



## Legislation Details (With Text)

**File #:** 0913-2007      **Version:** 1

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

**File created:** 5/31/2007      **In control:** Recreation & Parks Committee

**On agenda:** 6/18/2007      **Final action:** 6/20/2007

**Title:** To authorize the Director of Recreation and Parks Department to execute an Exchange Purchase and Sale Agreement and any ancillary documents, between the City and CSX Transportation Inc., necessary for the exchange of Sills Park for a new replacement park of greater acreage to be constructed to the City's satisfaction by CSX, to waive the Land Review Commission provisions of the Columbus City Codes (1959) and to declare an emergency

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
6/20/2007	1	CITY CLERK	Attest	
6/19/2007	1	MAYOR	Signed	
6/18/2007	1	Columbus City Council	Approved	Pass
6/18/2007	1	COUNCIL PRESIDENT	Signed	
6/4/2007	1	Rec & Parks Drafter	Sent for Approval	
6/4/2007	1	CITY ATTORNEY	Reviewed and Approved	
6/4/2007	1	Rec & Parks Drafter	Sent to Clerk's Office for Council	
6/1/2007	1	REC & PARKS DIRECTOR	Reviewed and Approved	
5/31/2007	1	Atty Drafter	Sent for Approval	

**Background:**

CSX Transportation, Inc. desires to expand their operations located along Groveport Road, to an adjoining 21.9 acres City owned property commonly known as Sills Park. Sills Park is used as a youth baseball facility with 5 ball diamonds, concession and storage buildings, parking and other support facilities. In exchange for Sills Park, CSX will design and construction a replacement park, to the City's satisfaction, with all the facilities and amenities now existing in Sills Park on a 23-acre site located in the vicinity of Wilson Avenue and Glendower next to Marion Franklin Recreation Center. The Recreation and Parks Department and the Commission have determined that the exchange would be in the best interest of the City of Columbus, allowing city's youth to take advantage of the new park for baseball without interruption and with newer facilities. The location of the new park will also supply Marion Franklin Recreation Center staff additional opportunities and space. This legislation authorizes the Director of the Recreation Department to execute those document necessary to the exchange the subject real properties.

**Fiscal Impact:** N/A

**Emergency Justification:** One of the contingencies of the Exchange Purchase and Sale Agreement is that City Council must approve the exchange in June as not to interrupt this year's baseball season.

To authorize the Director of Recreation and Parks Department to execute an Exchange Purchase and Sale Agreement and any ancillary documents, between the City and CSX Transportation Inc., necessary for the exchange of Sills Park for a new replacement park of greater acreage to be constructed to the City's satisfaction by CSX, to waive the Land Review Commission provisions of the Columbus City Codes (1959) and to declare an emergency

WHEREAS, CSX Transportation, Inc. desires to expand their operations located along Groveport Road to an adjoining 21.9 acres of City owned property commonly known as Sills Park; and

WHEREAS, Sills Park is used as a youth baseball facility with 5 ball diamonds, concession and storage buildings, parking and other support facilities; and

WHEREAS, CSX proposes to acquire the park from the City in exchange for 23.352 acres to be purchased by CSX located in the vicinity of Wilson Avenue and Glendower Avenue, adjoining Marion Franklin Recreation Center and Park on the north; and

WHEREAS, Additionally, CSX will fund the design and construction of a replacement park to the City's satisfaction, with all facilities and amenities now existing in Sills Park; and

WHEREAS, it has been determined by the Recreation and Parks Department and the Commission that the exchange would be in the best interest of the City of Columbus, allowing city's youth to take advantage of the new park for baseball without interruption and with newer facilities; and

WHEREAS, the location of the new park will also supply Marion Franklin Recreation Center staff additional opportunities and space; and

WHEREAS, the exchange will equally benefit both the City and CSX, therefore no exchange of money will be involved; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department, in that it is necessary to authorize the Executive Director of the Recreation and Parks Department to execute those documents necessary to enter into an Exchange Purchase and Sale Agreement with CSX Transportation Inc., for that City owned real property, known as Sills Park, in exchange for a replacement property of greater acreage, for the preservation of 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 the Recreation and Parks Department be and hereby is authorized to execute those documents, as approved by the Department of Law, Real Estate Division, necessary enter into an Exchange Purchase and Sale Agreement between the City and CSX Transportation Inc, for the conveyance of that City owned real property commonly known as Sill Parks in exchange for 23.352 acres to be purchased by CSX located in the vicinity of Wilson Avenue and Glendower Avenue, adjoining Marion Franklin Recreation Center and Park on the north

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 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 its passage if the Mayor neither approves nor vetoes the same.