

COMMITTEE

PUBLIC SERVICE & TRANSPORTATION
INTRODUCED BY
MARY ELLEN O'SHAUGHNESSY

DATE OF FIRST READING

MAR 16 1998

COLUMBUS CITY COUNCIL

ORIGINAL

Ordinance No 660-98

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)

MAR 23 1998

P7-0

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

36-98

EXPLANATION OF LEGISLATION

002917

Background:

As the owner of that right of way identified as Cowling Alley, from the south line of East Main Street to the north line of Noble Street, the City of Columbus, Department of Public Service, Division of Engineering and Construction, has received a request from Sandpar Company, an Ohio limited partnership, asking for the opportunity to purchase a portion of said right of way so that necessary repairs to the alley can be made to assure unimpeded access to parking on the east side of the alley. After investigation it has been determined that there are no objections to the sale of this right of way. The Department of Law, Real Estate Division, has determined a value of \$7,732.00 for this right of way, and the Land Review Commission has voted to recommend the sale of this right of way for said amount.

Fiscal Impact:

The City shall receive \$7,732.50, to be deposited in Fund 07-248, Project 248650, as consideration for the transfer of the requested right-of-way.

Emergency Justification:

N/A

Mary Lu English (5471)

Contact: For Questions - Phone on this Legislation

3/16/98 Robert Smith
DMC Approved (Division Head)

James R. Rosch
Approved (Department Head)

TITLE (BRIEF DESCRIPTION)

To authorize the Director of the Department of Public Service to execute those documents required to sell that right-of-way identified as Cowling Alley from the south line of Main Street to a point 131 feet southerly therefrom to Sandpar Company, an Ohio limited partnership, and to waive the competitive bidding provisions of Columbus City Codes.

MAYOR'S ACTION

[Signature]

SIGNED

MAR 24 1998

DATE

COUNCIL ACTION

MAR 23 1998

DATE PASSED/ADOPTED

[Signature]

PRESIDENT OF COUNCIL

[Signature]

CITY CLERK

VETO

DATE

WHEREAS, the City of Columbus, Department of Public Service, Division of Engineering and Construction, is the owner of Cowling Alley from the south line of East Main Street to the north line of Nobel Street; and

WHEREAS, Sandpar Company, an Ohio limited partnership, desires to acquire that portion of Cowling Alley from the south line of East Main Street to a point 131 feet southerly therefrom to allow for unimpeded access to parking on the east side of the alley and for necessary renovations to be made to the alley; and

WHEREAS, after investigation, it has been determined that there are no objections to the sale of the above referenced right-of-way; and

WHEREAS, the Department of Law, Real Estate Division, has determined a value of \$7,732.50 for this right-of-way; and

WHEREAS, the Land Review Commission has voted to recommend the sale of the requested right-of-way to Sandpar Company, an Ohio limited partnership, for \$7,732.50; 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 is hereby authorized to execute a quit claim deed and other incidental instruments prepared by the Real Estate Division, Department of Law, necessary to transfer the following described real property to Sandpar Company, an Ohio limited partnership, to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Cowling Alley (15 feet in width) as dedicated by plat of "EDMUND COWLING'S SUBDIVISION", of record in Plat Book 1, Page 113, all references being to records in the Recorder's Office, Franklin County, Ohio and bounded and described as follows:

Beginning at an iron pin found at the intersection of the southerly right-of-way line of East Main Street (82.5 feet in width) with the easterly right-of-way line of Cowling Alley, said iron pin also being the northwesterly corner of Lot 13 of "EDMUND COWLING'S SUBDIVISION";

thence SOUTH, along said right-of-way line of Cowling Alley, the westerly line of Lot 13, a distance of 131.00 feet to an iron pin found at the southwesterly corner of the Sandpar Co. tract, of record in Official Record 15338C05;

thence WEST, crossing Cowling Alley, a distance of 15.00 feet to a point in the westerly right-of-way line of Cowling Alley, the easterly line of Lot 14 of "EDMUND COWLING'S SUBDIVISION";

thence NORTH, along said right-of-way line of Cowling Alley, the easterly line of Lot 14, a distance of 131.00 feet to an iron pin at the northeasterly corner of said Lot 14, in the southerly right-of-way line of East Main Street;

thence EAST, along said right-of-way line of East Main Street, crossing Cowling Alley, a distance of 15.00 feet to the point of beginning, containing 0.045 acre, more or less.

