



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed
File created: 3/19/2015 **In control:** Development Committee
On agenda: 4/20/2015 **Final action:** 4/22/2015
Title: To authorize the Director of the Department of Development to enter into the necessary lease agreement as needed for the use, operation, lease, and management of approximately five (5) acres of real property along West Broad Street, Columbus, Ohio 43204, located within the Hilltop, with Urban Farms of Central Ohio, LLC, a subsidiary of Mid-Ohio Foodbank; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
4/22/2015	1	CITY CLERK	Attest	
4/21/2015	1	ACTING MAYOR	Signed	
4/20/2015	1	COUNCIL PRESIDENT	Signed	
4/20/2015	1	Columbus City Council	Approved	Pass

BACKGROUND: Authorization is needed for the Director of the Department of Development to enter into a five year lease agreement for approximately five (5) acres of the 20 acres of real property along West Broad Street, Columbus, Ohio 43204 {Franklin County Tax Parcel № 010-267201} located within the Hilltop to Urban Farms of Central Ohio, LLC, a limited liability company and subsidiary of Mid-Ohio Foodbank whose project is to transform vacant and underutilized sites into productive, sustainable urban farms in under-served neighborhoods. These sites provide increased access to fresh, local produce and promote civic engagement for residents impacted by food insecurity. This legislation authorizes the Director of Development to enter into the necessary lease agreement as needed for the use, operation, lease, and management of the property by Urban Farms of Central Ohio, LLC.

FISCAL IMPACT: No funding is required for this legislation. The City will collect "Rent" as defined as lessee's rental payment to the City in the amount of Five Hundred and 00/100 U.S. Dollars (\$500.00), which is calculated at One Hundred and 00/100 U.S. Dollars (\$100.00) per year for the five year period.

EMERGENCY JUSTIFICATION: Emergency action is requested to enable the City to immediately enter into the necessary agreements allowing the lessee to begin farming immediately during the 2015 growing season and in order to reduce Land Bank maintenance costs.

To authorize the Director of the Department of Development to enter into the necessary lease agreement as needed for the use, operation, lease, and management of approximately five (5) acres of real property along West Broad Street, Columbus, Ohio 43204, located within the Hilltop, with Urban Farms of Central Ohio, LLC, a subsidiary of Mid-Ohio Foodbank; and to declare an emergency.

WHEREAS, by Ordinance 1325-98, 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, or any other land acquired as part of the land reutilization program; and

WHEREAS, a proposal for the lease of the property which was acquired pursuant to Ohio Revised Code Section 5722.06 meets the Land Reutilization Program's Lease Policies and Guiding Principles and has been approved by the Land Redevelopment Office Administrator; and

WHEREAS, in conformity with Columbus City Code Section 329.33 in order to complete the lease agreement of such property to the lessee, authority is needed for the Director of the Department of Development to execute any and all necessary lease agreements for the 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 grant lease of said parcel of real estate to allow the lessee to begin farming immediately during the 2015 growing season and in order to reduce Land Bank maintenance costs, 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 to execute any and all necessary lease agreements for the use, operation, lease, and management of approximately five acres, as determined by the Director of the Department of Development, of the following 20 acre parcel of real estate to Urban Farms of Central Ohio, LLC, a subsidiary of Mid-Ohio Foodbank:

PARCEL NUMBER: 010-267201
ADDRESS: 00000 W. Broad St., Columbus, Ohio 43223
RENT: \$100.00 per year for five years, \$500.00 total
USE: Approximately Five Acres for Urban Farming

Situated in the State of Ohio, County of Franklin, and in the City of Columbus located in the Virginia Military Survey No. 2668, and being part of a 300 acre tract conveyed to the State of Ohio in Deed Book 101, Page 390, Franklin County Recorder's Office, and being shown in Exhibit "A" attached hereto and made a part hereof, and being more particularly described as follows:

Beginning for reference at an iron pin found at the intersection of northerly right of way line of West Broad Street (80 feet in width) and the easterly right of way line of Wheatland Avenue (40 feet in width);

thence N 09° 1 4'48" W, along the easterly right of way line of said Wheatland Avenue, distance of 502.10 feet to an iron pin set, said iron pin being the true point of Beginning of herein described tract, passing an iron pin found at 251.05 feet;
thence N 09°14'48" W, along the easterly right of way line of said Wheatland Avenue, a distance of 1810.12 feet to an iron pin set;
thence N 77°17'50" E, along an existing fence, a distance of 108.55 feet to a point;
thence N 85°16'59" E, along an existing fence, a distance of 273.91 feet to a point;
thence N 89°00'05" E, along an existing fence, a distance of 111.16 feet to an iron pin set;
thence S 09° 14'48" E, a distance of 1121.50 feet to an iron pin set at the northwesterly corner of a buffer zone to the Central Ohio Psychiatric Hospital;
thence S 04°09'22" E, along the westerly line of said buffer zone to the Central Ohio Psychiatric Hospital, a distance of 699.77 feet to an iron pin set;
thence S 86°00'00" W, a distance of 431.14 feet to the True Point of Beginning, containing 20.098 acres, more or less,

subject to all rights of way, easements, and restrictions of record.

Basis of bearing is the northerly right of way line of West Broad Street being N 86°00'00" E, as shown in Plat Book 4, Page 326, Recorder's Office, Franklin County, Ohio.

SECTION 2. For the property stated in Section 1, that the Director of Development is hereby authorized to execute any agreements to ensure compliance with Land Bank Program rules.

SECTION 3. That Council hereby finds that the selection process utilized in this matter is in accordance with the Land Bank Lease 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.