



Legislation Details (With Text)

File #: 3403-2018 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/29/2018 **In control:** Public Service & Transportation Committee

On agenda: 12/10/2018 **Final action:** 12/13/2018

Title: To authorize the Director of the Department of Public Service to execute those documents necessary to release easements to clear title so Battelle Memorial Institute can proceed with a development known as Founders Park; and to declare an emergency. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Battelle Easement Release Exhibit.pdf

Date	Ver.	Action By	Action	Result
12/13/2018	1	ACTING CITY CLERK	Attest	
12/12/2018	1	MAYOR	Signed	
12/10/2018	1	COUNCIL PRESIDENT	Signed	
12/10/2018	1	Columbus City Council	Approved	Pass

1. BACKGROUND

Pursuant to Ordinance numbers 697-68, 1973-96, 2406-81, and 2110-2017, the City agreed to transfer various streets and alleys (“right-of-way”) to Battelle Memorial Institute (Battelle) to allow the parcels to be combined by the County Auditor’s Office for a future project. Within the above mentioned ordinances the City retained easements for existing utilities. The Department of Public Service recently received a request from Battelle asking that the City release the reserved easements over these areas to clear title and allow the site to be redeveloped. The project is known as Founders Park and planned to consist of 42 single-family homes, 32 townhomes, 303 apartment units, a 200-unit senior living facility, a 128-key hotel, and 39,000 square feet of retail space, with a private investment of \$160M and the creation of 6.0-acres of parkland. Once this legislation is passed, and prior to the Public Service Director executing any documents, the Department of Public Service, Division of Infrastructure Management, will verify with all the public and private utility companies that there are no public utilities or need for these easements located within the requested areas and that they have no objections to these easements being released. The following legislation authorizes the Director of the Department of Public Service to execute those documents necessary to release these easements as described and depicted on the attached exhibit.

2. FISCAL IMPACT

No City funds will be required for the transfer of these easements.

3. EMERGENCY LEGISLATION

Emergency action is requested to allow Battelle to redevelop the site and meet current development schedules.

To authorize the Director of the Department of Public Service to execute those documents necessary to release easements to clear title so Battelle Memorial Institute can proceed with a development known as Founders Park; and to declare an emergency. (\$0.00)

WHEREAS, pursuant to Ordinance numbers 697-68, 1973-96, 2406-81, and 2110-2017, the City agreed to transfer various streets and alleys (“right-of-way”) to Battelle Memorial Institute (Battelle) to allow the parcels to be combined by

the County Auditor's Office for a future project. Within the above mentioned ordinances the City retained easements for existing utilities; and

WHEREAS, the Department of Public Service recently received a request from Battelle asking that the City release the reserved easements over these areas to clear title and allow the site to be re-developed; and

WHEREAS, the project is known as Founders Park and is planned to consist of 42 single-family homes, 32 townhomes, 303 apartment units, a 200-unit senior living facility, a 128-key hotel, and 39,000 square feet of retail space, with a private investment of \$160M, and the creation of 6.0-acres of parkland; and

WHEREAS, once this legislation is passed, and prior to the Public Service Director executing any documents, the Department of Public Service, Division of Infrastructure Management, will verify with all the public and private utility companies that there are no public utilities or need for these easements located within the requested areas and that they have no objections to these easements being released; and

WHEREAS, emergency action is requested to allow the redevelopment of the site and meet current development schedules; **NOW, THEREFORE;**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. Upon verification with all the public and private utility companies that there are no public utilities or need for these easements within the requested areas, the Director of the Department of Public Service is hereby authorized to execute those documents necessary to release the easement areas described or depicted on the attached exhibit: to-wit

General Areas of Easements to be Released:

East of the Olentangy River, south of Fifth Avenue, north of Third Avenue, and west of Perry Street. The attached exhibit depicts the areas in more detail.

SECTION 2. 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.