

COMMITTEE

**PUBLIC SERVICE & TRANSPORTATION
INTRODUCED BY**

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

NOV 15 1999

COLUMBUS CITY COUNCIL

ORIGINAL

Ordinance No. 2638-99

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)

NOV 22 1999

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

11-4-99

EXPLANATION OF LEGISLATION

3622

Background:

The City of Columbus is the owner of that right-of-way identified as the unimproved portion of Sharon Avenue from the north line of Northwold Road to its northern terminus. The Public Service Department, Engineering and Construction Division, has received a request from Philip L. Amorose asking for the opportunity to purchase this right-of-way. The Department of Law, Real Estate Division, determined a total value of \$2,375.00 for this right-of-way and the Land Review Commission voted to recommend this right-of-way be sold for said amount. The following legislation authorizes the proposed sale.

Emergency Justification:

N/A

Fiscal Impact:

The City shall receive a total of \$2,375.00, to be deposited in Fund 748, Project 537650, as consideration for the transfer of the requested right-of-way.

Mary Lu English (5471)

Contact: For Questions - Phone on this Legislation

Robert Smith
11/10/99 DMC Approved (Division Head)

Richard Wickham
Approved (Department Head)

TITLE (BRIEF DESCRIPTION)

To authorize the Director of the Public Service Department to execute those documents required to sell that right-of-way identified as the unimproved portion of Sharon Avenue from the north line of Northwold Road to its northern terminus and to waive the competitive bidding provisions of Columbus City Codes.

MAYOR'S ACTION

NOV 23 1999

COUNCIL ACTION

NOV 22 1999

SIGNED

DATE

DATE PASSED/ADOPTED

PRESIDENT OF COUNCIL

VETO

DATE

CITY CLERK

WHEREAS, the City of Columbus, Public Service Department, Engineering and Construction Division, is the owner of the unimproved portion of Sharon Avenue from the north line of Northwold Road to its northern terminus; and

WHEREAS, Philip L. Amorose, owner of the abutting property, has requested the opportunity to acquire said right-of-way; and

WHEREAS, after investigation there are no objections to the sale of this right-of-way; and

WHEREAS, the Department of Law, Real Estate Division, has determined a value of \$2,375.00 for this right-of-way; and

WHEREAS, the Land Review Commission voted to recommend this right-of-way be sold for said amount; 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 Real Estate Division, Department of Law, necessary to transfer the following described right-of-way to Philip L. Amorose, to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, being that portion of Sharon Avenue as platted and recorded on the plat of Cleveland Heights, Section 3, of record in Plat Book 18, Page 12, records of the Recorder's Office, Franklin County, Ohio, that lies between the northerly right-of-way of Northwold Road as platted on said Cleveland Heights, Section 3, and the southerly line of the south half of a 16 foot in width alley as platted on said Cleveland Heights, Section 3, said portion also lies between Lots 386 and 387 as platted on said Cleveland Heights, Section 3, and being more particularly described as follows:

Beginning at an iron pin set at the intersection of said northerly right-of-way of Northwold Road and the westerly right-of-way of said Sharon Avenue, being the southeasterly corner of said Lot 387;

Thence N 00°15'00" E, a distance of 125.00 feet, along the westerly right-of-way of said Sharon Avenue and the easterly line of said Lot 387, to an iron pin set at the northeasterly corner of said Lot 387, being the southerly line of said south half of a 16 foot in width alley;

Thence S 89°45'00" E, a distance of 50.00 feet, along the southerly line of said 16' in width alley and the northerly terminus of said Sharon Avenue, to an iron pin set at the northwesterly corner of said Lot 386, being the easterly right-of-way of said Sharon Avenue;

Thence S 00°15'00" W, a distance of 125.00 feet, along the westerly line of said Lot 386 and the easterly right-of-way of said Sharon Avenue, to an iron pin set at the southwest corner of said Lot 386, being the northerly right-of-way line of said Northwold Road;

Thence N 89°45'00" W, a distance of 50.00 feet, along the northerly right-of-way of said Northwold Road, to the TRUE PLACE OF BEGINNING;

Containing 0.144 acres of land, more or less.

Bearings are based on the bearing of N 89°45'00" W as contained on the Plat of Cleveland Heights, Section 3, of record in Plat Book 18, Page 12.

All references being to the records of the Recorder's Office, Franklin County, Ohio.

R.D. ZANDE & ASSOCIATES, INC
David B. McCoy, Registered Surveyor No. 7632

Section 2. That the above referenced real property shall be considered excess road right-of-way and the public right therein shall terminate upon the Director's execution and delivery of said quit claim deeds to the grantees thereof.

Section 3. That the \$2,375.00 to be received by the City of Columbus as consideration for the transfer of these rights-of-way shall be deposited in Fund 748, Project 537650.

Section 4. That a general utility easement in, on, over, across, under and through said right-of-way be and hereby is retained unto the City of Columbus.

Section 5. That this Council has determined it is in the best interest of the City of Columbus to allow this property 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 this property.

Section 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.