

013112

1990 FEB -5 PM 4:11

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. **514-90**

30 Day _____ Emergency **X**

FLOOR ACTION

(Clerks Office Only)

FEB 26 1990 *P6-0*
Razans absent

COMMITTEE

SERVICE & UTILITIES

INTRODUCED BY

ARLENE SHOEMAKER

DATE OF FIRST READING

FEB 26 1990

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. _____

Fund No.: _____ Dept. No. _____ Approp Code _____

Entered By: _____ Amount _____

City Auditor or Deputy Auditor

57.2/2/90

Explanation of Legislation

January 29, 1990

Columbus City Council
City Hall
Columbus, Ohio 43215

Honorable Members of Council:

The City of Columbus, Department of Public Service, Division of Engineering and Construction, has received a request from Arvind Sagar asking that he be given the opportunity to acquire a portion of Old El Paso Drive. The Department of Law, Real Estate Division, has determined a value of \$4,300.00 for this property. Land Review Commission has voted to recommend the City sell this property to Arvind Sagar for the Real Estate Division established price.

John Klein (2712)

Contact: For Questions - Phone
on this Legislation

Robert Smith

Approved (Division Head)

Joseph A. Padgett

Approved (Department Head)

Title (Brief Description)

To authorize the Director of the Department of Public Service to execute those documents necessary to sell, to Arvind Sagar, excess right-of-way known as a portion of Old El Paso Drive, to waive the competitive bidding provisions of Chapter 329, Columbus City Codes (1959) Revised and to declare an emergency.

MAYOR'S ACTION

SIGNED _____ DATE _____

FEB 28 1990

RETURNED UNSIGNED _____ DATE _____

VETO _____ DATE _____

COUNCIL ACTION

FEB 26 1990

PASSED _____ DATE _____

ADOPTED _____ DATE _____

PRESIDENT OF COUNCIL

DATE

CITY CLERK

DATE

WHEREAS, The City of Columbus is the owner of that property more fully described in Section 1 of this Ordinance;

WHEREAS, Arvind Sagar desires to acquire said property; and

WHEREAS, after investigation it has been determined there are no objections to the sale of this property;

WHEREAS, easement rights, in, on, over, across and through, said property, for the benefit of those utilities currently located therein must be retained; and

WHEREAS, the Department of Law, Real Estate Division, has determined a value of \$4,300.00 for said property; and

WHEREAS, the Land Review Commission has voted to recommend the sale of said property to Arvind Sagar for \$4,300.00; and

WHEREAS, an emergency exists in that it is immediately necessary to authorize the Director of the Department of Public Service to execute those documents necessary to sell said property to Arvind Sagar, thereby preserving 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 those documents, prepared by the Department of Law, Real Estate Division, necessary to sell to Arvind Sagar the following described real property:

Situated in the State of Ohio, County of Franklin, City of Columbus, located in part of Virginia Military Survey No. 875, being part of that portion of El Paso Drive (originally known as Kenner Drive) which lies adjacent to and northerly of Lot 27 of "PLEASANT VIEW ACRES ADDITION", of record in Plat Book 20, Page 13 (record references to those of the Recorder's Office, Franklin County, Ohio), and being more particularly described as follows:

Beginning at a point where the easterly right-of-way line of Wilson Road intersects the original southerly right-of-way line of El Paso Drive, being in the northerly line of said Lot 27, and located 65.00 feet right of Station 71+82.92 of the center line construction of Wilson Road, as delineated upon the right-of-way plan for Interstate Route 70 (see sheet 19 of 39, I-70 3(31)92, FRA 70-7.6);

thence northerly along said easterly right-of-way line of Wilson Road, crossing the right-of-way of El Paso Drive, North $11^{\circ} 20' 31''$ East, 60.01 feet to a point in the northerly right-of-way line of said El Paso Drive;

thence easterly along said northerly line of El Paso Drive, North $67^{\circ} 46' 30''$ East, 116.00 feet to the point where said line intersects the northerly projection of the westerly right-of-way line of relocated El Paso Drive (50.00 feet in width);

thence southerly along said projection of El Paso Drive, South $24^{\circ} 09' 29''$ East, 50.03 feet to a point in the southerly right-of-way line of El Paso Drive, being in the northerly line of said Lot 27, said point being located 215.76 feet right of Station 71+77.36 of Wilson Road center line of construction;

thence westerly along the southerly right-of-way line of El Paso Drive, being the northerly line of said Lot 27, South $67^{\circ} 46' 30''$ West, 150.86 feet to the point of beginning, containing 0.153 acre of land, more or less, as described in January of 1990, by Carl E. Turner, Jr..

Professional Surveyor No. 6702, from existing records only.

Subject, however, to all legal rights-of-way of previous record.

SECTION 2. That the \$4,300.00, to be collected by the City, be deposited in Fund 07-448, Project 448650.

SECTION 3. That a general utility easement in, over, across, under and through said property be retained for the benefit of those utilities currently located therein.

SECTION 4. That upon notification and verification of the relocation of those currently existing utilities, by Arvind Sagar, his heirs, assigns or successors, the Director of the Department of Public Service be and hereby is authorized to execute those documents necessary to release the retained utility easement at no additional costs to said party.

SECTION 5. That this Council finds it to be in the best interest of the City of Columbus to waive the competitive bidding provisions of Chapter 329 Columbus City Codes (1959) Revised, in regards to the sale of said property and does hereby so waive said provisions.

SECTION 6. 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 passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.