



## Legislation Details (With Text)

**File #:** 2770-2012      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 11/30/2012      **In control:** Development Committee  
**On agenda:** 12/17/2012      **Final action:** 12/19/2012

**Title:** To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of two parcels of real property (3050 East 6th Avenue) 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
12/19/2012	1	CITY CLERK	Attest	
12/18/2012	1	MAYOR	Signed	
12/17/2012	1	COUNCIL PRESIDENT	Signed	
12/17/2012	1	Columbus City Council	Approved	Pass

**BACKGROUND:** Two parcels currently held in the Land Bank have 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 two parcels located at 3050 East 6<sup>th</sup> Avenue (010-031632 and 010-027260) to Michael Johnson, who will incorporate the parcels into his adjacent parcels to construct a medical office building. The parcels 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 required 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 two parcels of real property (3050 East 6<sup>th</sup> Avenue) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

**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 to foster either return of such land to tax revenue generating status or its devotion to public use, or any other land acquired as part of the land reutilization program; and

**WHEREAS**, a proposal for the sale of the property which was acquired pursuant to Ohio Revised Code Section 5722.03 and 5722.04 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 parcels 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 parcels of real estate to Michael Johnson:

1.  
PARCEL NUMBER: 010-031632  
ADDRESS: 3050 East 6<sup>th</sup> Avenue, Columbus, Ohio 43219  
PRICE: \$1,168.00 plus \$38 recording fee  
USE: Medical Office Building

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Being Lot Number One Hundred Twenty-Three (123) of CASSADY FIFTH AVENUE ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, page 314, Recorder’s Office, Franklin County, Ohio.

Excepting therefrom

Situated in the State of Ohio, County of Franklin, the City of Columbus, being a part of Quarter Township 3, Township 1, Range 17, United States Military Land and a part of Lot Number 123 of the Cassady Fifth Avenue Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, Page 314, Recorder’s Office, Franklin County, Ohio, (All references are to records in said Recorder’s Office unless otherwise shown) and as conveyed to the Grantor, as shown of record in Instrument Number 199906040142485, and being more particularly described as follows:

Commencing at an iron pin found at the intersection of the west line of Gould Road (width varies) and the north line of Sixth Avenue (50’), thence, with the north line of Sixth Avenue, North 87° 17’ 00” West, a distance of 66.00 feet to a point, the south west corner of Lot 122, said point being also the southeast corner of said Lot 123, and the POINT OF BEGINNING;

thence, continuing with the north line of Sixth Avenue, North 87° 17’ 00” West, a distance of 33.00 feet to an iron pin set, the south west corner of Lot 123;

thence leaving the north line of Sixth Avenue with a new line crossing Lot 123, North 85° 15’ 04” East, a distance of

33.29 feet to an iron pin set on the division line between Lot 123 and Lot 122;

thence with the said division line, South 2° 45' 00" West, a distance of 4.33 feet to the POINT OF BEGINNING.

The above described tract contains 0.002 acre (71 square feet), more or less, of which the present roadway occupies 0.00 acres.

This area is required from Franklin County Auditor's Parcel Number 010-031632.

Bearings for the above description are based on survey in April 1999 by Benatec Associates originating on Franklin County monuments COC 33-82 and COC 34 82 and are based on the Ohio State Plane Coordinate System, South Zone, North American Datum of 1983.

The above description was prepared by Benatec Associates by Rodney K. Bennett, Ohio Registered Surveyor Number 6007.

2.

PARCEL NUMBER: 010-027260

ADDRESS: Lots 121-122, East 6<sup>th</sup> Avenue, Columbus, Ohio 43219

PRICE: \$2,614.00 plus \$38 recording fee

USE: Medical Office Building

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

Being Lot Nos. 121 and 122 of Cassady's Fifth Avenue Addition, as the same are numbered and delineated upon the recorded plat thereof of record in Plat Book 5, page 314, Recorder's Office, Franklin County, Ohio.

**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.