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PUBLIC SERVICE & TRANSPORTATION

INTRODUCED BY  
LES WRIGHT

DATE OF FIRST READING

JAN 27 1997

COLUMBUS CITY COUNCIL

ORDINANCE

Ordinance No. 104-97

Resolution No.

30 Day \_\_\_\_\_ Emergency

I Certify Compliance With Title 39

As Of (Date) \_\_\_\_\_

Authorized Signature \_\_\_\_\_

CITY ATTORNEY: This ordinance has been reviewed by the City Attorney's Office as to its form and legality only.

By: \_\_\_\_\_ Date: \_\_\_\_\_

FLOOR ACTION  
(Clerks Office Only)

JAN 27 1997  
P 7-0

AUDITOR'S CERTIFICATE

I hereby certify that there is in the treasury, or anticipated to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within ordinance.

Date: \_\_\_\_\_ No: \_\_\_\_\_

Fd No: \_\_\_\_\_ Div. No: \_\_\_\_\_ Ch: \_\_\_\_\_

By: \_\_\_\_\_ Amt: \_\_\_\_\_

City Auditor or Deputy Auditor

1-8-97

EXPLANATION OF LEGISLATION

002423

BACKGROUND:

As the owner of that right of way identified as the unimproved 16' alley north of Astor Avenue, west of Hampton Road, the City of Columbus, Department of Public Service, Division of Engineering and Construction, has received a request from George S. Sevenoff and Thomas F. Schmidt requesting the opportunity to purchase a portion of said right of way. After investigation it has been determined that there are no objections to the sale of this right of way. The Department of Law, Real Estate Division, has determined a value of \$2,050.00 for the right of way to be sold, and the Land Review Commission has voted to recommend the sale of this right of way for said amount.

FISCAL IMPACT:

The City shall receive \$2,050.00, to be deposited in Fund 07-248, Project 248650, as consideration for the transfer of the requested right of way.

EMERGENCY JUSTIFICATION:

Emergency action is requested to allow transfer of the right of way to take place as quickly as possible.

John Klein (7712)

Contact: For Questions - Phone  
on this Legislation

12/31/96

Approved (Division Head)

Approved (Department Head)

TITLE (BRIEF DESCRIPTION)

To authorize the Director of the Department of Public Service to execute those documents required to sell a portion of the unimproved 16' alley north of Astor Avenue west of South Hampton Road; to waive the competitive bidding provisions of Columbus City Codes and to declare an emergency.

MAYOR'S ACTION

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_

COUNCIL ACTION

JAN 27 1997

DATE PASSED/ADOPTED

PRESIDENT OF COUNCIL

CITY CLERK

VE TO \_\_\_\_\_ DATE \_\_\_\_\_

WHEREAS, the City of Columbus, Department of Public Service, Division of Engineering and Construction, is the owner of the unimproved 16' alley north of Astor Avenue west of South Hampton Road; and

WHEREAS, George S. Sevenoff and Thomas F. Schmidt desire to acquire a portion of the above referenced right of way; and

WHEREAS, a general utility easement in, on, over, across, under and through said right of way must be retained by the City; and

WHEREAS, after investigation, it has been determined there are no objections to the sale of the above referenced right of way; and

WHEREAS, the Department of Law, Real Estate Division, has determined a value of \$2,050.00 for this right of way; and

WHEREAS, Land Review Commission has voted to recommend the sale of the requested right of way to George S. Sevenoff and Thomas F. Schmidt for \$2,050.00; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Engineering and Construction, in that it is immediately necessary to authorize the Director to execute those documents required to sell the above referenced right of way to George S. Sevenoff and Thomas F. Schmidt so that the property may be transferred as quickly as possible, thereby preserving the public health, peace, property, safety and welfare; 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 hereby is authorized to execute those documents prepared by the Department of Law, Real Estate Division, necessary to sell the following described right of way to George S. Sevenoff for \$1,800.00; to-wit:

**Description of a portion of the alley north of Astor Avenue from Hampton Road to the alley west**

Situated in the State of Ohio, County of Franklin, City of Columbus, and being a part of the alley north of Astor Avenue from Hampton Road (formerly Everett Avenue) to the alley west, as shown in Easthampton, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 16, Page 65, Records Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at the southwest corner of Lot 226 in said Easthampton said corner also being on the north line of a 16 feet wide alley and the west line of Hampton Road (70 feet wide);

thence, southerly, across said 16 feet wide alley and with the west line of said Hampton Road 16.00 feet to the northeast corner of Lot 188 of said Easthampton;

thence, westerly, with the south line of said 16 feet wide alley and the north line of Lot 188 and Lot 189 of said Easthampton, 105.00 feet to the northwest corner of said Lot 189;

thence, northerly, perpendicular to the north line of said Lot 189 and the south line of said 16 feet wide alley 8.00 feet to a point;

thence, westerly, parallel to the north line of said Lot 189 and the south line of said alley 17.00 feet to a point;

thence, northerly, perpendicular to the north line of said Lot 189 and the south line of said alley 8.00 feet to the southwest corner of said Lot 226, said corner also being on the north line of said 16 feet wide alley;

thence, easterly, with the south line of said Lot 226 and the north line of said 16 feet wide alley 122.00 feet to the Place of beginning containing 1816 square feet or 0.042 acres more or less. Bearings shown hereon are to an assumed meridian and are used to denote direction only.

Section 2. That the Director of the Department of Public Service be and hereby is authorized to execute those documents prepared by the Department of Law, Real Estate Division, necessary to sell the following described right of way to Thomas F. Schmidt for \$250.00; to-wit:

**Description of a portion of the alley north of Astor Avenue from Hampton Road to the alley west**

Situated in the State of Ohio, County of Franklin, City of Columbus, and being a part of the alley north of Astor Avenue from Hampton Road (formerly Everett Avenue) to the alley west, as shown in Easthampton, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 16, Page 65, Recorders Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at the northeast corner of Lot 190 in said Easthampton said corner also being on the south line of a 16 feet wide alley;

thence, westerly, with the north line of said Lot 190 and the south line of said 16 feet wide alley 17.00 feet to a point;

thence, northerly, perpendicular to the north line of said Lot 190 and the south line of said alley 8.00 feet to a point,

thence, easterly, parallel to the north line of said Lot 190 and the south line of said alley 17.00 feet to a point,

thence, southerly, 8.00 feet to the Place of beginning containing 136 square feet or 0.003 acres more or less. Bearings shown hereon are to an assumed meridian and are used to denote direction only.

Section 3. That a general utility easement in, on, over, across, under and thorough that right of way described in Section 1 and Section 2 of this ordinance be and hereby is retained unto the City of Columbus.

Section 4. That the \$2,050.00 to be received by the City of Columbus as consideration for the transfer of this right of way shall be deposited in Fund 07-248, Project 248650.

Section 5. That this Council has determined that it is in the best interest of the city of Columbus to allow this right of way 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 these transfers.

Section 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.