

009139

1988 SEP 13 AM 11: 31

DEPARTMENTAL AUTHORIZATION

OMB Approval Stamp _____
OMB Staff Contact _____
Phone _____

OMB COMPLIANCE
With Affirmative Action Code

Office of Contract Compliance

CONFORMANCE

This is to certify that the attached ordinance is in conformance with the adopted Capital Improvements Budget as amended, of the City of Columbus, Ohio.

Department of OMB _____ Date _____

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

RONALD J. O'BRIEN
CITY ATTORNEY

By: _____

REFERENCE NUMBER AND TIME

ORIGINAL
COLUMBUS CITY COUNCIL
c/o Legislative Research Office

Ordinance No. **2141 - 88**

Resolution No. _____

30 Day _____ Emergency **X**

FLOOR ACTION
(Clerks Office Only)

SEP 19 1988 *7-0*

COMMITTEE

SERVICE
INTRODUCED BY

BEN ESPY

DATE OF FIRST READING

SEP 19 1988

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 herein to pay the within ordinance.

Date _____ No. _____

Fund No. _____ Dept. No. _____ Appropriation Code _____

Entered By _____ Amount _____

City Auditor or Deputy Auditor

323. *48195*

Explanation of Legislation

August 19, 1988

Columbus City Council
City Hall
Columbus, Ohio 43215

Honorable Members of Council:

Pursuant to Resolution 113X-86, the Department of Public Service, Division of Engineering and Construction, recently received a request from Hudson/71 Enterprises to sell a portion of the first alley located south of Hudson Street and 148 feet west of Pontiac Street.

Upon investigation, it has been determined there are no objections to such sale; however, a general utility easement over the entire real property must be retained for the benefit of all existing utilities currently located within the area.

Land Review Commission, at their June 2, 1988, meeting, voted to recommend the sale of such property for a fee of \$2,000.00.

John Klein 7712
Contact: For Questions - Phone
on this Legislation

J. H. Haggerty
Approved (Division Head)

Michael J. Rosenbaum
Approved (Department Head)

Title (Brief Description)

To authorize the Director of the Department of Public Service to execute those documents necessary to sell to Hudson/71 Enterprises a portion of the first alley located south of Hudson Street and 148 feet west of Pontiac Street; to waive the bidding provisions of Section 329 of the Columbus City Codes and to declare an emergency.

MAYOR'S ACTION
David R. ...
SIGNED _____ DATE _____
RETURNED UNSIGNED _____ DATE _____
VETO _____ DATE _____

COUNCIL ACTION
PASSED _____ DATE _____
ADOPTED _____ DATE _____

Michael J. Rosenbaum
PRESIDENT OF COUNCIL DATE _____
Timothy ...
CITY CLERK DATE _____

WHEREAS, the City of Columbus is the owner of excess right-of-way described as the first alley south of Hudson Street and 148 feet west of Pontiac Street (hereinafter "Property"); and

WHEREAS, Hudson/71 Enterprises has requested the opportunity to purchase such property; and

WHEREAS, after investigation, it has been determined the sale of such property will have no detrimental effect on the general interest of the City or on the surrounding properties; and

WHEREAS, various utilities currently have facilities in the area and a general utility easement for the benefit of the existing utilities must be retained; and

WHEREAS, the Department of Law, Real Estate Division, has determined a fee of \$2,000.00 is a fair fee to charge for the sale of such property; and

WHEREAS, the Office of Management and Budget and the Development Department agree that \$2,000.00 is a fair fee to charge; and

WHEREAS, Land Review Commission, at their June, 1988, meeting, voted to recommend the sale of said Property to Hudson/71 Enterprises for a fee of \$2,000.00; and

WHEREAS, an emergency exists in that it is immediately necessary to authorize the Director of the Department of Public Service to execute a quit claim deed to sell to Hudson/71 Enterprises, for \$2,000.00, a portion of the first alley south of Hudson Street and 148 feet west of Pontiac Street for the preservation of 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 and deliver those documents, prepared and approved by the Department of Law, Real Estate Division, necessary to sell to Hudson/71 Enterprises the following described real property:

Situated in the State of Ohio, County of Franklin, City of Columbus, being a portion of a 15 ft. alley, south of E. Hudson Street and west of Pontiac Street, said portion of 15 ft. alley being further described as follows:

Beginning at the southwest corner of Reserve "A" as shown on the recorded plat of Hiawatha Park Place, Plat Book 14, Page 32, and on the north line of said 15 ft. alley, thence easterly with the north line of the said 15 ft. alley a distance of 76.60 feet to a point;

Thence southerly, crossing said 15 ft. alley, a distance of 15.00 feet to a point at the northeast corner of Reserve "B";

Thence westerly, with the south line of said 15 ft. alley, a distance of 76.60 feet to a point at the northwest corner of Reserve "B", said point also being the east line of an 0.743 acre tract owned by Hudson/71 Enterprises;

Thence northerly, with the east line of said 0.743 acre tract, a distance of 15.00 feet to the place of beginning, containing 1149 square feet.

Subject to all conditions, restrictions, rights-of-way, and easements of record with the Franklin County Recorder's Office, Columbus, Ohio, and further subject to a perpetual general utility easement hereby retained by the Grantor over the entire above described real property for the benefit of all existing utilities now located therein, namely Columbia Gas of Ohio, Inc. and The Ohio Bell Telephone Company.

This description was prepared from record plat information.

Section 2. That a perpetual general utility easement in, over, across, under and through said property for the benefit of all existing utility facilities be and hereby is retained.

Section 3. That pursuant to Resolution 113X-86, the fee of \$2,000.00 be deposited in the Permanent Improvement Fund, Fund #07-448.

Section 4. That this Council finds that it would be in the best interest of the City of Columbus to waive the requirements of Section 329 of the Columbus City Codes necessary to permit the sale of said property without bids and does hereby waive all such requirements.

Section 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is 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 passage if the Mayor neither approves nor vetoes the same.