

016273

1991 MAR 22 AM 11: 28

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. 78791

Resolution No. \_\_\_\_\_

30 Day \_\_\_\_\_ Emergency

FLOOR ACTION

(Clerks Office Only)

APR 1 1991 **P7-0**

COMMITTEE

SERVICE

INTRODUCED BY

ARLENE SHOEMAKER

DATE OF FIRST READING

APR 01 1991

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. \_\_\_\_\_ Approp. Code \_\_\_\_\_

Entered By: \_\_\_\_\_ Amount: \_\_\_\_\_

City Auditor or Deputy Auditor

122. 3/19/91

Explanation of Legislation

BACKGROUND:

The City of Columbus, Department of Public Service, Division of Engineering and Construction, has received a request from the Columbus Chapter of the American Red Cross and Keith D. and Angela N. Marshall, asking that the City transfer the first alley west of Hoffman Avenue, from the north line of Oak Street to the south line of the alley north of Oak Street, to them. After investigation, it has been determined this is excess right-of-way and there are no objections to the transfer of this property. The Department of Law, Real Estate Division, has established a value of \$4552.50 for this excess right-of-way, however, in consideration of the quasi governmental nature of the American Red Cross, Land Review Commission has voted to recommend the transfer of said excess right-of-way at no charge.

FISCAL IMPACT:

N/A

*Roger Madison* (7992)  
Contact: For Questions - Phone \_\_\_\_\_  
on this Legislation

*Robert Smith*  
Approved (Division Head)

*J. Hudgway*  
Approved (Department Head)

Title (Brief Description)

To authorize the Director of the Department of Public Service to execute those documents necessary to transfer to the Columbus Chapter of the American Red Cross and Keith D. and Angela N. Marshall, the first alley west of Hoffman Avenue from the north line of Oak Street to the south line of the alley north of Oak Street, at no charge, to waive the competitive bidding provisions of Columbus City Codes (1959) Revised and to declare an emergency.

MAYOR'S ACTION

*Janice Stewart*  
SIGNED \_\_\_\_\_ DATE **APR 4 1991**

COUNCIL ACTION

*577 1991*  
PASSED \_\_\_\_\_ DATE \_\_\_\_\_  
ADOPTED \_\_\_\_\_ DATE \_\_\_\_\_

*Charles Hayes*  
PRESIDENT OF COUNCIL DATE \_\_\_\_\_

*Timothy M. ...*  
CITY CLERK DATE \_\_\_\_\_

RETURNED UNSIGNED \_\_\_\_\_ DATE \_\_\_\_\_

VETO \_\_\_\_\_ DATE \_\_\_\_\_

WHEREAS, the City of Columbus is the owner of the first alley west of Hoffman Avenue from the north line of Oak Street to the south line of the alley north of Oak Street; and

WHEREAS, the Columbus Chapter of the American Red Cross and Keith D. Marshall and Angela N. Marshall desire to acquire said alley; and

WHEREAS, after investigation, it has been determined this is excess right-of-way, which may be sold; and

WHEREAS, pursuant to Resolution 113X-86, the Department of Law, Real Estate Division, has established a value of \$4552.50 for said excess right-of-way; and

WHEREAS, Land Review Commission has voted to recommend the transfer of said excess right-of-way at no charge in recognition of the quasi governmental status of the Red Cross; and

WHEREAS, a general utility easement in, on, over, across and through said excess right-of-way must be retained for the benefit of those utilities currently located within the described boundaries; and

WHEREAS, an emergency exists in that is immediately necessary to authorize the Director of the Department of Public Service to execute those documents necessary to transfer said excess right-of-way 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 necessary to transfer to the Columbus Chapter of the American Red Cross, at no charge, the following described real property:

**A PART OF A 15' ALLEY TO BE  
CONVEYED TO THE AMERICAN RED CROSS  
LOCATED WEST OF HOFFMAN AVENUE NORTH OF OAK STREET**

Being situated in the State of Ohio, County of Franklin, City of Columbus and being a part of a 15' alley as shown on the recorded plat of Joseph F. Firestone's Subdivision (PB. 5, Pg. 262) said alley being described as follows:

Beginning at a point in the center line of said 15' alley, also being in the north line of Oak Street, 50' wide;

Thence westerly, with the north line of Oak Street, a distance of 7.50' to a point at the S.E. corner of Lot 31, Mitchell, Watson & Morrison's Subdivision;

Thence northerly, with the east line of the said Lot 31, a distance of 214.50' to a point at the N.E. corner of the said Lot 31, also being in the south line of a 20' alley;

Thence easterly, with the south line of the said 20' alley extended, and crossing the said 15' alley, a distance of 15.32' to a point in the east line of said 15' alley, also being in the west line of Lot #4 of the said Joseph F. Firestone Subdivision;

Thence southerly, with the east line of said 15' alley, crossing Lots 4, 5 and into 6 to a point 7.00' north of the S.W. corner of Lot 6, a distance of 165.62'; said point also being in the north line of a parcel of land owned by Keith D. & Angela N. Marshall;

Thence westerly, with the north line extended of the Marshall parcel, a distance of 7.50' to a point in the center line of said 15' alley;

Thence southerly, with the center line of said 15' alley, a distance of 52.00' to the place of beginning and containing 2851 square feet.

Subject to all road records and easements of record.

SECTION 2. That the Director of the Department of Public Service be and hereby is authorized to execute and deliver those documents necessary to transfer to Keith D. and Angela N. Marshall, at no charge, the following described real property;

**A PART OF A 15' ALLEY TO BE CONVEYED  
TO KEITH D. AND ANGELA N. MARSHALL  
WEST OF HOFFMAN AVENUE AND NORTH OF OAK STREET**

Being situated in the State of Ohio, County of Franklin, City of Columbus and being the east half of a 15' alley as shown on the recorded plat of Joseph F. Firestone's Subdivision (PB. 5, Pg. 262), and being adjacent to and 7.50' west of Lot #7 of said and terminating at a point 52.00' northerly therefrom and containing 390 square feet.

Subject to all road records and easements of record.

SECTION 3. That a general utility easement in, on, over, across, under and through the above described areas be and hereby is retained for the benefit of those utilities currently located within the boundaries of said property.

SECTION 4. That this Council has determined it is in the best interest of the city of Columbus to waive the competitive bidding provisions of Columbus city Codes with regards to these transfers and does hereby waive the appropriate sections of Columbus City Codes (1959) Revised.

SECTION 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby 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.

<fc>ord.red.cross