



## Legislation Details (With Text)

**File #:** 2022-2015      **Version:** 1

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

**File created:** 7/15/2015      **In control:** Recreation & Parks Committee

**On agenda:** 9/21/2015      **Final action:** 9/23/2015

**Title:** To authorize the City Attorney to spend funds from the Columbus Recreation and Parks Department's Voted Bond Fund to acquire in good faith a 10.684 acres, more or less, parcel of real estate located at the northwest corner of the intersection of Chatterton Road and Brice Road, Columbus, Ohio 43110 and contract for associated professional services; and to declare an emergency. (\$255,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
9/23/2015	1	CITY CLERK	Attest	
9/22/2015	1	MAYOR	Signed	
9/21/2015	1	COUNCIL PRESIDENT	Signed	
9/21/2015	1	Columbus City Council	Approved	Pass

**BACKGROUND:**

The City's Recreation and Parks Department (CRPD) is interested in acquiring 10.684 acres, more or less, parcel of real estate located at the northwest corner of the intersection of Chatterton Road and Brice Road, Columbus, Ohio 43110 {Franklin County Tax Parcel 530-166435} ("Real Estate"), which is owned by the Apostolic Church of Christ. CRPD desires to use the Real Estate as public parkland, green space, recreation, and riparian protection. Furthermore, CRPD requests for the City Attorney to acquire the Real Estate on behalf of the City. Accordingly, this ordinance authorizes the City Attorney to spend funds to acquire in good faith the Real Estate and contract for associated professional services ( e.g. surveys, title work, appraisals, etc.) in order for the City to accept and for CRPD to use and manage the Real Estate as public parkland, green space, recreation, and riparian protection.

**CONTRACT COMPLIANCE:**

Not applicable.

**FISCAL IMPACT:**

CRPD determined the funding for the City Attorney to acquire the Real Estate and contract for associated professional services will come from CRPD's Voted Bond Fund, which is contingent upon the City's impending bond sale.

**EMERGENCY JUSTIFICATION:**

Emergency action is requested in order for CRPD to timely acquire the Real Estate without unnecessary delay, which will preserve the public peace, health, property, safety, and welfare.

To authorize the City Attorney to spend funds from the Columbus Recreation and Parks Department's Voted Bond Fund to acquire in good faith a 10.684 acres, more or less, parcel of real estate located at the northwest corner of the intersection of Chatterton Road and Brice Road, Columbus, Ohio 43110 and contract for associated professional services; and to declare an emergency. (\$255,000.00)

**WHEREAS**, the City intends to acquire the 10.684 acres, more or less, parcel of real estate located at the northwest corner of the intersection of Chatterton Road and Brice Road, Columbus, Ohio 43110 {Franklin County Tax Parcel 530-166435} (*i.e.* Real Estate); and

**WHEREAS**, the City intends for the City Attorney to spend funds from the Recreation and Parks Department's Voted Bond Funds in order to acquire the Real Estate in good faith and contract for associated professional services (*e.g.* surveys, title work, appraisals, *etc.*); and

**WHEREAS**, the City intends to accept and for the Recreation and Parks Department to use and manage the Real Estate as public parkland, green space, recreation, and riparian protection; and

**WHEREAS**, an emergency exists in the Recreation and Parks Department's usual daily operations in that it is immediately necessary to authorize the City Attorney to acquire the Real Estate and contract for associated professional services in order to timely acquire the Real Estate without unnecessary delay, which will preserve the public peace, property, health, welfare, and safety; and **now, therefore**,

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

**SECTION 1.** The City Attorney is authorized to acquire in good faith the 10.684 acres, more or less, parcel of real estate located at the northwest corner of the intersection of Chatterton Road and Brice Road, Columbus, Ohio 43110 {Franklin County Tax Parcel 530-166435} (*i.e.* Real Estate).

**SECTION 2.** The City Attorney is authorized to contract for professional services (*e.g.* surveys, title work, appraisals, *etc.*) associated with the Real Estate's acquisition.

**SECTION 3.** In order to exercise the authority described in Sections One (1) and Two (2) of this ordinance, the City Attorney is authorized to spend up to Two Hundred Fifty-five Thousand and 00/100 U.S. Dollars (\$255,000.00) from the Recreation and Parks Department Voted Bond Fund in the following manner:

Division 51-01 | Fund 702 | O.C.A. Code 702112 | Project 510112-100000 | O.L. 3-6601 | \$255,000.00.

**SECTION 4.** The director of the Recreation and Parks Department is authorized to enter into any necessary real estate tax agreements, as approved by the City Attorney, with the grantor(s) of the Real Estate identified in Section One (1) of this ordinance.

**SECTION 5.** The City Auditor is authorized and directed to establish any appropriate accounting codes once the funds necessary to carry out the purpose of this ordinance are deemed appropriated.

**SECTION 6.** The City Auditor is authorized and directed to transfer any unencumbered balance in the public project's account to the unallocated balance within the same fund upon receipt of certification by the director of the department administering the public project that the public project is complete and the monies are no longer required for the public project, except that no transfer can be made from a project account by monies from more than one source.

**SECTION 7.** The City Auditor is authorized and directed to establish any proper and appropriate project accounting numbers.

**SECTION 8.** The City Auditor is authorized and directed to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 9.** For the reasons stated in the preamble of this ordinance, which are fully incorporated into this ordinance, this ordinance is declared to be an emergency measure and is required take effect and be in force from and after its passage and approval by the Mayor or ten (10) days after its passage if the Mayor neither approves nor vetoes this ordinance.