



## Legislation Details (With Text)

**File #:** 1777-2011      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 10/14/2011      **In control:** Health, Housing & Human Services Committee  
**On agenda:** 10/24/2011      **Final action:** 10/24/2011

**Title:** To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of six parcels of real property held in the Land Bank pursuant to the Land Reutilization Program and Neighborhood Stabilization Program to US Bank, NA, Successor Trustee of the Hope 3 Trust Agreement for the Benefit of the Mid-Ohio Regional Planning Commission; and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
10/26/2011	1	CITY CLERK	Attest	
10/25/2011	1	MAYOR	Signed	
10/24/2011	1	COUNCIL PRESIDENT	Signed	
10/24/2011	1	Columbus City Council	Approved	Pass

**Background:** Six properties currently held in the Land Bank are 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. 2080 Berrell Ave. (010-109029), 2826 Berrell Ave. (190-004860), 2119 Danby Dr. (010-109171), 1718 Cordell Ave. (010-098950), 2025 Aberdeen Ave. (010-009450), and 2814 Fern Ave. (010-132085) will be transferred to Mid-Ohio Regional Planning Commission ("MORPC"). MORPC will redevelop these existing single-family dwellings for homeownership in the Linden Neighborhood with funds from the Neighborhood Stabilization Program 2. The properties will be transferred by deeds and recorded in the Official Records of the County Recorder's Office.

**Emergency Justification:** Emergency action is requested to expedite the transfer of the property to allow the developer to immediately start construction to meet program deadlines.

**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.

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of six parcels of real property held in the Land Bank pursuant to the Land Reutilization Program and Neighborhood Stabilization Program to US Bank, NA, Successor Trustee of the Hope 3 Trust Agreement for the Benefit of the Mid-Ohio Regional Planning Commission; and to declare an emergency.

**WHEREAS**, ordinance 1860-2008 adopted the City's Neighborhood Stabilization Program, authorized the filing of the City's Neighborhood Stabilization Program application with the United States Department of Housing and Urban Development, and made a substantial amendment to the Consolidated Plan's 2008 Action Plan; and

**WHEREAS**, ordinances 0234-2009 and 0136-2009 authorized the Director of the Department of Development to acquire properties under the Neighborhood Stabilization Program and the expenditure of funds; and

**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**, a proposal for the sale of six parcels acquired pursuant to Section 5722.06 for this program, meet the Land Reutilization Program's Disposition Policies and Guiding Principles, and were approved; 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 parcels of real estate to allow the developer to immediately start construction to meet program deadlines, 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 agreements and deeds to convey title of the following parcels of real estate to US Bank, NA, Successor Trustee of the Hope 3 Trust Agreement for the Benefit of the Mid-Ohio Regional Planning Commission:

- (1)  
PARCEL NUMBER: 010-109029  
ADDRESS: 2080 Berrell Ave., Columbus, Ohio 43219  
USE: Single-family Residential dwelling

Situated in the State of Ohio, County of Franklin, and City of Columbus, which is described as follows:

Being Lot Number Sixteen (16), of CAPOCCIO ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 24, Page 1, Recorder's Office, Franklin County, Ohio.

- (2)  
PARCEL NUMBER: 190-004860  
ADDRESS: 2826 Berrell Ave., Columbus, Ohio 43211  
USE: Single-family Residential dwelling

Situated in the State of Ohio, County of Franklin, and City of Columbus, which is described as follows:

Being 51.50 feet off the entire south side of Lot Number Fifty-two (52) of John B. Denuen's East Linden Second Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 8, Page 5-B,

Recorder's Office, Franklin County, Ohio.

(3)

PARCEL NUMBER: 010-109171  
ADDRESS: 2119 Danby Dr., Columbus, Ohio 43211  
USE: Single-family Residential dwelling

Situated in the State of Ohio, County of Franklin, and City of Columbus, which is described as follows:

Being Lot Number One (1), in Block L of Arlington Park Tract No. 2, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 27, page 7, Recorder's Office, Franklin County, Ohio.

(4)

PARCEL NUMBER: 010-098950  
ADDRESS: 1718 Cordell Ave., Columbus, Ohio 43219  
USE: Single-family Residential dwelling

Situated in the State of Ohio, County of Franklin, and City of Columbus, which is described as follows:

Being seven (7) feet off of the West side of lot number forty-one (41). All of Lot number forty-two (42), and three (3) feet off the East side of lot number Forty-Three (43) in Norlea Park as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 19, page 23, Recorder's Office, Franklin County, Ohio.

(5)

PARCEL NUMBER: 010-009450  
ADDRESS: 2025 Aberdeen Ave., Columbus, Ohio 43211  
USE: Single-family Residential dwelling

Situated in the State of Ohio, County of Franklin, and City of Columbus, which is described as follows:

Beginning at a point in the South line of Aberdeen Avenue, said point being fifty feet east of the northeast corner of Lot No. 68 in East Linden Park Addition, said point also being the northeast corner of land owned by one George Houser; thence east along the south line of Aberdeen Avenue, 80 feet to a point; thence south and parallel with east line of Lot 68, 131.85 feet to a point in the north line of an alley; thence west along the north line of said alley 80 feet to a point; thence north along said Houser's east line 131.85 feet to the place of beginning; being a part of Reserve "A" shown on the Plat of East Linden Park Addition, Plat Book 9, page 14, Recorder's Office, Franklin County, Ohio.

(6)

PARCEL NUMBER: 010-132085  
ADDRESS: 2814 Fern Ave., Columbus, Ohio 43211  
USE: Single-family Residential dwelling

Situated in the State of Ohio, County of Franklin, and City of Columbus, which is described as follows:

Being 50 feet off the North end of the South half of Lot Number Five (5), of FANNIE F. DENUNES SUBDIVISION of eighteen acres of land known as Lots, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 5 page 488, Recorder's Office, Franklin County, Ohio.

**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 the Neighborhood Stabilization 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.