

**COMMITTEE**  
**PUBLIC SERVICE & TRANSPORTATION**

**INTRODUCED BY**  
**MARYELLEN O'SHAUGHNESSY**  
**DATE OF FIRST READING**

OCT 21 2002

**COLUMBUS CITY COUNCIL**

**ORIGINAL**

Ordinance No. **1549** 02

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)

OCT 28 2002 BRADLEY ABSENT P 6-0

**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

**EXPLANATION OF LEGISLATION**

#4469

**Background:**

The City of Columbus is the owner of the first unimproved alley east of Seventeenth Street from Main Street north to Cherry Street. The Public Service Department, Transportation Division, received a request from Gregory B. Crafter, the adjacent property owner, asking for the opportunity to purchase this right-of-way to allow for yard expansion and landscaping of his adjacent property. The Department of Law, Real Estate Division, estimated a total value of \$850.00 for this right-of-way. The Land Review Commission voted to recommend that this right-of-way be sold to the adjacent property owners for \$850.00.

**Fiscal Impact:**

The City will receive a total of \$850.00, 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 / mxe*  
Approved (Division Head) 9-30-02

Approved (Department Head)

**TITLE (BRIEF DESCRIPTION)**

To authorize the Director of the Public Service Department to execute those documents required to sell the first unimproved alley east of Seventeenth Street from Main Street north to Cherry Street; and to waive the competitive bidding provisions of Columbus City Codes.

MAYOR'S ACTION

SIGNED

10/29/02  
DATE

COUNCIL ACTION

OCT 28 2002

DATE PASSED/ADOPTED

  
PRESIDENT OF COUNCIL  
CITY CLERK

VETO

DATE

**WHEREAS**, the City of Columbus, Public Service Department, Transportation Division, is the owner of the first unimproved alley east of Seventeenth Street from Main Street north to Cherry Street; and

**WHEREAS**, the adjacent property owner, Gregory B. Crafter, has requested the opportunity to purchase this right-of-way to allow for yard expansion and landscaping of his adjacent property; and

**WHEREAS**, the Department of Law, Real Estate Division established an estimated value of \$850.00 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 the adjacent property owners for \$850.00; 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 Gregory B. Crafter, for \$850.00; to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, being a 10 foot wide strip of land containing 0.037 acre of land, and as shown and delineated upon George M. Parsons Subdivision (Plat Book 3, Page 338) and William Phelan's Eastern Addition (Plat Book 1, Page 37) at the Recorder's Office in Franklin County, Ohio. Said 10' wide strip of land being more particularly described as follows:

Beginning at an iron pin set, said point being the southwest corner of Lot 28 (Plat Book 3, Page 338) and on the northerly right-of-way line of Main Street, 60 foot wide. Thence South 86°30'13" West, along and with said right-of-way line a distance of 10.01 feet to an iron pin set at the southeast corner of Lot 12 (Plat Book 1, Page 37).

Thence North 1°39'42" West, leaving said right-of-way line and with the easterly line of Lot 12, a distance of 160.00 feet to an iron pin set at the northeast corner of said Lot 12 and the southerly line of a 27 foot wide alley (Plat Book 1, Page 37)

Thence North 86°30'13" East, leaving Lot 12 and with the southerly line of said alley, a distance of 10.01 feet to an iron pin set at the northwest corner of Lot 28 (Plat Book 3, Page 338)

Thence South 1°39'42" East, with and along the westerly line of said Lot 12, a distance of 160.00 feet to the POINT OF BEGINNING, said described tract containing 0.037 acre, more or less.

Iron pins set consist of a 0.75" O.D., 30 inch long pipe with a plastic cap inscribed "A to Z Surveying"

Bearings herein are based on an assumed bearing of South 86°30'13" West for the northerly right-of-way line of Main Street;

This document was prepared based on information of record and on a filed survey of the premises performed in October 2000.

Josué Triado, Registered Professional Surveyor No. 7254

**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 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 right-of-way.

**Section 4.** That the \$850.00 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 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.

