

**Columbus Consolidated Government
Council Meeting Agenda Item**

TO:	Mayor and Councilors
AGENDA SUBJECT:	Portion of Right-of-Way Abandonment for 35th Street between 5th Avenue and 6th Avenue
AGENDA SUMMARY:	Approval is requested for closure and abandonment of an approximately 241 ft. +/- of right of way for 35 th Street located east of 5 th Avenue and west of 6 th Avenue, authorize the disposal of the said right of way with applicable State Law; reserving utility and access easements; and for other purposes.
INITIATED BY:	Department of Engineering

Recommendation: Approval is requested to authorize the changing of the Official Street Map and Tax Maps of the Consolidated Government of Columbus, Georgia by officially closing and abandoning an approximate 241 +/- ft. segment of 35th Street right-of-way located east of 5th Avenue and west of 6th Avenue; authorize the disposal of the said right of way with applicable State Law; reserving utility and access easements; and for other purposes.

Background: Truth Springs Academy is under construction on adjacent property. The right of way is wider in the area of the school from historical uses. The school representatives have requested the additional right of way property to fence for children to have added green space.

Analysis: The rights-of -way in its current layout serves no purpose to the public with the exception of existing utilities. The area will be fenced with a gate for access by the utilities as needed. The school also understands the fence would have to be temporarily removed if repair of the utilities is required.

Financial Considerations: There are no financial obligations.

Legal Considerations: Council approval is required to close and abandon public street right of way.

Recommendation/Action: Approval is requested to authorize the changing of the Official Street Map and Tax Maps of the Consolidated Government of Columbus, Georgia by officially closing and abandoning an approximate 241 +/- ft. segment of 35th Street right-of-way located east of 5th Avenue and west of 6th Avenue; authorize the disposal of the said right of way with applicable State Law; reserving utility and access easements; and for other purposes.

A RESOLUTION

NO.

A RESOLUTION OF THE COUNCIL OF COLUMBUS, GEORGIA, AUTHORIZING THE CHANGING OF THE OFFICIAL STREET MAP AND TAX MAP OF THE CONSOLIDATED GOVERNMENT OF COLUMBUS, GEORGIA BY OFFICIALLY CLOSING AND ABANDONING A SEGMENT OF 35TH STREET RIGHT OF WAY BEGINNING AT THE EAST RIGHT OF WAY LINE OF 5TH AVENUE AND RUNNING IN EASTERLY DIRECTION FOR A DISTANCE OF APPROXIMATELY 241 +/- .AUTHORIZING THE DISPOSAL OF THE SAID RIGHT OF WAYS IN ACCORDANCE WITH APPLICABLE STATE LAW; RESERVING UTILITY AND ACCESS EASEMENTS AND FOR OTHER PURPOSES.

WHEREAS, Truth Springs Academy is under construction on 35t Street between 5th Avenue and 6th Avenue, and,

WHEREAS, there is a segment of right of way that is wider than usual due to historic use of the property; and,

WHEREAS, the property owners have requested the surplus right of way for use as green space for the children; and,

WHEREAS, the Department of Engineering has determined the Street Segments are not critical to traffic flow in the area.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF COLUMBUS, GEORGIA, AS FOLLOWS:

SECTION I.

The “Official Street Map, Consolidated Government of Columbus, Georgia “maintained in accordance with 18.1 of the Columbus Code and appropriate Tax Map are hereby amended by the deleting the following property from said maps:

That portion of right of way for 35th Street commencing at the right of way for 5th Avenue and running in an easterly direction for a distance 241 +/- ft.

SECTION II.

That the Council finds that the segments of rights of way described in Section I above no longer serves a substantial public purpose. This abandonment is hereby declared to be in the best public interest. Accordingly, said segments are hereby declared abandoned and removed from the Official Street Map of Columbus Georgia in accordance with O.C.G.A. Section 32-7-2(c). The City Manager is authorized to transfer the property to the adjacent property owners in accordance with the provisions of O.C.G.A. Section 32-7-4 if determined to be necessary and in the best interest of the Consolidated Government of Columbus, Georgia.

SECTION III.

All existing utility easements and other easements in the Street Segments shall be reserved.

Introduced at a regular meeting of the Council of Columbus, Georgia held on the _____ day of _____ 2023 and adopted at said meeting by the affirmative vote of ten members of said Council.

Councilor Allen voting _____.
Councilor Barnes voting _____.
Councilor Begly Voting _____.
Councilor Cogle voting _____.
Councilor Crabb voting _____.
Councilor Davis voting _____.
Councilor Garrett voting _____.
Councilor Huff voting _____.
Councilor Thomas voting _____.
Councilor Tucker voting _____.

Sandra T. Davis, Clerk of Council

B.H. "Skip" Henderson, Mayor