Bearings contained herein, are based on the same meridian as the bearing of the southerly right-of-way line of E. Main Street (EAST) an assumed bearing.

EVANS, MECHWART, HAMBLETON & TILTON, INC.
Thomas D. Sibbalds, Registered Surveyor No. 5908

Section 2. That the above described 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 deed to the grantee thereof.

Section 3. That a general utility easement in, on, over, across, under and through the above described property be and hereby is retained unto the City of Columbus.

Section 4. That the \$7,732.50 to be received by the City of Columbus as consideration for the transfer of this property shall be deposited in Fund 07-248. Project 248650.

Section 5. That this Council has determined that 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.



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

Name of Petitioner: Jackson B. Reynolds counsel for

File No. 97-45

REQUEST IS TO:

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

Cowling Alley from the south line of Main Street to 131 feet south

PROPOSED USE OF AREA:

Re-paving and access to parking

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: *R. Merritt*

Date: 12/15/97

REAL ESTATE DIVISION ACTION:

- | | |
|--|---|
| Estimated Value from County Tax Records: | \$ <u>7,732.50</u> |
| Estimated Value from Professional Appraisal | \$ <u>N/A</u> |
| RED Value Recommendation to Trade & Development | \$ <u>7,732.50</u> |
| Negotiated Value Recommendation to Trade & Development | \$ _____ |
| 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. 97-45

PPSS L:\msword\jeff\ 97-45r.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

City Hall - 90 W. Broad Street, 3rd Floor / Columbus, Ohio 43215-9009
 1800 E. 17th Avenue, Columbus, Ohio 43219-1007
 109 North Front Street, 3rd Floor / Columbus, Ohio 43215-9023
 City Hall - 90 W. Broad Street, Rm. B-16 / Columbus, Ohio 43215-9001
 423 Short Street / Columbus, Ohio 43215-5514
 2100 Alum Creek Drive / Columbus, Ohio 43207-1714
 109 North Front Street, 2nd Floor / Columbus, Ohio 43215-9024

FAX 645-7806
 FAX 645-3296
 FAX 645-6938
 FAX 645-7180
 FAX 645-7347
 FAX 645-7296
 FAX 645-7927
 TTY 645-7011
 TTY 645-8833
 TTY 645-8507

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: _____

Date: _____

1/12/90

**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 Petitioner: Jackson B. Reynolds counsel for Sandpar Company File No. 97-45



City of Columbus
Mayor Gregory S. Lashutka

Public Service Department

Thomas B. Merritt, Director

December 22, 1997

Jackson B. Reynolds, III, Esq.
Smith & Hale
37 West Broad Street
Columbus, Ohio 43215-4199

Dear Mr. Reynolds:

Pursuant to City of Columbus Resolution No. 113X-86, which provides for the sale of City owned property, and based upon information provided by the Franklin County Auditor, the City has estimated a value of \$7,732.50 for the sale of a portion of Cowling Alley as requested by your client, Sandpar Company. Please note that this figure reflects the City's need to reserve a general utility easement in, on, over, across, under and through this right-of-way.

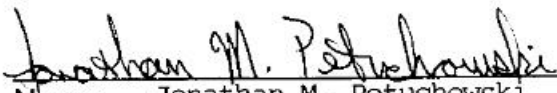
Should Sandpar Company desire to proceed with the purchase of the above referenced right-of-way for a total of \$7,732.50 please have this letter signed and dated in the space provided below then return, within ten working days, to Mr. Robert C. Smith, P.E., City Engineer, Engineering and Construction Division, 109 North Front Street, 3rd Floor, Columbus, Ohio 43215, Attention: Mary Lu English. Upon my receipt of the authorization to proceed this item will be placed on the Land Review Commission agenda for the next scheduled meeting. (Land Review Commission meets the third Thursday of each month).

If you have any questions, please contact me at 645-5471.

