



Legislation Details (With Text)

File #: 1139-2009 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 8/25/2009 **In control:** Development Committee
On agenda: 9/14/2009 **Final action:** 9/16/2009

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 (3074-80 East Sixth 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
9/16/2009	1	CITY CLERK	Attest	
9/15/2009	1	MAYOR	Signed	
9/14/2009	1	Columbus City Council	Approved	Pass
9/14/2009	1	COUNCIL PRESIDENT	Signed	
8/25/2009	1	Dev Drafter	Sent for Approval	
8/25/2009	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
8/25/2009	1	Dev Drafter	Sent for Approval	
8/25/2009	1	CITY ATTORNEY	Reviewed and Approved	
8/25/2009	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. One parcel, 3074-80 East Sixth Avenue (010-052200), will be transferred to the Board of Education of the City School District of Columbus, Ohio, the owner of the adjacent parcel for school property 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 owner because the City of Columbus contract with HUD expires September 30, 2009.

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 (3074-80 East Sixth Avenue) 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, by Ordinance 0106-2008 Council authorized the Director of Development to enter into and execute any and all necessary agreements and deeds for conveyance of title of real property acquired by the City from the United States Department of Housing and Urban Development (HUD); and to authorize the acceptance of properties acquired by the City to be held and managed by the Land Redevelopment Office; to waive the provisions of Columbus City Code Sections 328.01 and 329.29; and

WHEREAS, a proposal for the sale of one parcel which has been acquired pursuant to Sections 5722.06 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 owner before the City of Columbus contract with HUD expires September 30, 2009, 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:

PARCEL NUMBER: 010-052200
ADDRESS: 3074-80 East Sixth Avenue, Columbus, Ohio 43219
PRICE: Price will be set to reimburse City for all costs associated with the transfer.
USE: Remove an adjacent blighted structure and enlarge the Elementary School's property.

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

Being a part of Lot Number Seven of the Subdivision and plat of partition made under order of the Court of Common Pleas in the case of Henry C. Krumm vs August D. Krumm and of record in Complete Record 288, page 43, and also being part of the 0.661 acre tract conveyed to the R. K. Co. by deed of record in Deed Book 3281, page 377, Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at an iron pin in the northerly line of Sixth Avenue, said iron pin being S. 86° 51' 40" E. a distance of 60.00 feet from the Southwesterly corner of said 0.651 acre tract; thence N. 03° 15' 20" E. parallel to said easterly line of Gould Road, a distance of 120.00 feet to an iron pin; thence S. 86° 51' 40" E., parallel to said northerly line of Sixth Avenue, a distance of 60.00 feet to an iron pin; thence S. 03° 15' 20" W., parallel to said easterly line of Gould Road, a distance of 120.00 feet to an iron pin, said iron pin being in said northerly line of Sixth Avenue; thence N. 86° 51' 40" W. along said northerly line, a distance of 60.00 feet to the place of beginning, containing 0.1653 acres, more or less.

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.