



## Legislation Details (With Text)

**File #:** 0206-2009      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 2/6/2009      **In control:** Development Committee  
**On agenda:** 2/23/2009      **Final action:** 2/25/2009  
**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 vacant parcel of real property (1177 E. Rich 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
2/25/2009	1	CITY CLERK	Attest	
2/24/2009	1	MAYOR	Signed	
2/23/2009	1	Columbus City Council	Approved	Pass
2/23/2009	1	COUNCIL PRESIDENT	Signed	
2/6/2009	1	Dev Drafter	Sent for Approval	
2/6/2009	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
2/6/2009	1	Dev Drafter	Sent for Approval	
2/6/2009	1	CITY ATTORNEY	Reviewed and Approved	
2/6/2009	1	Dev Drafter	Sent to Clerk's Office for Council	

**BACKGROUND:** One property 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 such real property. Parcel 1177 E. Rich St. (010-004420), will be sold to Heather Bowden, the owner of the adjacent parcel for side yard expansion. The property will be transferred by deed and recorded in the Official Records of the 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 of this property is requested in order to expedite the transfer to the homeowner who wishes to construct a perimeter fence for security purposes.

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one vacant parcel of real property (1177 E. Rich St.) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

**WHEREAS**, by Ordinance 2161-93 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 to foster either return of such land to tax revenue generating status or its devotion to public use; and

**WHEREAS**, a proposal for the sale of one parcel which has been acquired pursuant to Sections 5722.03 and 5722.04 for this program meet the Land Reutilization Program's Disposition Policies and Guiding Principles and has been approved; and

**WHEREAS**, such parcel of real estate is being sold at not less than fair market value in conformity with Ohio Revised Code Section 5722.07, competitive bidding is not required; and

**WHEREAS**, under 5722.07 "fair market value" means the appraised value of the nonproductive land made with reference to such redevelopment and reutilization restrictions as may be imposed by the electing subdivision as a condition of sale or as may be otherwise applicable to such land; 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 such 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 in order to expedite the transfer to the homeowner who wishes to construct a perimeter fence for security purposes, 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 and directed to execute any and all necessary agreements and deeds to convey title of the following parcel of real estate:

Situated in the County of Franklin, State of Ohio, and in the City of Columbus and being Lot 75 of John W. Andrew's Amended plat and Resubdivision of lots in his former subdivision, as the same is numbered and delineated upon the recorded plat thereof of record in Plat Book 4, Page 446, Recorder's Office, Franklin County, Ohio.

PARCEL NUMBER: 010-004420  
ADDRESS: 1177 E. Rich St.  
PRICE: \$2,163 plus recording fee of \$38.00  
USE: Adjacent Side Yard Lot

Situated in the County of Franklin, in the State of Ohio and in the City of Columbus and bounded and described as follows, being part of the N W corner of a tract of 1 48 acres of land in Samuel Hankins Addition as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, page 340, Recorder's Office, Franklin County, Ohio, known as Auditor's Parcel No 10-4420 All being more particularly described as part of the NW corner of a tract of 148 acres of land Samuel Hankins Addition to said City, as the same is numbered and delineated upon the recorded plat thereof record in Plat Book 2, page 340, Recorder's Office, Franklin County, Ohio and marked on the plat as Reserve Samuel Hankins Residence and more particularly described as follows. Beginning at a point 102 feet east of the NW corner of said Samuel Hankins Reserve at a point 102 feet east of where the east line of the alley along the west side of said Reserve crosses the South line of Rich Street thence east along the south line of Rich Street and along the north line of said Reserve, 26 feet to a point in the South line of Rich Street, thence south and parallel with the west line of said Reserve 130 feet to a stake, thence west and parallel with the south line of Rich Street, 26 feet to stake; thence north and parallel with the west line of said Reserve, 130 feet to the place of beginning.

**Section 2.** That for good cause shown, Section 329.29 of the Columbus City Codes, 1959, is hereby waived.

**Section 3.** 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 4.** 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.