

**COMMITTEE**  
**PUBLIC SERVICE & TRANSPORTATION**  
**INTRODUCED BY**  
**MARYELLEN O'SHAUGHNESSY**  
**DATE OF FIRST READING**

**COLUMBUS CITY COUNCIL**

**ORIGINAL**

Ordinance No 1137 02

~~Resolution No.~~ \_\_\_\_\_

30 Day  Emergency

JUL 15 2002

FLOOR ACTION  
 (Clerks Office Only)

JUL 22 2002

P 7-0

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: \_\_\_\_\_

**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

**Background:**

The City of Columbus is the owner of that right-of-way identified as Walnut Street from Grubb Street east to Skidmore Street. The Public Service Department, Transportation Division, received a request from Pilot Dogs, Inc., asking for the opportunity to purchase this right-of-way to allow for future development of their adjacent lots. The Department of Law, Real Estate Division, estimated a value of \$3,049.20 for this right-of-way. The Land Review Commission voted to recommend that this right-of-way be sold to Pilot Dogs, Inc., for \$3,049.20.

**Fiscal Impact:**

The City will receive a total of \$3,049.20, to be deposited in Fund 748, Project 537650, as consideration for the transfer of the requested right-of-way.

Mary Lu English (5-5471)

Contact: For Questions - Phone on this Legislation

*Pamela A. Clawson / m Lehr*  
 Approved (Division Head) 7-1-02



Approved (Department Head)

To authorize the Director of the Public Service Department to execute those documents required to sell Walnut Street from Grubb Street east to Skidmore Street to Pilot Dogs, Inc.; and to waive the competitive bidding provisions of Columbus City Codes.



MAYOR'S ACTION

7/23/02  
 DATE

COUNCIL ACTION

JUL 22 2002  
 DATE PASSED/ADOPTED

*Matthew D. H. H. H.*  
 PRESIDENT OF COUNCIL

*[Signature]*  
 CITY CLERK

VETO

DATE

**WHEREAS**, the City of Columbus, Public Service Department, Transportation Division, is the owner of that right-of-way identified as Walnut Street from Grubb Street east to Skidmore Street; and

**WHEREAS**, Pilot Dogs, Inc., has requested the opportunity to purchase this right-of-way to allow for future development of their adjacent lots; and

**WHEREAS**, the Department of Law, Real Estate Division, established an estimated value of \$3,049.20 for this right-of-way; 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 Land Review Commission voted to recommend that the requested right-of-way be sold to Pilot Dogs, Inc., for \$3,049.20; 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 transfer the following described right-of-way to Pilot Dogs, Inc., for \$3,049.20; to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, being 0.087 acres of Walnut Street between South Grubb Street and South Skidmore Street as delineated on M.L. Sullivant Second Addition to Franklinton as Minard Alley (Walnut Street) and recorded in Plat Book 1, Page 74 (all references refer to records in the Franklin County Recorder's Office, Ohio) and more fully described as follows:

Beginning at an existing iron pin at the south west corner of Lot 22 of said M.L. Sullivant Second Addition to Franklinton at the intersection of the northerly right of way of said Walnut Street and the easterly right of way of South Grubb Street;

Thence South 89°41'56" East a distance of 230.86 feet, along the northerly right of way of said Walnut Street, to an existing iron pin at the intersection of the northerly right of way of said Walnut Street and the westerly right of way of South Skidmore Street;

Thence South 0°01'52" West a distance of 16.51 feet to an existing iron pin at the intersection of the south right of way of said Walnut Street and the westerly right of way of said South Skidmore Street;

Thence North 89°41'56" West a distance of 230.85 feet, along the southerly right of way of said Walnut Street, to an iron pin set at the intersection of the southerly right of way of said Walnut street and the easterly right of way of said South Grubb Street;

Thence North 0°00'03" East a distance of 16.51 feet to the Point of Beginning containing 3811 square feet or 0.087 acres more or less according to an actual field survey made by Hockaden and Associates, Inc. in March of 2002

Bearings are based upon the east right of way of South Grubb Street assumed bearing North 0°00'03" East and all other bearings based upon this meridian.

HOCKADEN AND ASSOCIATES, INC.

Frank C. Long, P.S. Professional Surveyor No. 6615

**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 deeds to the grantees thereof.

**Section 3.** That the \$3,049.20 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 4.** That a general utility easement in, on, over, across, under and through the above referenced property shall be and hereby is reserved unto the City of Columbus for existing utilities located within said property.

