



Legislation Details (With Text)

File #: 1004-2008 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 6/9/2008 **In control:** Health, Housing & Human Services Committee
On agenda: 6/23/2008 **Final action:** 6/25/2008
Title: To accept three properties into the Land Bank; to authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of five parcels of real property 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
6/25/2008	1	CITY CLERK	Attest	
6/24/2008	1	MAYOR	Signed	
6/23/2008	1	Columbus City Council	Approved	Pass
6/23/2008	1	COUNCIL PRESIDENT	Signed	
6/9/2008	1	Dev Drafter	Sent for Approval	
6/9/2008	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
6/9/2008	1	Dev Drafter	Sent for Approval	
6/9/2008	1	CITY ATTORNEY	Reviewed and Approved	
6/9/2008	1	Dev Drafter	Sent to Clerk's Office for Council	

BACKGROUND: Five properties have been approved for disposition to City County Holding Company, a nonprofit subsidiary of the Affordable Housing Trust of Columbus and Franklin County as a part of the Home Again Program. 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. This ordinance authorizes acceptance into the Land Bank and disposition of the properties known as 1722-1724 Cole Street (010-266211), 1728-1730 Cole Street (010-021109), and 1732-1734 Cole Street (010-264263), all three properties where donated to the City of Columbus by Huntington National Bank. The ordinance authorizes the disposition of 807 Ann Street (010-049927), a property acquired by tax foreclosure, and 835 Ann Street (010-052757), a property purchased from the United States Department of Housing and Urban Development. These five properties will be transferred by deed, which will be 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 these properties is requested in order to expedite the redevelopment efforts.

To accept three properties into the Land Bank; to authorize the Director of the Department of Development to execute any and all

necessary agreements and deeds for conveyance of title of five parcels of real property 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 five parcels which has been acquired pursuant to Section 5722.06 for this program meets the Land Reutilization Program's Disposition Policies and Guiding Principles and has been approved; and

WHEREAS, such parcels of real estate are 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 or his designee to execute any and all necessary agreements and deeds of conveyance for such real property; and

WHEREAS, the City desires to accept the deeds for three parcels being donated, which have been acquired pursuant to Section 5722.06 for this program meets the Land Reutilization Program's Disposition Policies and Guiding Principles and has been approved; and

WHEREAS, by virtue of said deeds to the City of Columbus these deeds will be recorded in the Franklin County, Ohio, Recorder's Office; 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 accept and convey title of said parcels of real estate in order to expedite the redevelopment efforts, 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 City of Columbus hereby accepts the property described herein as:

(1)

Parcel: 010-266211
Address: 1722-1724 Cole Street

The following described 0.176 acre tract is situated in the State of Ohio, County of Franklin, in the City Of Columbus and being all of lot #210 as shown on Bulen's Fairwood Park Addition in Plat Book 12, Page 13A and conveyed to Willie E. Bumper by Official Record 19601, Page E20, of record in Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at an iron pin found at the southwest corner of Lot #210 and in the east line of a 16-foot alley and the north right-of-way line of Cole Street (50' R/W); Ca

Thence with the east line of said alley North 00 Degrees, 15 minutes, 04 Seconds West, a distance of 191.97 feet to an iron pin found in the south line of a 16-foot alley.

Thence with said south line South 89 Degrees, 58 Minutes, 57 Seconds East, a distance of 40.01 feet to an iron pin set at northeast corner of Lot #210;

Thence with the east line of Lot 210 South 00 Degrees, 14 Minutes, 53 Seconds East, a Distance of 191.96 feet to an iron pin set in the north line of Cole Street;

Thence with the north right-of-way line of Cole Street South 89 Degrees, 59 Minutes, 54

Seconds West, a distance of 40.00 feet returning to the BEGINNING containing 0.176 acres of land, more or less, subject to all legal easements and rights-of-way record.

BASIS OF BEARINGS:

Bearings are based on the north right-of way line of Cole Street as found by monumentation as South 89 Degrees, 59 Minutes, 54 Seconds West.

