



## Legislation Details (With Text)

**File #:** 1534-2009      **Version:** 1

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

**File created:** 11/3/2009      **In control:** Recreation & Parks Committee

**On agenda:** 11/16/2009      **Final action:** 11/17/2009

**Title:** To authorize the Director of Recreation and Parks to execute a Memorandum of Understanding and any necessary ancillary documents, between the City and ODOT, to allow the transfer of the Old Wyandot Inn to the City for the benefit of the Zoo; to authorize the Director to designate as Limited Access certain City owned properties along SR257 and Glick Road; to accept a deed to the Old Wyandot Inn property; to authorize an amendment to the Agreement and Declaration of Trust to add the Old Wyandot Inn property; and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. MEMORANDUM OF UNDERSTANDING.pdf

| Date       | Ver. | Action By             | Action                             | Result |
|------------|------|-----------------------|------------------------------------|--------|
| 11/17/2009 | 1    | ACTING MAYOR          | Signed                             |        |
| 11/17/2009 | 1    | CITY CLERK            | Attest                             |        |
| 11/16/2009 | 1    | Columbus City Council | Amended as submitted to the Clerk  | Pass   |
| 11/16/2009 | 1    | Columbus City Council | Approved as Amended                | Pass   |
| 11/16/2009 | 1    | COUNCIL PRESIDENT     | Signed                             |        |
| 11/6/2009  | 1    | Atty Drafter          | Sent for Approval                  |        |
| 11/6/2009  | 1    | CITY ATTORNEY         | Reviewed and Approved              |        |
| 11/6/2009  | 1    | Atty Drafter          | Sent to Clerk's Office for Council |        |
| 11/5/2009  | 1    | Atty Drafter          | Sent for Approval                  |        |
| 11/5/2009  | 1    | Atty Reviewer         | Reviewed and Approved              |        |
| 11/5/2009  | 1    | Atty Drafter          | Sent for Approval                  |        |
| 11/5/2009  | 1    | REC & PARKS DIRECTOR  | Reviewed and Approved              |        |
| 11/5/2009  | 1    | Rec & Parks Drafter   | Sent for Approval                  |        |

Background: The City of Columbus ("City") has an existing Agreement and Declaration of Trust ("Agreement") with the Columbus Zoological Park Association ("Association") through December 31, 2023, for the management, operation and development of the Columbus Zoo. In furtherance thereof the City, on behalf of the Association, has requested the Ohio Department of Transportation ("ODOT") to transfer, at no cost, the real property located at 10121 Riverside Drive, Delaware County, Tax Parcel No. 31933101010000, formerly known as the "Old Wyandot Inn", to the City to be used in conjunction with Columbus Zoo operations and other public uses. In exchange for said real property, the City will agree to ODOT's request to designate as Limited Access ("LA") certain City owned real property, which is immediately adjacent to SR257 and Glick Road, except for existing points of access and/or future access points as currently envisioned by the SR257 plans, DEL-257/750-0.78/1.23, Phase B, Liberty Township, Delaware County, Farm Lots 12, 13, 15 & 16 Plans, dated June 8, 2007. Upon transfer of the property, the Agreement needs to be amended to add the Old Wyandot Inn property.

Fiscal Impact: N/A.

Emergency Justification: To allow the Association to begin using the property as soon as possible.

To authorize the Director of Recreation and Parks to execute a Memorandum of Understanding and any necessary ancillary documents, between the City and ODOT, to allow the transfer of the Old Wyandot Inn to the City for the benefit of the Zoo; to authorize the Director to designate as Limited Access certain City owned properties along SR257 and Glick Road; to accept a deed to the Old Wyandot Inn property; to authorize an amendment to the Agreement and Declaration of Trust to add the Old Wyandot Inn property; and to declare an emergency.

WHEREAS, The City of Columbus ("City") has an existing Agreement and Declaration of Trust ("Agreement") with the Columbus Zoological Park Association ("Association") through December 31, 2023, for the management, operation and development of the Columbus Zoo; and

WHEREAS, In furtherance thereof, the City, on behalf of the Association, has requested the Ohio Department of Transportation ("ODOT") to transfer at no cost the real property located at 10121 Riverside Drive, Delaware County, Tax Parcel No. 31933101010000, formerly known as the "Old Wyandot Inn", to the City to be used in conjunction with Columbus Zoo operations and other public uses; and

WHEREAS, ODOT has agreed to transfer said real property provided that in exchange the City agrees to designate as Limited Access ("LA") certain real property currently owned by the City, which is immediately adjacent to SR257 and Glick Road, except for existing points of access and/or future access points as currently envisioned by the SR257 plans, DEL-257/750-0.78/1.23, Phase B, Liberty Township, Delaware County, Farm Lots 12, 13, 15 & 16 Plans, dated June 8, 2007; and

WHEREAS, the City and ODOT wish to memorialize the aforementioned agreement in a Memorandum of Understanding, which will further state with more specificity the certain City owned property to be designated as LA, using the work station reference points as identified in the DEL-257/750-0.78/1.23, Phase B, Liberty Township, Delaware County, Farm Lots 12, 13, 15 & 16 Plans, dated June 8, 2007; and

WHEREAS, The City and the Association wish to then amend their existing Agreement to include the Wyandot Inn real property and any necessary terms relating thereto; and

WHEREAS, an emergency exists in the usual daily operation of the City, in that it is necessary to authorize the Director of Recreation and Parks, in conjunction with the City Attorney's Office, to execute those documents necessary to effectuate the transfer of the Wyandot Inn real property to the City, thereby permitting the Association access to the property as soon as possible, 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 Recreation and Parks be and hereby is authorized to execute a Memorandum of Understanding with ODOT, and any ancillary documents as approved by the Department of Law, Real Estate Division, necessary for the conveyance of real property located at 10121 Riverside Drive, Delaware County, Tax Parcel No. 31933101010000, the Old Wyandot Inn, to the City.

**Section 2.** That the Director of Recreation and Parks be and hereby is authorized to execute those documents, as approved by the Department of Law, Real Estate Division, necessary to designate as Limited Access ("LA") the real property currently owned by the City, which is immediately adjacent to SR257 and Glick Road, except for existing points of access and/or future access points as currently envisioned by the SR257 plans, DEL-257/750-0.78/1.23, Phase B, Liberty Township, Delaware County, Farm Lots 12, 13, 15 & 16 Plans, dated June 8, 2007, as further identified in the aforementioned Memorandum of Understanding.

**Section 3.** That the City of Columbus hereby accepts the real property located at 10121 Riverside Drive, Delaware County, Tax Parcel No. 31933101010000, formerly known as the Old Wyandot Inn:

**Section 4.** That the Director of Recreation and Parks, in conjunction with the City Attorney's Office, be and hereby is

authorized to execute those documents, as approved by the Department of Law, Real Estate Division, necessary to amend the City's Agreement with the Association to include the Old Wyandot Inn property and any necessary terms associated thereto.

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