Sincerely,

Mary Lu English
Right of Way Coordinator

AUTHORIZATION TO PROCEED
Sandpar Company

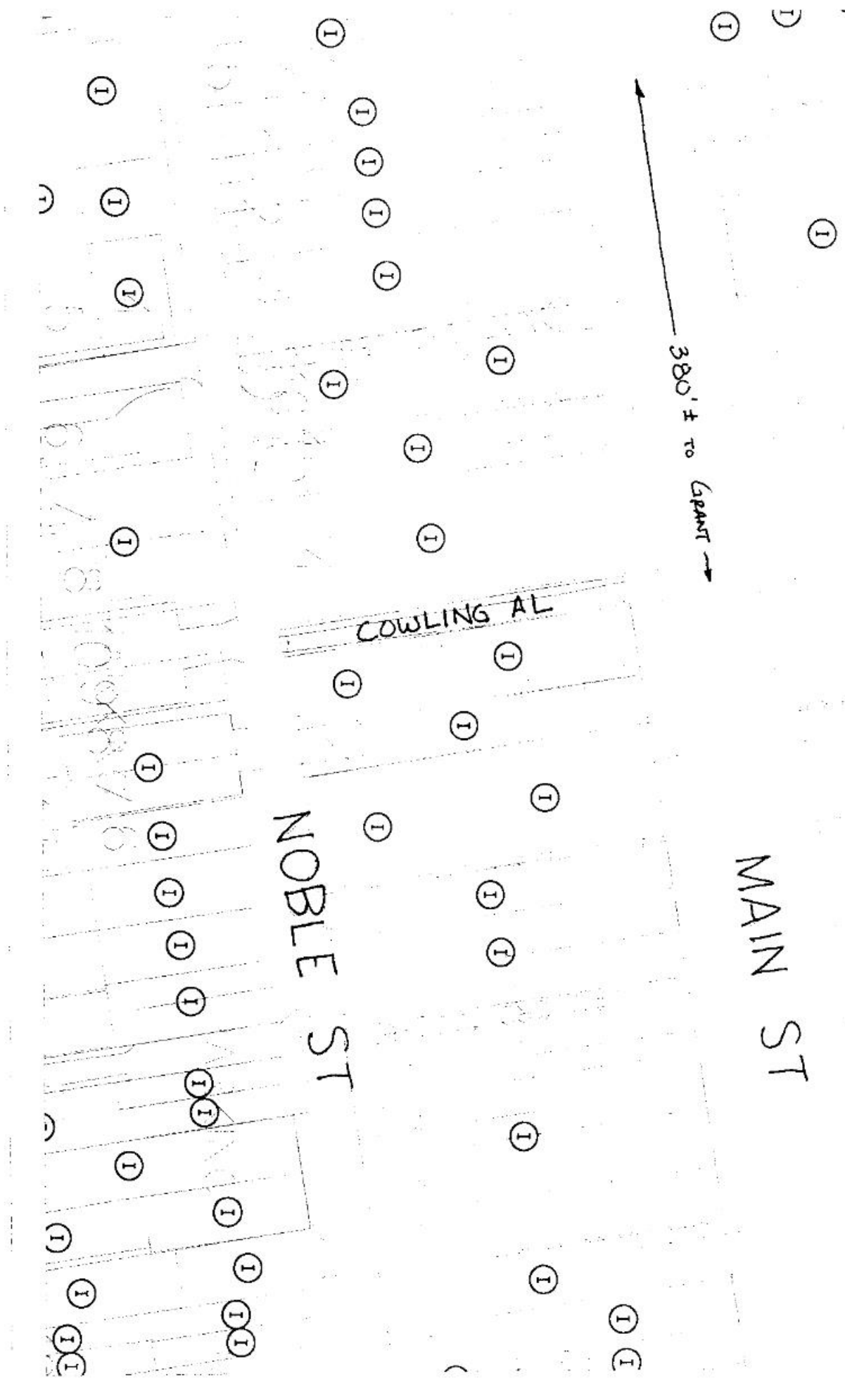
 _____ 1/2/98
Name Jonathan M. Petuchowski Date
Vice President, 2720 Management Corp.

cc: Robert C. Smith, P.E., City Engineer General Partner
Michael J. Martin, Assistant City Engineer
Ted Beidler, Planning & Program Section Manager
Clyde R. Garrabrant, RW & Utilities Supervisor
File 97-47
PPSS L:\marylu\letters\9745jr#1.doc

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614-645-7602 Facilities Management Division
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FAX: 645-7341
FAX: 645-7230 TTY: 645-6507
FAX: 645-7920



NOT TO SCALE