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

6/26/02 sale Walnut @ Town.doc



City of Columbus  
Mayor Michael B. Coleman

## Public Service Department

Linda K. Page, Director

### MEMORANDUM

TO: Mark Barbash, Director  
Department of Development  
  
Attention: Donna Hunter, Administrator  
Office of Land Management

FROM: Mary Lu English *MLE*  
Right-of-Way Coordinator

SUBJ.: SALE OF EXCESS RIGHT OF WAY - FILE # 99-51

DATE: April 9, 2002

Attached please find a request to sell Walnut Street (the alley south of Town Street) from Grubb Street east to Skidmore Street to allow for future development of the adjacent lots. A total value of \$3,049.20 has been determined for this excess right of way as indicated on the attached form. The proposed purchaser, Pilot Dogs, Inc has been notified of this price and has returned a signed authorization to proceed.

It is now necessary for the Department of Trade and Development to review the attached information and identify any possible mitigation. When your review is complete and any outstanding issues have been resolved, please fill in the final portion of the form and place this item on the Land Review Commission agenda for their consideration.

If you have any questions please call me at 5-5471.

Enclosure

cc: Pamela A. Clawson, P.E., Administrator, Transportation Division  
Randall J. Bowman, P.E., City Engineer  
Clyde R. Garrabrant, P. S., R/W Supervisor  
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614-645-8200 Director's Office  
614-645-3182 Construction Inspection Division  
614-645-8376 Engineering and Construction Division  
614-645-7802 Facilities Management Division  
614-645-8291 Fleet Management Division  
614-645-7620 Refuse Collection Division  
614-645-7780 Traffic Engineering and Parking Division

City Hall/90 West Broad Street, 3rd Floor/Columbus, Ohio 43215-9009  
1800 East 17th Avenue, Columbus, Ohio 43219-1007  
109 North Front Street, 3rd Floor/Columbus, Ohio 43215-9023  
City Hall/90 West Broad Street, Rm. B-16/Columbus, Ohio 43215-9001  
423 Short Street/Columbus, Ohio 43215-5614  
2100 Alum Creek Drive, Columbus, Ohio 43207-1714  
109 North Front Street, 2nd Floor/Columbus, Ohio 43215-9024

FAX: 645-7806  
FAX: 645-3288  
FAX: 645-6938  
FAX: 645-7180  
FAX: 645-7347  
FAX: 645-3053  
FAX: 645-7921



City of Columbus  
Mayor Michael B. Coleman

## Public Service Department

Linda K. Page, Director

### REQUEST FOR CONVEYANCE OF CITY OWNED RIGHT-OF-WAY By Department of Public Service

Name of Petitioner: **Pilot Dogs, Inc.** File No. 99-51

**REQUEST IS TO:**

- |  |  |
|--|--|
| <input type="checkbox"/> Sell excess right-of-way              | <input type="checkbox"/> Transfer excess right-of-way at no charge |
| <input checked="" type="checkbox"/> Vacate excess right-of-way | <input type="checkbox"/> Grant a lease                             |
| <input type="checkbox"/> Grant an easement                     | <input type="checkbox"/> Release an easement                       |

**BRIEF DESCRIPTION OF AREA UNDER CONSIDERATION:**

**Walnut Street (the alley south of Town Street) from Grubb Street to Skidmore Street**

**PROPOSED USE OF AREA:**

future development

**DEPARTMENTAL ACTION BY DEPARTMENT INITIATING REQUEST:**

(Please CHECK the Correct Answer)

- |   |   |                             |
|---|---|-----------------------------|
| All Departments and Divisions contacted for comments/approval of request: | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| All Utilities contacted for comments/approval of request:                 | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| Area Commission/Civic Association contacted for comments:                 | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| All abutting property owners notified of request:                         | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| Petitioner notified of need for survey and metes & bounds description:    | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |

- |   |                                      |  |
|---|--------------------------------------|--|
| Department Recommendation: <input checked="" type="checkbox"/> SELL | <input type="checkbox"/> VACATE      | <input type="checkbox"/> TRANSFER AT NO CHARGE |
| <input type="checkbox"/> GRANT EASEMENT                             | <input type="checkbox"/> GRANT LEASE | <input type="checkbox"/> RELEASE AN EASEMENT   |

