



## Legislation Text

---

**File #: 0933-2018, Version: 1**

---

### **1. BACKGROUND:**

The City of Columbus, Department of Public Service, received a request from Dean Adamantidis, on behalf of 228 Sherman Investments, LLC, asking that the City sell a 0.041 acre portion of the unnamed north/south right-of-way south of Franklin Avenue between Sherman and Wilson Avenues to them. Transfer of this right-of-way will facilitate residential development and associated parking of property adjacent to the above noted right-of-way, owned by 228 Sherman Investments, LLC. 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 this right-of-way, the City will not be adversely affected by the transfer of these rights-of-way. The Department of Public Service submitted a request to the City Attorney's Office, Real Estate Division, asking that they establish a value for this right-of-way. A value of \$3,150.00 was established for this right-of-way. This request went before the Land Review Commission on February 15, 2018, after review of the request, the Land Review Commission voted to recommend the above referenced right-of-way be transferred to 228 Sherman Investments, LLC, for \$3,150.00.

### **2. FISCAL IMPACT:**

The City will receive a total of \$3,150.00 that will 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 required to transfer a 0.041 acre portion of the unnamed north/south right-of-way south of Franklin Avenue between Sherman and Wilson Avenues to 228 Sherman Investments, LLC. (\$0.00)

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from 228 Sherman Investments, LLC, asking that the City transfer a 0.041 acre portion of the unnamed north/south right-of-way south of Franklin Avenue between Sherman and Wilson Avenues, adjacent to property owned by 228 Sherman Investments, LLC, to them; and

**WHEREAS**, acquisition of the right-of-way will facilitate residential development with associated parking of the property adjacent to the above noted right-of-way property currently owned by 228 Sherman Investments, LLC, adjacent to the above noted right-of-way; and

**WHEREAS**, the City of Columbus, Department of Public Service, Division of Infrastructure Management, by this transfer, 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 applicable area commissions, before it was determined that, subject to the retention of a general utility easement for those utilities currently located within this right-of-way, the City will not be adversely affected by the transfer of this right-of-way to 228 Sherman Investments, LLC; and

**WHEREAS**, the Department of Public Service submitted a request to the City Attorney's Office, Real Estate Division, asking that they establish a value for the right-of-way; and

**WHEREAS**, a value of \$3,150.00 was established for the right-of-way to be deposited in Fund 7748, Project P537650; and

**WHEREAS**, this request went before the Land Review Commission on February 15, 2018, after review the Land Review

Commission voted to recommend that the above referenced right-of-way be transferred to 228 Sherman Investments, LLC; **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 quit claim deeds and other incidental instruments prepared by the City Attorney's Office, Real Estate Division, necessary to transfer the following described right-of-way to 228 Sherman Investments, LLC to-wit:

DESCRIPTION OF 0.041 ACRE TRACT  
SOUTH OF FRANKLIN AVENUE  
WEST OF WILSON AVENUE  
EAST OF WILSON AVENUE

Situated in the State of Ohio, County of Franklin, City of Columbus, being the 20 foot alley of land between Lots 82, 83, 84 and Lots 85, 86, 87 of Stewart & Jones Subdivision as recorded in Plat Book 2, Page 192 (all references refer to records in the Franklin County Recorder's Office) and more fully described as follows:

Beginning at a ¾" ID pipe set at the northwest corner of Lot 82 of said Stewart & Jones Subdivision in the southerly line of a 15 foot alley as dedicated in said Stewart & Jones Subdivision being the Point of Beginning;

Thence South 3°41'59" West a distance of 90.00 feet, along the westerly line of Lots 82, 83 and 84, to a ¾" ID pipe set at the southwest corner of said Lot 84 in the north line of an 11.5 foot alley as dedicated in the Plat of Robert R. Stewart's Addition as recorded in Plat Book 2, Page 275;

Thence North 86°47'23" West a distance of 20.00 feet, along the north line of said 11.5 foot alley, to a ¾" ID pipe set at the southeast corner of said Lot 85;

Thence north 3°41'59" East a distance of 90.00 feet, along the easterly line of Lots 85, 86 and 87, to a ¾" ID Pipe set at the northeast corner of said Lot 87;

Thence South 86°47'23" East a distance of 20.00 feet, along the south line of said 15 foot alley, to the point of Beginning containing 1,800 square or 0.41 acres more or less according to an actual field survey made by Hockaden and Associates, Inc. in February of 2018.

A bearing of North 3°41'59" East was used on the centerline of Wilson Avenue and all bearings were based upon this meridian.

**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 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 \$3,150.00 to be received by the City as consideration for the sale of this right-of-way shall be deposited in Fund 7748, Project P537650.

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