



Legislation Text

File #: 2774-2022, **Version:** 1

BACKGROUND: The City's Recreation and Parks Department ("CRPD") is engaged in the Cooke Woods Preservation Project ("Public Project"). The Public Project will acquire two forested parcels in the North Linden area to preserve approximately 3.889 +/- acres of mature woodlands. This ordinance authorizes the Recreation and Parks Department ("CRPD") to acquire property consisting of approximately 2.3 acres out of Franklin county parcel number 010-117357 located at 1841 E. Cooke Road, Columbus, Ohio 43224 ("Real Estate").

Since 2016, CRPD has been seeking to preserve existing high quality woodlands in the Linden community. This Property on East Cooke Road was identified as containing a significant piece of the largest remaining undisturbed woodland in North Linden. In 2022, two of three owners made contact with CRPD to inquire about selling their wooded parcels to the City for permanent preservation.

This legislation authorizes the Director of the Recreation and Parks Department to execute those documents necessary to purchase the real property from Joann Pelino, Trustee and to expend up to One Hundred Forty Thousand and 00/100 Dollars (\$140,000.00) for costs associated with the acquisition of the property, all associated due diligence testing costs, and closing costs. The remaining 1.59 +/- acres is being considered in Ordinance No. 2774-2022.

There was no quorum on the October 12, 2022 Recreation and Parks Commission Meeting. Per the approval of the present Commissioners, this ordinance was requested to be sent thru the legislation approval process in order to avoid a delay with this land acquisition.

CONTRACT COMPLIANCE: Not applicable

FISCAL IMPACT: The Recreation and Parks Department has determined that \$140,000.00 is budgeted and will be available in the Recreation and Parks Voted Bond Fund 7702.

EMERGENCY JUSTIFICATION:

Emergency action is requested in order to acquire the Real Estate allowing the Recreation and Parks Department to complete the purchase of the property without unnecessary delay, as required by the owner, which will preserve the public peace, health, property, safety, and welfare.

To authorize the City Auditor to transfer funds within the Recreation and Parks Voted Bond Fund; to authorize the Director of the Recreation and Parks Department to execute those document(s), as approved by the Department of Law, Real Estate Division, necessary to purchase the real property located at 1841 E. Cooke Road, Columbus, Ohio 43224 from Joann Pelino, Trustee; to authorize the expenditure of up to \$140,000.00 from the Recreation and Parks Voted Bond Fund; and to declare an emergency. (\$140,000.00)

WHEREAS, the City of Columbus Recreation and Parks Department desires to enter into a purchase contract between the City and Joann Pelino, Trustee for the purchase of approximately 2.3 acres, more or less, of real property located at 1841 E. Cooke Road, Columbus, Ohio 43224 (*i.e.* Real Estate) and further identified as a portion of Franklin county parcel number 010-117357; and

WHEREAS, the City intends for the City Attorney to contract for associated professional services and acquire in good faith the necessary fee simple title and lesser real estate located at 1841 E. Cooke Road, Columbus, Ohio 43224; and

WHEREAS, the purchase of this Real Estate will allow for the Recreation and Parks Department to establish a park and green space; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to authorize the Director to execute those documents necessary to purchase the Real Estate from Joann Pelino, Trustee, at the earliest feasible date, as required by the owner, and in order to close by the end of the year, thereby providing for the immediate preservation of the public health, peace, property, welfare; and **now, therefore:**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of the Recreation and Parks Department be, and hereby is, authorized to execute those documents, as approved by the Department of Law, Real Estate Division, necessary for the purchase of the approximately 2.3 acres, more or less, of real property located at 1841 E. Cooke Road, Columbus, Ohio 43224, and identified as a portion of Franklin County Tax Parcel 010-117357 from Joann Pelino, Trustee.

SECTION 2. That the expenditure of One Hundred Forty Thousand and 00/100 Dollars (\$140,000.00), or so much thereof as may be necessary, be and is hereby authorized in from the Recreation and Parks Voted Bond Fund 7702 per the accounting codes in the attachment to this ordinance. See attachment “Ordinance 2774-2022 Funding”.

SECTION 3. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 4. That the City Auditor is authorized to transfer the unencumbered balance in a project account to the unallocated balance account of the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project.

SECTION 5. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

SECTION 6. 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.