Signature: *Pam Clum*

Date: 3/28/02

**REAL ESTATE DIVISION ACTION:**

- |  |   |
|--|---|
| Estimated Value from County Tax Records:               | \$ 3,049.20 (3811.5sf@\$0.80)                                       |
| Estimated Value from Professional Appraisal            | \$ <u>N/A</u>   |
| RED Value Recommendation to Trade & Development        | \$ <u>3,049.20</u>  |
| Negotiated Value Recommendation to Trade & Development | \$ <u>N/A</u>   |
| Easements to be retained:                              | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
| Petitioner contacted for comments:                     | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
| Petitioner agreed to purchase price:                   | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |

PAC/JCL

cc: File No. 99-51

K:\Right of Way & Utilities\Right-of-Way Sales etc\99\_VACATE\99-51request.doc

614-645-8290 Director's Office  
614-645-3182 Construction Inspection Division  
614-645-8376 Engineering and Construction Division  
614-645-7602 Facilities Management Division  
614-645-8281 Fleet Management Division  
614-645-7820 Refuse Collection Division  
614-645-7790 Traffic Engineering and Parking Division

City Hall/90 West Broad Street, 3rd Floor/Columbus, Ohio 43215-0009  
1800 East 17th Avenue, Columbus, Ohio 43219-1007  
109 North Front Street, 3rd Floor/Columbus, Ohio 43215-9023  
City Hall/90 West Broad Street, Rm. B-16/Columbus, Ohio 43215-9001  
423 Short Street/Columbus, Ohio 43215-5014  
2100 Alum Creek Drive, Columbus, Ohio 43207-1714  
109 North Front Street, 2nd Floor/Columbus, Ohio 43215-9024

FAX: 645-7805  
FAX: 645-3298  
FAX: 645-6938  
FAX: 645-7160  
FAX: 645-7347  
FAX: 645-3053  
FAX: 645-7921

**DEPARTMENT OF DEVELOPMENT ACTION:**

(Please CHECK the correct answer)

Mitigating Circumstances Identified:  YES  NO

Recommended Action:  DISAPPROVED  TRANSFER AT NO CHARGE  SELL

VACATE  GRANT EASEMENT  RELEASE AN EASEMENT

Signature: Mark Burbash Date: 4/10/02

**IDENTIFICATION OF MITIGATING CIRCUMSTANCES  
AND BRIEF EXPLANATION OF EACH**

\_\_\_\_\_ The value of improvements undertaken by purchaser(s) upon property of the City which further the interest and welfare of the public.

\_\_\_\_\_ The value of land donations or other services being made to the City by the petitioner(s)

\_\_\_\_\_ The willingness of the purchaser(s) to absorb the cost of utility relocation from the property being purchased if not discounted in the fair market value of the property.

\_\_\_\_\_ The substantial increase in tax revenue, including but not limited to real property and income taxes, generated by the development of the property to be purchased.

\_\_\_\_\_ The identification of improvements that further the general welfare of the City through significant improvements to the physical environment.

Name of Petitioners: J. Jay Gray of Pilot Dogs, Inc.

File No. 99-51





City of Columbus  
Mayor Michael B. Coleman

## Public Service Department

Linda K. Page, Director

April 1, 2002

J. Jay Gray  
Executive Director  
Pilot Dogs, Inc.  
625 West Town Street  
Columbus, Ohio 43215-4496

Dear Mr. Gray:

The City of Columbus, Transportation Division, has reviewed the request you submitted to acquire Walnut Street (the alley south of Town Street) from Grubb Street to Skidmore Street. Acquisition of this right-of-way will allow for future development of your adjacent site. After investigation, it has been determined there are no City objections to a sale of this right-of-way, however due to the presence of existing utilities a general utility easement in, on, over, across, under and through this right-of-way must be retained by the City of Columbus. Resolution Number 113X-86 provides for the sale of City owned property. Based upon information provided by the Franklin County Auditor the City has estimated a value of \$3,049.20 for this right-of-way.

If you wish to proceed with the purchase of this right-of-way please sign and date this letter in the space provided below then return, within thirty days, to Ms. Pamela A. Clawson, P.E., Administrator, Transportation Division, 109 North Front Street, 3rd Floor, Columbus, Ohio 43215, Attention: Mary Lu English. If you object to the stated transfer price of \$3,049.20 you will need to contact Ms. Donna Hunter in the Department of Development to discuss a possible reduction of this amount. Ms. Hunter's address is: Department of Development, Attention Donna Hunter, Administrator, Office of Land Management, 109 North Front Street, Columbus, Ohio 43215. Please provide a copy of any correspondence you send to Ms. Hunter to me for my file.