9/27/02 sale alley @ main.doc



City of Columbus  
Mayor Gregory S. Lashutka

## Public Service Department

### MEMORANDUM

TO: George J. Arnold, Director  
Department of Trade and Development

Attn.: Donna Hunter, Administrator  
Land Management Office

FROM: Robert C. Smith, P.E., City Engineer

SUBJ.: SALE OF EXCESS RIGHT OF WAY - FILE # 96-38

DATE: January 14, 1999

Attached please find a request to sell excess right-of-way identified as the unimproved 10 foot wide alley east of Seventeenth Street from Cherry Street south to East Main Street. A value of \$850.00 has been determined for this excess right of way as indicated on the attached form. The proposed purchaser, Gregory B. Crafter, has been notified of the price for this right-of-way and has authorized this office to proceed with those steps necessary to complete a sale of this right-of-way. This is a reconsideration of a sale that was approved by the Land Review Commission in 1996. When this request was originally approved the value of the right-of-way was determined to be \$1,696.00. Contrary to our normal practice no discount was given for the retention of a utility easement for an existing City sewer line. This new request does take into consideration the need for the City to retain a general utility easement and discounts the value of the right-of-way accordingly.

It is now necessary for the Department of Trade and Development to review the attached information and complete the final portion of the form then place this item on the Land Review Commission agenda as soon as possible.

If you have any questions please call Mary Lu English, at 5471.

RCS/mle  
Enclosure

cc: Michael J. Martin, P. E., Assistant City Engineer  
Ted Beidler, P. E., Planning & Program Section Manager  
Clyde R. Garrabrant, P. S., R/W & Utilities Supervisor  
File 96-38  
L:\marylu\letters\9638 transmittal.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  
614-645-7620 Refuse Collection Division  
614-645-7790 Traffic Engineering and Parking Division

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109 North Front Street, 2nd Floor / Columbus, Ohio 43215-9024

FAX: 645-7805  
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FAX: 645-6938  
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FAX: 645-7347  
FAX: 645-7296  
FAX: 645-7921  
TTY: 645-7011  
TTY: 645-6833  
TTY: 645-6507



City of Columbus  
Mayor Gregory S. Lashutka

# Public Service Department

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

Name of Petitioner: Gregory B. Crafter

File No. 96-38

**REQUEST IS TO:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Sell excess right-of-way | <input type="checkbox"/> Transfer excess right-of-way at no charge |
| <input 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:**

The unimproved alley east of Seventeenth Street from Cherry Street south to East Main Street

**PROPOSED USE OF AREA:**

Landscaping

**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 contacted for comments/approval of request:               | <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: Robert Crafter

Date: 11/19/99

**REAL ESTATE DIVISION ACTION:**

- |   |   |
|---|---|
| Estimated Value from County Tax Records:                | \$ <u>850.00</u>  |
| Estimated Value from Professional Appraisal:            | \$ <u>N/A</u>   |
| RED Value Recommendation to Trade & Development:        | \$ <u>850.00</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 |

RCS/JCL

cc: File No. 96-38

PPSS L:\msword\jeff 96-38r.doc

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 TTY: 645-8833  
 TTY: 645-6507

**DEPARTMENT OF TRADE AND 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: *George J. Arnold* Date: *1/14/99*  
*Dora Nester*

**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: Gregory B. Crafter File No. 96-38



City of Columbus  
Mayor Gregory S. Lashutka

## Public Service Department

Thomas B. Merritt, Director

November 25, 1998

Mr. Gregory B. Crafter  
332 Kendall Place  
Columbus, Ohio 43205

Dear Mr. Crafter:

Pursuant to your recent request the City of Columbus, Engineering and Construction Division, has reviewed your request to sell the unimproved alley east of Seventeenth St. from Cherry Street to East Main Street (file 96-38). After review it was determined that Mr. Ed Reese of the Real Estate Division contacted you on **October 25, 1996** to inform you that the price for this right-of-way was \$1,696.00 and that you agreed to this price. This matter was then presented to the Land Review Commission and you were notified by letter dated **December 10, 1996**, that the Land Review Commission had voted to sell this right-of-way to you for \$1,696.00. Upon further review it was determined that the \$1,696.00 price quoted to you was not discounted to reflect the City's need to retain a general utility easement in, on, over, across, under and through this right-of-way. The correct price for this right-of-way should be ~~\$1,696.00~~ **\$750.00**. Please be aware that should you elect to purchase this right-of-way you will be required to provide a legal description and a survey plat, prepared by a Registered Surveyor, for this right-of-way to the City of Columbus before legislation can be prepared or the deed written.

If you agree to these terms for the purchase of the above referenced alley please sign and date this letter in the space provided below then return, within **thirty** days, to Mr. Robert C. Smith, P.E., City Engineer, Public Service Department, Engineering and Construction Division, 109 North Front Street, 3rd Floor, Columbus, Ohio 43215, Attention: Mary Lu English.