Parcel Number: 010-266211-00, Property Address: 1722 Cole Street, Columbus, OH 43205

(2)

Parcel: 010- 021109

Address: 1728-1730 Cole Street

The following described 0.352 acre tract is situated in the State of Ohio, County of Franklin, City Of Columbus and being all of Lots #210 and #211 as shown on the plat of Bulen's Fairwood Park Addition of record in Plat Book 12, Page 13 and 14A said Lots being conveyed to Willie E. Bumper by Official Record 19601, Page E20, on record in the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

BEGINNING at a 1" iron pipe found marking the southeast corner of Lot#211 and the southwest corner of Lot # 214 and the north right-of-way line of Cole Street (50'R/W);

Thence in the northerly right-of-way line of Cole Street South 89 Degrees, 59 Minutes, 54 Seconds West, passing an iron pin and cap set at 40.01 feet, a total distance of 80.0` feet to a 1" iron pipe found in the southwest corner of Lot#210 and the east right-of-way of a 16- foot alley;

Thence with the east line of said alley North 00 Degrees, 15 Minutes, 04 Seconds West, 191.97 feet, to a 1" iron pipe found in the south line of a 16-foot alley and the northwest corner of Lot # 210;

Thence with said south line South 89 Degrees, 58 Minutes, 57 Seconds East, passing an iron pin And cap set at 40.01 feet, a total distance of 80.02 feet to an iron and cap set at the northeast corner of Lot #211 and the northwest corner of Lot #214;

Thence with line between said Lots #211 and #214 South 00 Degrees, 14 Minutes, 32 seconds East, a distance of 191.94 feet returning to the BEGINNING containing 0.352 acres of land, more or less, being subject to all legal easements, and rights-of-way of record.

BASIS OF BEARINGS:

Bearings are based on the north right-of-way line of Cole Street as found by monumentation being South 89 degrees, 59 Minutes, 54 seconds West.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

The following described 0.0176 acre tract is situated in the State of Ohio, County of Franklin, in the City of Columbus and being all of Lot#210 as shown on Bulen's Fairwood Park Addition in Plat Book 12, Page 13A and conveyed to Willie E. Bumper by Official Record 19601, Page E20, of record in Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

BEGINNING at an iron pin found at the southwest corner of Lot #210 and in the east line of a 16-foot ally and the north right-of-way line of Cole Street (50'R/W);

Thence with the east line of said alley North 00 Degrees, 15 Minutes, 04 Seconds West, a distance of 191.97 feet to an iron pin found in the south line of a 16-foot alley;

Thence with said south line South 89 Degrees, 58 Minutes, 57 Seconds East, a distance of 40.01 feet to an iron pin set at the northeast corner of Lot #210;

Thence with the east line of Lot210 South 00 Degrees, 14Minutes, 53 Seconds East, a distance of 191.96 feet, to an iron pin set in the north line of Cole Street;

Thence with the north right-of-way line of Cole Street South 89 Degrees, 59 Minutes, 54 Seconds West, a distance of 40.00 feet returning to the BEGINNING containing 0.176 acres of land, more or less, subject to all legal easements and rights-of -way of record.

BASIS OF BEARINGS:

Bearings are based on the north right-of-way line of Cole Street as found by monumentation as South 89 Degrees, 59 Minutes, 54 Seconds West.

Parcel Number: 010-021109-00

Property Address: 1728-1730 Cole Street, Columbus, OH 43205

(3)

Parcel: 010-264263

Address: 1732-1734 Cole Street

The following REAL PROPERTY:

The following described 0.176 acre tract is situated in the State of Ohio, County of Franklin, in the City of Columbus and being all of Lot #214 as shown on Bulen's Fairwood Park Addition in Plat Book 12, Page 13 and 14A and conveyed to Willie E. Bumper by Official Record 19601, Page E20, of record in the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

BEGINNING at a railroad spike found at the southwest corner of Lot #214 and in the east line of a 16-foot alley and the north right-of-way line of Cole Street (50' R/W);

