Avenue and at the southeasterly corner of that tract, Recorder's Office, Franklin County, Ohio act of land described in the deed to Lucille J. Tomacelli, of record in Instrument No. 199802180035538, Recorder's Office, Franklin County, Ohio, thence N 8E15'52" W, with the westerly right-of-way line of said Rodgers Avenue and with the easterly line of Lots 123, 124, and 125 of said Cottage Place Addition, a distance of 87.50 feet to a ½ inch diameter solid iron rod found at the northeasterly corner of said Tomacelli land and at the northeasterly corner of said Lot 125, the same being the southeasterly corner of said Lot 126 and the true point of beginning;

Thence from said true point of beginning, S 81E33'54" W, with the northerly line of said Lot 125, with the northerly line of said Tomacelli land, with the southerly line of said Lot 126, and with the southerly right-of-way line of said 15 foot wide alley, a distance of 107.62 feet to a ¼ inch (I.D.) iron pipe found at the northwesterly corner of said Lot 125, the same being at the northwesterly corner of said Tomacelli land and the southwest corner of said Lot 126, said pipe also being in the easterly right-of-way line of a 9 foot wide alley;

Thence N 8E15'52" W, with the westerly line of said Lot 126, and with the easterly right-of-way line of said 9 foot wide alley, a distance of 15.00 feet to a ¼-inch (I.D.) iron pipe set;

Thence N 81E33'54" E, parallel with and 15.00 feet northerly from, as measured at right angles, the southerly line of said Lot 126 and with the northerly line of said 15 foot wide alley, a distance of 107.62 feet to a ¼-inch (I.D.) iron pipe set in the westerly right-of-way line of said Rodgers Avenue, the same being in the easterly line of said Lot 126;

Thence S 8E15'52" E, with the westerly right-of-way line of said Rodgers Avenue and with the easterly line of said Lot 126 and with the easterly terminus of said 15 foot wide alley, a distance of

15.00 feet to the true point of beginning and containing 0.037 acre of land, more or less.

We hereby state that the foregoing description was prepared from information obtained from actual field survey conducted by Bauer, Davidson & Merchant, Inc. in August of 1999.

The bearings given in the foregoing description correspond to the bearings of N 8E15'52" W, for the centerline of Rodgers Avenue, as determined from the Franklin County GIS, issued in July of 1999.

BAUER, DAVIDSON & MERCHANT, INC.
Gatis Erenpreiss,
P.S., Registered Surveyor No. 5572

And

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Virginia Military Survey No. 1393, containing 0.021 acre of land, more or less said 0.021 acre tract being part of a 9.00 foot wide alley is shown and delineated upon the recorded plat of Cottage Place Addition, of record in Plat Book 4, Page 262, of record in the Recorder's Office, Franklin County; said 0.021 acre tract being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Cable Avenue (50 feet in width) and Rodgers Avenue (50 feet in width); thence S 81E33'54" W, with the centerline of said Cable Avenue, a distance of 24.93 feet to a point; thence N 8E26'06" W, a distance of 25.00 feet to a point at the intersection of the northerly right-of-way line of Cable Avenue with the westerly right-of-way line of Rodgers Avenue, the same being the southeasterly corner of that tract of land described in the deed to Lucille J. Tomacelli, of record in Instrument No. 199802180035538, of record in the Recorder's Office, Franklin County, Ohio; thence S 81E33'54" W, with the northerly right-of-way line of said Cable Avenue and with the southerly line of said Tomacelli land, a distance of 107.62 feet to a ½-inch solid rod set at the true point of beginning at the intersection of the northerly right-of-way line of said Cable Avenue with the easterly right-of-way line of said 9 foot wide alley, said intersection being the southwest corner of said Tomacelli land;

Thence, from said true point of beginning, S 81E22'54" W, with the westward extension of the northerly right-of-way line of said Cable Avenue, a distance of 9.00 feet to a ¼-inch (I.D.) iron pipe set in the westerly right-of-way line of said 9 foot wide alley;

Thence N 8E15'52" W, with the westerly right-of-way line of said 9 foot wide alley, a distance of 102.50 feet to a ¼-inch (I.D.) iron pipe set in the southerly line of the terminus of the vacated portion of said 9 foot wide alley, as described by Ordinance No. 22605, of record in the Recorder's Office, Franklin County, Ohio;

Thence N 81E33'54" E, with the southerly terminus of said 9 foot vacated alley, a distance of 9.00 feet to a ¼-inch (I.D.) iron pipe set at the northwesterly corner of a 15 foot alley conveyed to the City of Columbus by Ordinance No. 22935, Recorder's Office, Franklin County, Ohio;

Thence S 8E15'52" E, with the westerly terminus of said 15 foot wide alley, with the easterly right-of-way line of said 9 foot wide alley and with the westerly line of said Tomacelli land, a distance of 102.50 feet to the true point of beginning and containing 0.021 acre of land, more or less.

We hereby state that the foregoing description was prepared from information obtained from actual field survey conducted by Bauer, Davidson & Merchant, Inc. in August of 1999.

The bearings given in the foregoing description correspond to the bearings of N 8E15'52" W, for the centerline of Rodgers Avenue, as determined from the Franklin County GIS, issued in July of 1999.

BAUER, DAVIDSON & MERCHANT, INC.
Gatis Erenpreiss, P.S., Registered Surveyor
No. 5572

Section 2. That the above referenced real property shall be considered excess road right-of-way and the public right therein shall terminate upon the Director's execution and delivery of said quit claim deeds to the grantees thereof.

Section 3. That a general utility easement in, on, over, across, under and through the above described right-of-way be and hereby is retained unto the City of Columbus.

Section 4. That the \$1,000.00 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 property to be sold 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 this property.

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

Passed March 5, 2001

MATTHEW D. HABASH
President of Council

Approved March 6, 2001

MICHAEL B. COLEMAN, Mayor

Attest

TIMOTHY McSWEENEY, City Clerk

ORD. No. 0302-01 - To authorize the Director of the Public Service Department to execute those documents required to sell that City owned right-of-way identified as Maple Street west of the right-of-way line of Neil Avenue and east of the operating railroad tracks to the west and also the unimproved 20 foot wide alley west of Neil Avenue from Brodbelt Lane to a point approximately 110 feet north of Maple Street to NWD Investments, LLC; and to waive the competitive bidding provisions of Columbus City Codes.

WHEREAS, the City of Columbus, is the owner of that right-of-way identified as Maple Street west of the right-of-way line of Neil Avenue and east of the operating railroad tracks to the west and also the unimproved 20 foot wide alley west of Neil Avenue from Brodbelt Lane to a point approximately 110 feet north of Maple Street; and

WHEREAS, the Public Service Department, Engineering and Construction Division, has received a request from NWD Investments, LLC, asking for the opportunity to acquire Maple Street west of the right-of-way line of Neil Avenue and east of the operating railroad tracks to the west and also the unimproved 20 foot wide alley west of Neil Avenue from Brodbelt Lane to a point approximately 110 feet north of Maple Street to accommodate future projects in this redevelopment area; and