



# City of Columbus

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org

## Legislation Details (With Text)

**File #:** 0586-2005      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 3/16/2005      **In control:** Safety Committee  
**On agenda:** 4/11/2005      **Final action:** 4/13/2005

**Title:** To authorize the City Attorney to execute those documents necessary to accept title to certain real property, located in the vicinity of Indianola Avenue and Clinton Heights Avenue, from Columbus Infill Development Company, LLC, and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
4/13/2005	1	ACTING CITY CLERK	Attest	
4/12/2005	1	ACTING MAYOR	Signed	
4/11/2005	1	Columbus City Council	Approved	Pass
4/11/2005	1	COUNCIL PRESIDENT	Signed	
3/21/2005	1	CITY ATTORNEY	Reviewed and Approved	
3/21/2005	1	Atty Drafter	Sent to Clerk's Office for Council	
3/17/2005	1	Atty Reviewer	Reviewed and Approved	
3/17/2005	1	Atty Drafter	Sent for Approval	
3/16/2005	1	Atty Drafter	Sent for Approval	

**Background:** During rehabilitation of sanitary sewers in the Clintonville area it came to the attention of the City that a portion of a sanitary sewer traverse a small tract of land for which a recorded easement could not be located. The location of the sewer on the property would prevent the construction of any building. After discussions with the property owner it was determined to be in the best interest of the City to purchase the lot in fee simple. This ordinance would authorize the City to purchase certain of real property located in the vicinity of Indianola Avenue and Clinton Heights Avenue, from Columbus Infill Development Company, LLC, an Ohio limited liability corporation, (hereinafter "Owner"). The Division of Sewerage and Drainage desires to purchase the property out of operating funds. The real property is being purchased to obtain the rights for an existing sewer which transverse the property. This legislation authorizes the City Attorney to execute those documents necessary to accept title to the aforementioned real property.

**Fiscal Impact:** N/A

**Emergency Justification:** Emergency action is requested to allow the purchase of the subject real property without delay in order to comply with the terms of the purchase agreement.

To authorize the City Attorney to execute those documents necessary to accept title to certain real property, located in the vicinity of Indianola Avenue and Clinton Heights Avenue, from Columbus Infill Development Company, LLC, and to declare an emergency.

WHEREAS, The City of Columbus (hereinafter "City") desires to obtain title to certain real property from Columbus Infill

Development Company, LLC (hereinafter "Owner") in order to obtain the rights to operate and maintain an existing sanitary sewer; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, in that it is immediately necessary to authorize the City Attorney to execute those documents necessary for the purchase of said real property for the immediate preservation of the public health, peace, property and safety; now, therefore:

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

Section 1. That the City Attorney be, and hereby is, authorized to execute those documents necessary to accept title to certain real property located in the City of Columbus, County of Franklin, State of Ohio, being Reserve "B" of Walhalla Park Place Second Addition, as recorded in Plat Book 9, page 29, Recorder's Office, Franklin County, Ohio

Section 2. That for the reasons state 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.