



Legislation Details (With Text)

File #: 0755-2008 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 4/24/2008 **In control:** Judiciary And Court Administration Committee
On agenda: 5/19/2008 **Final action:** 5/21/2008

Title: To authorize the Director of the Department of Development to execute those documents necessary to release a "restrictive covenant" and "right to revert" clause from the deed to that property located at 14 West Lakeview Avenue, known as the Clintonville-Beechwald Community Resources Center so that the property may be used as collateral to secure a loan for the expansion of the Clintonville-Beechwald Community Resources Center, Incorporated's CRC Kids after school program.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
5/21/2008	1	ACTING CITY CLERK	Attest	
5/20/2008	1	MAYOR	Signed	
5/19/2008	1	Columbus City Council	Approved	Pass
5/19/2008	1	COUNCIL PRESIDENT	Signed	
5/12/2008	1	Columbus City Council	Read for the First Time	
4/30/2008	1	Atty Drafter	Sent to Clerk's Office for Council	
4/29/2008	1	Dev Drafter	Sent for Approval	
4/29/2008	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
4/29/2008	1	Dev Drafter	Sent for Approval	
4/29/2008	1	Atty Drafter	Sent for Approval	
4/29/2008	1	CITY ATTORNEY	Reviewed and Approved	
4/24/2008	1	Atty Drafter	Sent for Approval	

Background: On May 5, 1980, the Columbus, City council passed Ordinance 1095-80 authorizing the granting of that City owned property located at 14 West Lakeview Avenue to The Clintonville-Beechwald Community Resources Center, Inc. as an approved Community Development Block Grant activity for Program Area 7 (University /Clintonville). The project involved the acquisition and development of a former library into a community center facility to be utilized by the Clintonville-Beechwald Community Resources Center. The agreement between the City and the Community Resource Center was that the deed to the property would contain a "restrictive covenant" and "right to revert" clause so that if the premises cease to be operated as a community resource center, the City could re-enter the property and take possession and title to the property. Although the Clintonville-Beechwald Community Resources Center, Inc. has expressed to the City its intentions to continue the use of the property as a community center, they have requested that the City release the "restrictive covenant" and "right to revert" from the deed so that the property may be used as collateral. As it stands now the language in the deed makes it impossible to use the 14 West Lakeview property as collateral to get a loan necessary to pay for the renovation of space at Como Avenue United Methodist Church in order to house the CRC kids Club after school program. The new space is needed due to the centers increased student population. The City has contemplated the possibility that if the Clintonville-Beechwald Community Resources Center is forced to move out of the building and the City recaptures the property, it could potentially sit abandoned and become a nuisance property. Therefore, after investigation by the

Department of Development it has been determined to be in the best interest of the City to remove the reverter clause from the deed. The following legislation authorizes the Director of the Department of Development to execute those documents, necessary to release a "restrictive covenant" and "reverter" from the deed to that property located at 14 West Lakeview Avenue, known as the Clintonville-Beechwold Community Resources Center.

Fiscal Impact: N/A

Emergency Justification: N/A

To authorize the Director of the Department of Development to execute those documents necessary to release a "restrictive covenant" and "right to reverter" clause from the deed to that property located at 14 West Lakeview Avenue, known as the Clintonville-Beechwold Community Resources Center so that the property may be used as collateral to secure a loan for the expansion of the Clintonville-Beechwold Community Resources Center, Incorporated's CRC Kids after school program.

WHEREAS, On May 5, 1980, the Columbus City council passed Ordinance 1095-80 authorizing the granting of that City owned property located at 14 West Lakeview Avenue to The Clintonville-Beechwold Community Resources Center, Inc. as an approved Community Development Block Grant activity for Program Area 7 (University /Clintonville); and

WHEREAS, the project involved the acquisition and development of a former library into a community center facility to be utilized by the Clintonville-Beechwold Community Resources Center; and

WHEREAS, the agreement between the City and the Community Resource Center was that the deed to the property would contain a "restrictive covenant" and "right to reverter" clause so that if the premises cease to be operated as a community resource center, the City could re-enter the property and take possession and title to the property; and

WHEREAS, although the Clintonville-Beechwold Community Resources Center, Inc. has expressed to the City it's intentions to continue the use of the property as a community center, they have requested that the City release the "restrictive covenant" and "right to reverter" from the deed so that the property may be used as collateral; and

WHEREAS, as it stands now the language in the deed makes it impossible to use the 14 West Lakeview property as collateral to get a loan necessary to pay for the renovation of space at Como Avenue United Methodist Church in order to house the increased number of children participating in the CRC kids Club after school program; and

WHEREAS, the City has contemplated the possibility that if the Clintonville-Beechwold Community Resources Center is forced to move out of the building and the City recaptures the property, it could potentially sit abandoned and become a nuisance property; now therefore

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

Section 1. That the Director of the Department of Development be, and hereby is, authorized to execute those documents, as approved by the Department of Law, Real Estate Division, necessary to release the following describe property, from certain restrictive covenant and reverter language, at the request of Clintonville-Beechwold Community Resources Center, Incorporated:

Situated in the State of Ohio, County of Franklin, City of Columbus, and bounded and described as follows:

Being Lots Number One(1), Two(2), Three(3), and Four(4) in the George L. Taft's Clover Leaf Addition to said City, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 5, Page 264, Recorder's Office, Franklin County, Ohio, EXCEPTING from the foregoing the following described portion of said Lots: Beginning at original iron pin located at the southeast corner of said Lot No. 1; thence in a northerly direction along the east line of said Lots Number 1, 2, 3, 4, (and being along the west line of High Street) a distance of 86.95 feet to a stake located at the northeast corner of said Lot No. 4; thence in a westerly direction

along the north line of said Lot No. 4, 80 feet to a stake; thence in a southerly direction and parallel to the east line of said Lots No. 1, 2, 3, and 4, and 86.95 feet to a stake in the north line of Lakeview Avenue; thence in an easterly direction along the said north line 80 feet to the place of beginning.

Franklin County Tax Parcel Number 010-044314-00.

Commonly known as 14 W. Lakeview Avenue, Columbus, Ohio 43202.

Prior Instrument Reference: O. R. Vol. 01103, Pg. D-15,
Recorder's Office, Franklin County, Ohio.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.