



## Legislation Details (With Text)

**File #:** 1923-2013      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 7/23/2013      **In control:** Development Committee

**On agenda:** 9/9/2013      **Final action:** 9/13/2013

**Title:** To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property (1358 E. Fulton St.) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
9/13/2013	1	CITY CLERK	Attest	
9/13/2013	1	MAYOR	Signed	
9/9/2013	1	COUNCIL PRESIDENT	Signed	
9/9/2013	1	Columbus City Council	Approved	Pass

**BACKGROUND:** One parcel currently held in the Land Bank has been approved for disposition. In order to complete the transfer, authorization is needed for the Director of the Department of Development to execute any and all agreements and deeds for conveyance of the real property. This legislation authorizes transfer of one parcel located at 1358 E. Fulton St. (010-002338) to Ira G. Hartway, Dianna L. Hartway and Donald W. Mayle, who will rehabilitate the existing single-family structure to be maintained as a rental unit. The parcel will be transferred by deed recorded in the Official Records of the Franklin County Recorder's Office.

**FISCAL IMPACT:** No funding is required for this legislation. The City may first recover reimbursement of any and all expenses incurred on account of the acquisition, administration, management, maintenance and disposition of such land and such other expenses of the program as the City may apportion to such land from the sale proceeds.

**EMERGENCY JUSTIFICATION:** Emergency action is requested to expedite the transfer in order to reduce Land Bank maintenance costs.

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property (1358 E. Fulton St.) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

**WHEREAS,** ordinance 1860-2008 adopted the City's Neighborhood Stabilization Program, authorized the filing of the City's Neighborhood Stabilization Program application with the United States Department of Housing and Urban Development, and made a substantial amendment to the Consolidated Plan's 2008 Action Plan; and

**WHEREAS**, ordinances 0234-2009 and 0136-2009 authorized the Director of the Department of Development’s to expend funds and acquire properties under the Neighborhood Stabilization Program; and

**WHEREAS**, by Ordinance 1325-98 Council adopted and elected to use the Revised Code Chapter 5722, Land Reutilization Program, to facilitate effective reutilization of nonproductive land acquired through a sale pursuant to a foreclosure proceeding initiated by the Franklin County Treasurer, or through a sale of forfeited lands by the Franklin County Auditor, or through a conveyance in lieu of foreclosure; or any other land it acquires as part of its land utilization program; and

**WHEREAS**, a proposal for the sale of the property which was acquired pursuant to Ohio Revised Code Section 5722.06 meets the Land Reutilization Program’s Disposition Policies and Guiding Principles and has been approved by the Land Redevelopment Office Administrator; and

**WHEREAS**, in conformity with Ohio Revised Code Section 5722.07, the property will be sold at not less than fair market value, defined as the appraised value of the nonproductive land made with reference to any redevelopment and reutilization restrictions as may be imposed by the electing subdivision as a condition of sale or as may otherwise be applicable to such; therefore, competitive bidding is not required; and

**WHEREAS**, in order to complete the transfer of such property to the purchaser, authority is needed for the Director of the Department of Development to execute any and all necessary agreements and deeds of conveyance for the real property; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, Land Redevelopment Office in that it is immediately necessary to convey title of said parcel of real estate to expedite the transfer in order to reduce Land Bank maintenance costs, all for the immediate preservation of the public health, peace, property, safety and welfare; and **now therefore**,

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

**Section 1.** That the Director of the Department of Development is hereby authorized to execute any and all necessary agreements and deeds to convey title to the following parcel of real estate to Ira G. Hartway, Dianna L. Hartway and Donald W. Mayle:

PARCEL NUMBER: 010-002338  
ADDRESS: 1358 E. Fulton St., Columbus, Ohio 43205  
PRICE: \$1,700 plus a \$38.00 recording fee  
USE: Single-family rental unit

Situated in the City of Columbus County of Franklin and State of Ohio, to wit: Being parts of Lots № Eight (8) and Nine (9) of Nathan & Mary Coles Subdivision, of part of Lot № Three (3) , The Latter being A Subdivision of Half-Section № 22 Township № 5 Range № 22 Refugee Lands, as the same is numbered and delineated upon the recorded plat thereof, of record in plat Book 3, Page 51, Records Office Franklin County Ohio and more particularly described as follows:

Commencing at a point in the North line of Fulton Street, 18-1/2 feet east of the west line of said Lot № 8; thence in a Westerly direction along the North line of Fulton Street, a distance 43.75 feet to a point in the South line of said Lot № 9 Thence in a Northerly direction and parallel with the West line of said Lot № 8 a distance of 150 feet to a point in the South line of an alley, established in D.B. 479, Page 437 of said County Records; thence Easterly along the South line of said alley, a distance of 43.75 feet to a point 18 1/2 feet East of the West of said lot № 8, thence in a southerly direction and parallel with the West line of Lot No. 8, a distance of 150 feet to the place of beginning.

**Section 2.** For the property stated in Section 1, that the Director of Development is hereby authorized to execute any agreement, deed restriction, or mortgage to ensure compliance with Land Bank Program rules and the submitted

application and to release such restriction or mortgage upon compliance.

**Section 3.** That for good cause shown, Section 329.29 of the Columbus City Codes, 1959, is hereby waived.

**Section 4.** That Council hereby finds that the selection process utilized in this matter is in accordance with the Land Bank Disposition Process created pursuant to the City's Land Reutilization Program and hereby approves the same.

**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.