This matter must be presented to the Land Review Commission for their reconsideration before any sale can take place. After receipt of a signed authorization to proceed from you the Department of Trade and Development will be asked to review this matter and to place this request on the Land Review Commission agenda for reconsideration.

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

Gregory B. Crafter

Name  
cc:

*Robert C. Smith*  
Robert C. Smith, P.E., City Engineer  
Michael J. Martin, Assistant City Engineer  
Ted Beidler, Planning & Program Section Manager  
Clyde R. Garrabrant, R/W & Utilities Supervisor  
File 96-38

Date

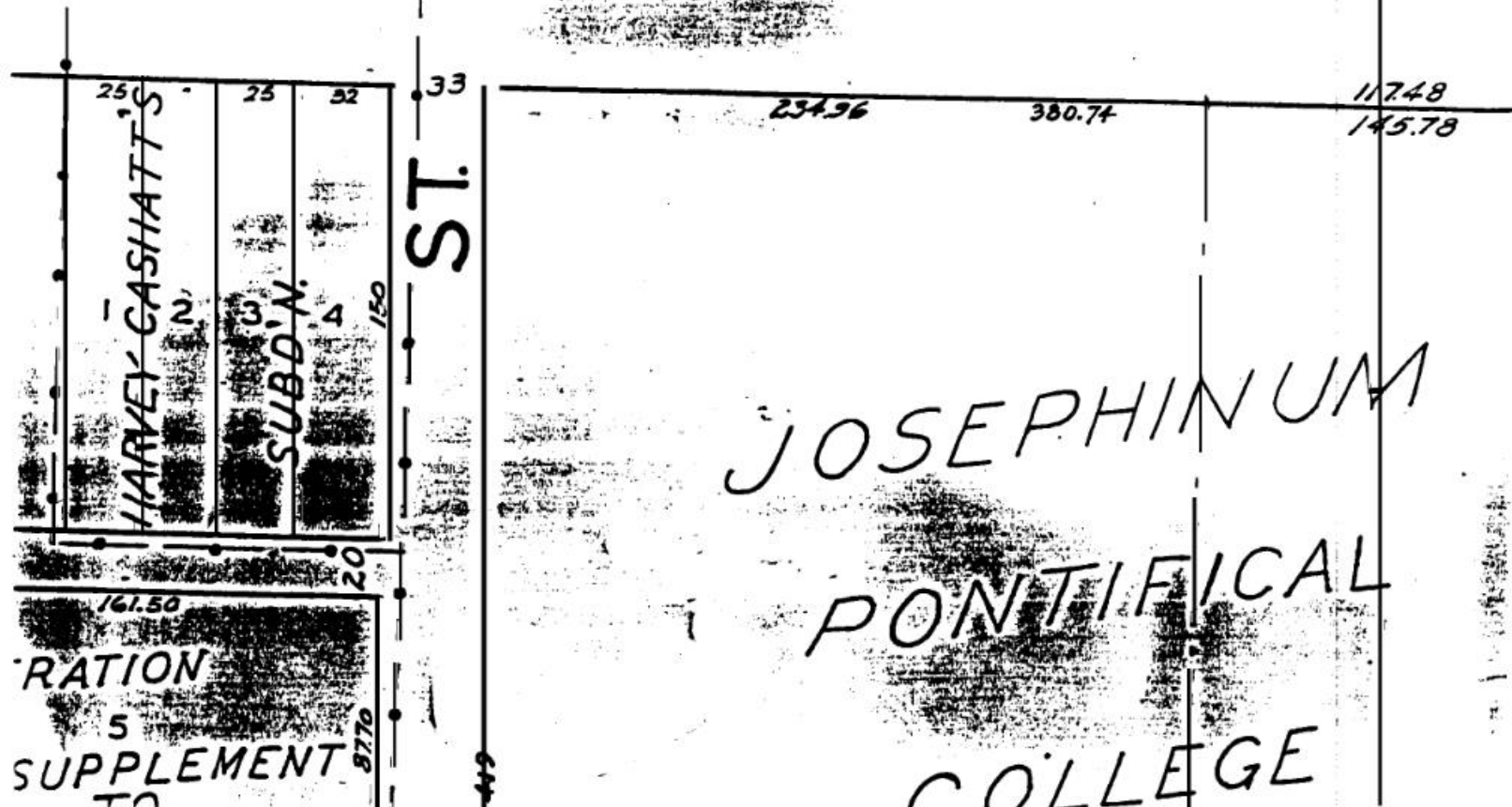
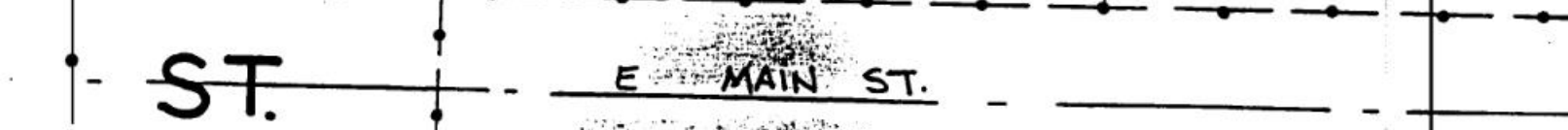
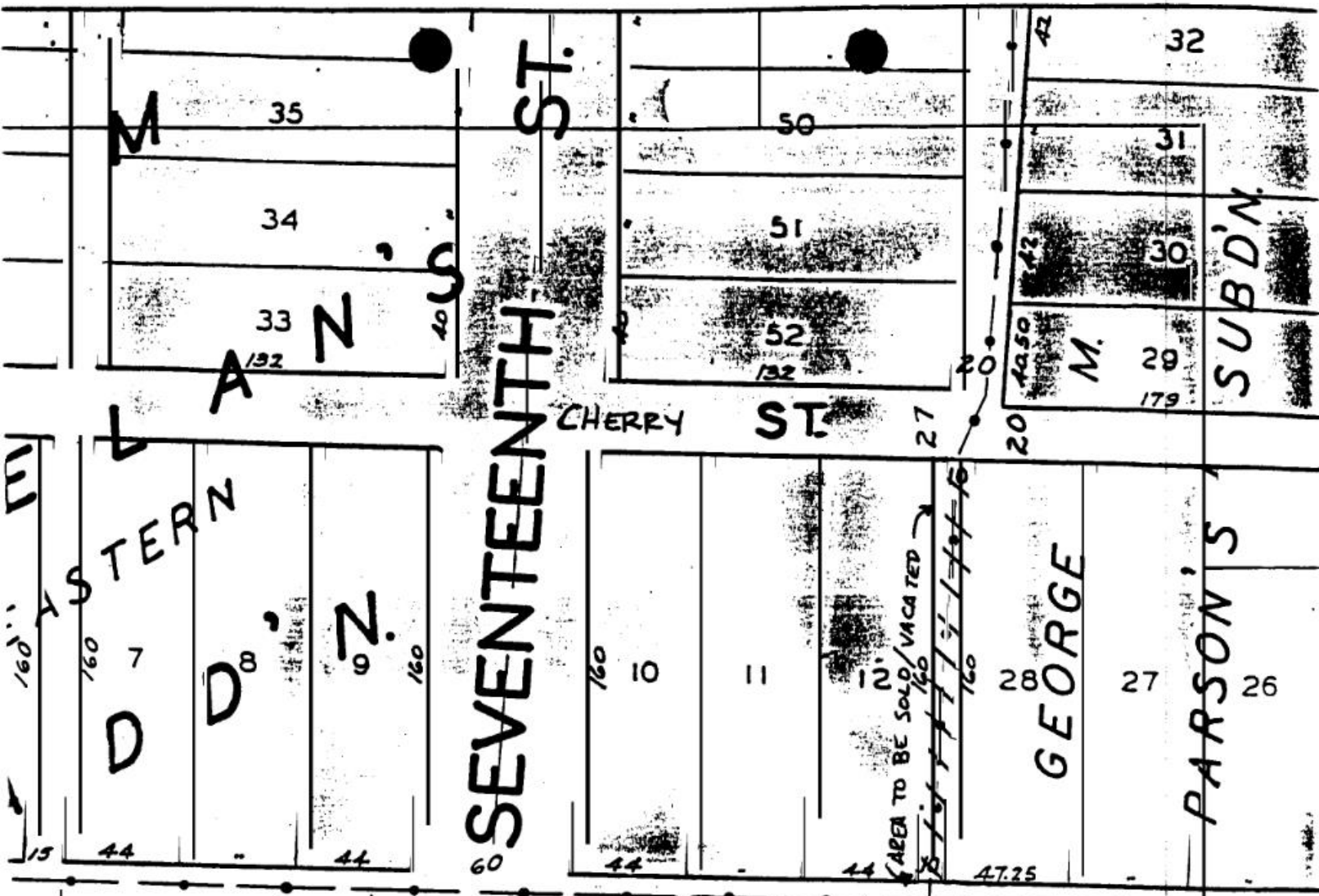
*12/21/98*

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