For your convenience I have attached a list of valid mitigating circumstances that the City will consider when reducing a right-of-way transfer price. Unless mitigating circumstances that directly benefit the Transportation Division can be identified, Division policy requires that a recommendation to transfer at full price be forwarded from the Division to the Department of Development.

After an agreement on the transfer price is reached the Department of Development will place this request on the Land Review Commission agenda for their consideration.

614-645-8290 Director's Office  
614-645-3182 Construction Inspection Division  
614-645-8378 Engineering and Construction Division  
614-645-7802 Facilities Management Division  
614-645-8281 Fleet Management Division  
614-645-7820 Refuse Collection Division  
614-645-7790 Traffic Engineering and Parking Division

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1800 East 17th Avenue, Columbus, Ohio 43219-1007  
109 North Front Street, 3rd Floor/Columbus, Ohio 43215-9023  
City Hall/90 West Broad Street, Rm. B-16/Columbus, Ohio 43215-9001  
423 Short Street/Columbus, Ohio 43215-5614  
2100 Alum Creek Drive, Columbus, Ohio 43207-1714  
109 North Front Street, 2nd Floor/Columbus, Ohio 43215-0024

FAX: 645-7805  
FAX: 645-3298  
FAX: 645-6438  
FAX: 645-7180  
FAX: 645-7347  
FAX: 645-3063  
FAX: 645-7921

J. Jay Gray  
April 1, 2002  
Page Two

If you have any questions concerning this matter please contact me at 645-5471.

Sincerely,

*Mary Lu English*

Mary Lu English  
Right of Way Coordinator

**AUTHORIZATION TO PROCEED**

Pilot Dogs, Inc.

By: *Jay Gray*                      4-4-02  
Signature    Date

Its: Executive Director

Enclosures

cc: Pamela A. Clawson, P.E., Administrator, Transportation Division  
Randall J. Bowman, P.E., City Engineer  
Clyde R. Garrabrant, P.S., ROW Services Supervisor  
File 99-51

ROW SERVICES L:\marylu\letters\9951cl#1 pilot dogs.doc



City of Columbus  
Mayor Gregory S. Lashutka


## Public Service Department

Richard M. Hickman, Director

### MEMORANDUM

TO: John C. Klein, Chief Real Estate Attorney  
Real Estate Division

Attn.: Edmond W. Reese  
Real Estate Negotiator

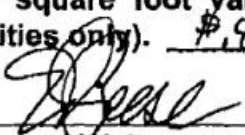
FROM: Jeffrey C. LeVally, P.S.   
Surveyor

SUBJ.: Sale of Right-of-Way  
File # 99-51

DATE: October 12, 1999

The Department of Public Service, Division of Engineering and Construction, has been asked to sell **Walnut Street (the alley south of Town Street) from Grubb Street to Skidmore Street (see attached map)**. At this time please determine the per square foot value of this right-of-way both with the retention of a general utility easement and without the retention of such an easement then provide this information to me along with copies of the documents used to determine these values.

Thank you for your help in this matter.

Per square foot value without reserved general utility easement rights.	<u>\$1.60</u>
Per square foot value with reserved general utility easement rights (for City Utilities only).	<u>\$1.50</u>
 Edmond W. Reese	<u>10-15-99</u> Date

K:\Right-of-way & Utilities\Right-of-way sales ect\99VACATE\99-51r.doc

614-645-8280	Director's Office	City Hall 90 West Broad Street, 3rd Floor/Columbus, Ohio 43216-9009	FAX: 645-7805
614-645-3182	Construction Inspection Division	1800 East 17th Avenue, Columbus, Ohio 43218-1117	FAX: 645-5998
614-645-8376	Engineering and Construction Division	109 North Front Street, 3rd Floor/Columbus, Ohio 43215-8023	FAX: 645-6938
614-645-7803	Facilities Management Division	City Hall 90 West Broad Street, Rm. 9-16/Columbus, Ohio 43216-9001	FAX: 645-7181
614-645-8261	Fleet Management Division	423 Short Street/Columbus, Ohio 43215-5614	FAX: 645-7347
614-645-7650	Revenue Collection Division	7100 Alum Creek Drive, Columbus, Ohio 43207-1714	FAX: 645-3053
614-645-7780	Traffic Engineering and Parking Division	126 North Front Street, 2nd Floor/Columbus, Ohio 43218-6024	FAX: 645-7921