



Legislation Details (With Text)

File #: 1663-2007 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 10/11/2007 **In control:** Public Service & Transportation Committee

On agenda: 11/5/2007 **Final action:** 11/8/2007

Title: To authorize the Director of the Department Public Service to execute a "Quitclaim Deed" and any ancillary document necessary to grant the Franklin County Commissioners a 0.056 acres +/- of City owned real property, located in the vicinity of Brodbelt Lane and Neil Avenue, necessary for the construction of "Huntington Park" downtown baseball stadium, to the extent they may be applicable, to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959) Revised, and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
11/8/2007	1	CITY CLERK	Attest	
11/7/2007	1	MAYOR	Signed	
11/5/2007	1	Columbus City Council	Approved	Pass
11/5/2007	1	COUNCIL PRESIDENT	Signed	
10/26/2007	1	Atty Drafter	Sent for Approval	
10/26/2007	1	CITY ATTORNEY	Reviewed and Approved	
10/26/2007	1	Atty Drafter	Sent to Clerk's Office for Council	
10/25/2007	1	Atty Drafter	Sent for Approval	
10/25/2007	1	SERVICE DIRECTOR	Reviewed and Approved	

Background: The Franklin County Commissioners (the "County") are engaged in the construction of "Huntington Park", the new home of the Columbus Clippers Triple A professional baseball team. The proposed baseball stadium will be located at the northwest corner of Nationwide Boulevard and Neil Avenue and its completion is planned to coincide with the beginning of the 2009 baseball season. The County has requested that the City of Columbus (the "City") convey a 0.056 acre +/- strip of City owned real property, necessary to the construction of the baseball park, to the County in exchange for right-of-way for improvements to other streets next to the stadium to be granted to the City at a future date. After investigation by the Department of Public Service, it has been determined that the exchange is in the best interest of the City. The following legislation authorizes the Director of the Department of Public Service to execute a "Quitclaim Deed" and any ancillary documents necessary to grant the County 0.056 acres +/- of real property necessary for the construction of Huntington Park. Granting of right-of-way to the City by the County will be done by subsequent plat.

Fiscal Impact: N/A

Emergency Justification: Emergency action is requested in order to keep this project on schedule.

To authorize the Director of the Department Public Service to execute a "Quitclaim Deed" and any ancillary document necessary to grant the Franklin County Commissioners a 0.056 acres +/- of City owned real property, located in the vicinity of Brodbelt Lane and Neil Avenue, necessary for the construction of "Huntington Park" downtown baseball stadium, to the extent they may be applicable, to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959) Revised, and to declare an emergency.

WHEREAS, the Franklin County Commissioners (the "County") are engaged in the construction of "Huntington Park", the new home of the Columbus Clippers "Triple A" professional baseball team; and

WHEREAS, the proposed baseball stadium will be located at the northwest corner of Nationwide Boulevard and Neil Avenue and its completion is planned to coincide with the beginning of the 2009 baseball season; and

WHEREAS, the County has requested that the City of Columbus ("the City") convey a 0.056 acre +/- strip of City owned real property, necessary to the construction of the baseball park, to the County in exchange for right-of-way to be granted to the City at a future date; and

WHEREAS, after investigation, the Department of Public Service has determined that the exchange is in the best interest of the City; and

WHEREAS, the exchange of real property will equally benefit both the City and the County, thus, no monetary compensation is to be given by either party; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to authorize the Director of the Department Public Service to execute a "Quitclaim Deed" and any ancillary documents, as approved by the Real Estate Division, Department of Law, necessary to grant to the Franklin County Commissioners a 0.056 acres +/- of real property necessary for the construction of Huntington Park, and so as not to delay construction of such facility, thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

Section 1. That the Director of Department of Public Service be and hereby is authorized to execute those documents, as approved by the Department of Law, Real Estate Division, necessary to grant to the Franklin County Commissioners a quitclaim deed in and to the following described real property, in exchange for real property to be granted to the City by the Franklin County Commissioners.

0.056 acre +/-
West of Neil Avenue/North of Spring Street

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Half Section 9, Section 8, Township 5, Range 22, Refugee Lands, being out of the remainder of that tract conveyed to William A. Neil of record in Deed Book 12, Page 62 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning for reference at a 1 inch iron pin found marking the northwest corner of Lot 24 of Brecount, Smith & Conover Northwest Addition of record in Plat Book 1, Page 250 conveyed to Board of Commissioners of Franklin County, Ohio of record in Instrument Number 200603130046996, the northeast corner of that 0.274 acre tract conveyed to Board of Commissioners of Franklin County, Ohio of record in Instrument Number 200602280037668, and in the south right-of-way line of Brodbelt Lane;

Thence N 85° 46' 32" W, with the north line of said 0.274 acre tract and said south right-of-way line, a distance of 30.00 feet to a 1 inch iron pin found at a corner thereof, in the east line of that 1.990 acre tract conveyed to Board of Commissioners of Franklin County, Ohio of record in Instrument Number 200602270036894;

Thence N 03° 23' 48" E, with said east line, a distance of 8.00 feet to an iron pin set at a northeast corner of said 1.990 acre tract;

Thence N 85° 46' 32" W, with the north line of said 1.990 acre tract, a distance of 23.42 feet to the True Point Of Beginning;

Thence N 85° 46' 32" W, with the northerly line of said 1.990 acre tract, the north line of that 1.914 acre tract as conveyed to Board of Commissioners of Franklin County, Ohio by deed of record in Instrument Number

200602280037668, the north line of that 1.921 acre tract conveyed to Board of Commissioners of Franklin County, Ohio of record in Instrument Number 200603090045043, and passing a ¾ inch iron pipe with an EMHT Inc. cap found at 193.23 feet, a distance of 489.12 feet to an iron pin set;

Thence across said William A. Neil, the following courses and distances:

N 71°12'09" E, a distance of 14.06 feet to an iron pin set;

S 85°46'43" E, a distance of 359.96 feet to an iron pin set;

S 84°03'26" E, a distance of 102.24 feet to an iron pin set;

S 75°55'46" E, a distance of 14.24 feet to the True Point Of Beginning, **containing 0.056 acre**, more or less.

Section 2. That this Council has determined that it is in the best interest of the City of Columbus to waive and does hereby waive the requirements of Columbus City Codes (1959) Revised, Chapter 328 (*Land Review Commission*) and Section 329.29 (*competitive bidding*) to the extent that they may apply to this transaction with regards to this ordinance only.

Section 3. That for the reasons state in the preamble hereto, 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 its passage if the Mayor neither approves nor vetoes the same.