Thence with the north right-of-way line of Cole Street South 89 Degrees, 59 Minutes, 54 Seconds West, a distance of 40.01 feet to a 1" iron pipe found in the southeast corner of Lot #211 and the southwest corner of Lot #214;

Thence with the line between Lots #211 and #214 North 00 Degrees, 14 Minutes, 53 Seconds West, a distance of 191.94 feet to an iron pipe and cap set in the south line of a 16-foot alley;

Thence with said south line South 89 Degrees, 58 Minutes, 57 Seconds East, a distance of 40.01 feet to a 1" iron pin found at the northeast corner of Lot #214 and in the west line of a 16-foot alley;

Thence with said west line South 00 Degrees, 14 Minutes, 53 Seconds East, a distance of 191.93 feet returning to the BEGINNING containing 0.176 acres of land, more or less, being subject to all legal easements and rights-of-ways of record.

Parcel: 010-264263-00

Address: 1732-1734 Cole Street, Columbus, Ohio

Section 2. 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 parcels of real estate:

(1)

Parcel: 010-266211

Address: 1722-1724 Cole Street

The following described 0.176 acre tract is situated in the State of Ohio, County of Franklin, in the City Of Columbus and being all of lot #210 as shown on Bulen's Fairwood Park Addition in Plat Book 12, Page 13A and conveyed to Willie E. Bumper by Official Record 19601, Page E20, of record in Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at an iron pin found at the southwest corner of Lot #210 and in the east line of a 16-foot alley and the north right-of-way line of Cole Street (50' R/W);

Thence with the east line of said alley North 00 Degrees, 15 minutes, 04 Seconds West, a distance of 191.97 feet to an iron pin found in the south line of a 16-foot alley.

Thence with said south line South 89 Degrees, 58 Minutes, 57 Seconds East, a distance of 40.01 feet to an iron pin set at northeast corner of Lot #210;

Thence with the east line of Lot 210 South 00 Degrees, 14 Minutes, 53 Seconds East, a Distance of 191.96 feet to an iron pin set in the north line of Cole Street;

Thence with the north right-of-way line of Cole Street South 89 Degrees, 59 Minutes, 54 Seconds West, a distance of 40.00 feet returning to the BEGINNING containing 0.176 acres of land, more or less, subject to all legal easements and rights-of-way record.

BASIS OF BEARINGS:

Bearings are based on the north right-of way line of Cole Street as found by monumentation as South 89 Degrees, 59 Minutes, 54 Seconds West.

Parcel Number: 010-266211-00

Property Address: 1722 Cole Street, Columbus, OH 43205

(2)

Parcel: 010- 021109

Address: 1728-1730 Cole Street

The following described 0.352 acre tract is situated in the State of Ohio, County of Franklin, City Of Columbus and being all of Lots #210 and #211 as shown on the plat of Bulen's Fairwood Park Addition of record in Plat Book 12, Page 13 and 14A said Lots being conveyed to Willie E. Bumper by Official Record 19601, Page E20, on record in the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

BEGINNING at a 1" iron pipe found marking the southeast corner of Lot#211 and the southwest corner of Lot # 214 and the north right-of-way line of Cole Street (50'R/W);

Thence in the northerly right-of-way line of Cole Street South 89 Degrees, 59 Minutes, 54 Seconds West, passing an iron pin and cap set at 40.01 feet, a total distance of 80.0` feet to a 1" iron pipe found in the southwest corner of Lot#210 and the east right-of-way of a 16- foot alley;

Thence with the east line of said alley North 00 Degrees, 15 Minutes, 04 Seconds West, 191.97 feet, to a 1" iron pipe found in the south line of a 16-foot alley and the northwest corner of Lot # 210;

Thence with said south line South 89 Degrees, 58 Minutes, 57 Seconds East, passing an iron pin And cap set at 40.01 feet, a total distance of 80.02 feet to an iron and cap set at the northeast corner of Lot #211 and the northwest corner of Lot #214;

Thence with line between said Lots #211 and #214 South 00 Degrees, 14 Minutes, 32 seconds East, a distance of 191.94 feet returning to the BEGINNING containing 0.352 acres of land, more or less, being subject to all legal easements, and rights-of-way of record.

