



## Legislation Text

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**File #: 1640-2005, Version: 1**

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The City of Columbus, Public Service Department, Transportation Division, received a request from Columbus Public Schools ("CPS") asking that the City transfer the unimproved portion of Woodland Avenue from the north right-of-way line of Minnesota Avenue northerly to the south right-of-way line of Aberdeen Avenue to them. Transfer of this right-of-way to CPS will allow CPS to construct a new driveway to serve the new East Linden Elementary School. Per current Transportation Division practice, comments were solicited from interested parties, including City departments, 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 proposed transfer of this unimproved right-of-way would not adversely impact the City. The Public Service Department, Transportation Division, has recommended this unimproved right-of-way be transferred to CPS at no charge in recognition of the Mayor's initiative to help the Columbus Public Schools as they attempt to provide more efficient and safer access to schools as a part of their school rebuilt program. The following legislation authorizes the transfer of this unimproved right-of-way as requested by CPS.

**Fiscal Impact:** N/A

To authorize the Director of the Public Service Department to execute those documents required to transfer the unimproved right-of-way identified as that portion of Woodland Avenue from the north right-of-way line of Minnesota Avenue northerly to the south right-of-way line of Aberdeen Avenue to Columbus Public Schools; and to waive the Land Review Commission and the competitive bidding provisions of Columbus City Codes.

**WHEREAS**, the City of Columbus, Public Service Department, Transportation Division, received a request from Columbus Public Schools ("CPS") asking that the City transfer the unimproved portion of Woodland Avenue from the north right-of-way line of Minnesota Avenue northerly to the south right-of-way line of Aberdeen Avenue to them; and

**WHEREAS**, transfer of this right-of-way to CPS will allow CPS to construct a new driveway to serve the new East Linden Elementary School; and

**WHEREAS**, per current Transportation Division practice, comments were solicited from interested parties, including City departments, 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 proposed transfer of this unimproved right-of-way would not adversely impact the City; and

**WHEREAS**, the Public Service Department, Transportation Division, has recommended this unimproved right-of-way be transferred to CPS at no charge in recognition of the Mayor's initiative to help the Columbus Public Schools as they attempt to provide more efficient and safer access to schools as a part of their school rebuilt program; 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 unimproved right-of-way to Columbus Public Schools at no charge; to-wit:

**0.318 Acre Tract:**

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 3, Township 1, Range 17, United States Military Lands, and being 0.318 acres out of a part of Woodland Avenue, Columbus, Ohio and dedicated for public use in Plat Book 3, Page 20 and Plat Book 27, Page 7, Recorder's Office, Franklin County,

Ohio, said 0.318 acres being more particularly described as follows:

Beginning at a point at the intersection of the northerly right-of-way line of Minnesota Avenue (50' R/W) with the easterly right-of-way line of Woodland Avenue (50' R/W) being the southwesterly corner of Lot No. 13, Block "K" of the Arlington Park, Tract No. 2 Subdivision of record in Plat Book 27, Page 7, Recorder's Office, Franklin County, Ohio, said beginning point being located North 86°17'16" West a distance of 0.43 feet from a found iron pipe; thence

North 86°17'16" West a distance of 50.00 feet along the northerly right-of-way line of said Minnesota Avenue projected westerly and crossing thru said Woodland Avenue to a set iron pipe in the westerly right-of-way line of Woodland Avenue and the easterly line of a 3.05 acre tract (by deed) conveyed to Mifflin Local School District of record in Deed Book 2121, Page 450, Recorder's Office, Franklin County, Ohio; thence

North 03°32'44" East a distance of 377.39 feet along the westerly right-of-way line of said Woodland Avenue and the easterly lines of the said 3.05 acre tract and a 3.595 acre tract (by survey) conveyed to the Mifflin Township Board of Education of record in Deed Book 823, Page 575, Recorder's Office, Franklin County, Ohio to an iron pipe set at the intersection of the westerly right-of-way line of said Woodland Avenue with the southerly right-of-way line of Aberdeen Avenue (50' R/W) being the northeasterly corner of the said 3.595 acre tract; thence

South 86°00'33" East a distance of 30.00 feet along the southerly right-of-way line of said Aberdeen Avenue projected easterly and crossing thru said Woodland Avenue (30' R/W) to a set iron pipe in the easterly right-of-way line of said Woodland Avenue and the westerly line of a 8.875 acre tract conveyed to the Board of Education of the City School District of Columbus, Ohio by deed of record in Deed Book 2386, Page 361, Recorder's Office, Franklin County, Ohio; thence

South 03°32'44" West a distance of 250.78 feet along the easterly right-of-way line of said Woodland Avenue (30' R/W) and the westerly line of the said 8.875 acre tract to a set iron pipe being the southwesterly corner of the said 8.875 acre tract; thence

South 86°13'28" East a distance of 20.00 feet along the southerly line of the said 8.875 acre tract to a set iron pipe in the easterly right-of-way line of said Woodland Avenue (50' R/W) being the northwesterly corner of said Lot No. 13; thence

South 03°32'44" West a distance of 126.44 feet along the westerly line of said Lot No. 13 and the easterly right-of-way line of said Woodland Avenue (50' R/W) to the place of beginning, containing 0.318 acres.

The bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

This description prepared from available records and an actual field survey by DLZ Ohio, Inc. under the direction of Richard W. Conrad, Professional Surveyor No. 5041.

A drawing of this description is attached hereto and made a part hereof.

**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 a quit claim deed to the grantee 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 this Council has determined it is in the best interest of the City of Columbus to allow this right-of-way to be transferred 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 5.** That this Council has determined it is in the best interest of the City of Columbus to allow this right-of-way to be transferred without requiring a recommendation from the Land Review Commission and hereby waives the Land Review Commission provisions of Columbus City Codes (1959) Revised, Section 328.01 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.