BASIS OF BEARINGS:

Bearings are based on the north right-of-way line of Cole Street as found by monumentation being South 89 degrees, 59 Minutes, 54 seconds West.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

The following described 0.0176 acre tract is situated in the State of Ohio, County of Franklin, in the City of Columbus and being all of Lot#210 as shown on Bulen's Fairwood Park Addition in Plat Book 12, Page 13A and conveyed to Willie E. Bumper by Official Record 19601, Page E20, of record in Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

BEGINNING at an iron pin found at the southwest corner of Lot #210 and in the east line of a 16-foot ally and the north right-of-way line of Cole Street(50'R/W);

Thence with the east line of said alley North 00 Degrees, 15 Minutes, 04 Seconds West, a distance of 191.97 feet to an iron pin found in the south line of a 16-foot alley;

Thence with said south line South 89 Degrees, 58 Minutes, 57 Seconds East, a distance of 40.01 feet to an iron pin set at the northeast corner of Lot #210;

Thence with the east line of Lot210 South 00 Degrees, 14Minutes, 53 Seconds East, a distance of 191.96 feet, to an iron pin set in the north line of Cole Street;

Thence with the north right-of-way line of Cole Street South 89 Degrees, 59 Minutes, 54 Seconds West, a distance of 40.00 feet returning to the BEGINNING containing 0.176 acres of land, more or less, subject to all legal easements and rights-of -way of record.

BASIS OF BEARINGS:

Bearings are based on the north right-of-way line of Cole Street as found by monumentation as South 89 Degrees, 59 Minutes, 54 Seconds West.

Parcel Number: 010-021109-00

Property Address: 1728-1730 Cole Street, Columbus, OH 43205

(3)

Parcel: 010-264263

Address: 1732-1734 Cole Street

The following REAL PROPERTY:

The following described 0.176 acre tract is situated in the State of Ohio, County of Franklin, in the City of Columbus and being all of Lot #214 as shown on Bulen's Fairwood Park Addition in Plat Book 12, Page 13 and 14A and conveyed to Willie E. Bumper by Official Record 19601, Page E20, of record in the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

BEGINNING at a railroad spike found at the southwest corner of Lot #214 and in the east line of a 16-foot alley and the north right-of-way line of Cole Street (50' R/W);

Thence with the north right-of-way line of Cole Street South 89 Degrees, 59 Minutes, 54 Seconds West, a distance of 40.01 feet to a 1" iron pipe found in the southeast corner of Lot #211 and the southwest corner of Lot#214;

Thence with the line between Lots #211 and #214 North 00 Degrees, 14 Minutes, 53 Seconds West, a distance of 191.94 feet to an iron pipe and cap set in the south line of a 16- foot alley;

Thence with said south line South 89 Degrees, 58 Minutes, 57 Seconds East, a distance of 40.01 feet to a 1" iron pin found at the northeast corner of Lot#214 and in the west line of a 16-foot alley;

Thence with said west line South 00 Degrees, 14 Minutes, 53 Seconds East, a distance of 191.93 feet returning to the BEGINNING containing 0.176 acres of land, more or less, being subject to all legal easements and rights-of-ways of record.

Parcel: 010-264263-00

Address: 1732-1734 Cole Street, Columbus, Ohio

(4)

Parcel: 010-049927

Address: 807 Ann Street

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

Being Lot Number One Hundred Forty-one (141) in Swayne's Addition to the City of Columbus as the same is numbered and delineated upon the recorded plat thereof, of record In Plat Book No.2, Page 35, Recorder's Office, Franklin County, Ohio.

(5)

Parcel: 010-052757

Address: 835 Ann Street

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

Being Lot Number one hundred thirty-six (136), in Swayne's Addition to the City of Columbus, as same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 35, Records Office, Franklin County, Ohio.

Parcel No.: 010-052757

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.