



## Legislation Details (With Text)

**File #:** 0126-2014      **Version:** 1

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

**File created:** 1/9/2014      **In control:** Recreation & Parks Committee

**On agenda:** 1/27/2014      **Final action:** 1/29/2014

**Title:** To authorize the Director of the Department of Recreation and Parks to execute those documents approved by the Columbus City Attorney, Real Estate Division, to quit claim grant perpetual, nonexclusive, conservation easement rights to the Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District, a park district organized under Ohio Revised Code, Chapter 1545, upon all 23.85 acres of the City's real property located at Franklin County Tax Parcel 010-252434; and to declare an emergency. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
1/29/2014	1	CITY CLERK	Attest	
1/28/2014	1	MAYOR	Signed	
1/27/2014	1	COUNCIL PRESIDENT	Signed	
1/27/2014	1	Columbus City Council	Approved	Pass

**BACKGROUND :**

The City of Columbus, Ohio, an Ohio municipal corporation ("City"), owns 23.85 acres of parkland at Franklin County Tax Parcel 010-252434 ("Property"), which is managed by the Columbus Recreation and Parks Department ("CRPD") and recorded in Instrument Number 200401090006860, Recorder's Office, Franklin County, Ohio (Deed to Property attached as **Exhibit-A**, and fully incorporated into this ordinance for reference). The Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District, a park district organized under Ohio Revised Code, Chapter 1545 ("Metro-Parks"), entered into a grant agreement with the Ohio Environment Protection Agency ("OEPA") to obtain funds to restore, protect, and preserve the Blacklick Creek riparian corridor. Specifically, the Property is in the Blacklick Creek riparian corridor, and Metro-Parks requested for the City to grant perpetual, conservation easement rights over the entire acreage of the Property. CRPD reviewed and determined that it is in the City's best interest to grant perpetual, nonexclusive, conservation easement rights over the entire acreage of the Property, at no cost, because Metro-Parks' receipt of OEPA grant funds to restore, protect, and preserve the Property and the Blacklick Creek riparian corridor is a benefit to the City and public and fosters intergovernmental cooperation. Therefore, this ordinance authorizes the City's Director of CRPD to execute those documents approved by the Columbus City Attorney, Real Estate Division, to quit claim grant perpetual, conservation easement rights to Metro-Parks over the entire acreage of the Property.

**CONTRACT COMPLIANCE №:** Not applicable.

**FISCAL IMPACT :** Not applicable.

**EMERGENCY JUSTIFICATION :** Emergency action is requested so to not delay Metro-Parks' restoration, protection, and preservation of the Property and the Blacklick Creek riparian corridor, which will preserve the public

peace, health, property, safety, and welfare.

To authorize the Director of the Department of Recreation and Parks to execute those documents approved by the Columbus City Attorney, Real Estate Division, to quit claim grant perpetual, nonexclusive, conservation easement rights to the Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District, a park district organized under Ohio Revised Code, Chapter 1545, upon all 23.85 acres of the City's real property located at Franklin County Tax Parcel 010-252434; and to declare an emergency. (\$0.00)

**WHEREAS**, the City owns 23.85 acres of parkland at Franklin County Tax Parcel 010-252434 ("Property"), which is managed by CRPD and further described and recorded in Instrument Number 200401090006860, Recorder's Office, Franklin County, Ohio (Deed to Property attached as **Exhibit-A**, and fully incorporated into this ordinance for reference);

**WHEREAS**, Metro-Parks entered into a grant agreement with the OEPA to obtain funds to restore, protect, and preserve the Blacklick Creek riparian corridor;

**WHEREAS**, specifically, the Property is in the Blacklick Creek riparian corridor, and Metro-Parks requested for the City to grant perpetual, conservation easement rights over the entire acreage of the Property;

**WHEREAS**, the Department of Recreation and Parks has reviewed and determined that it is in the City's best interest to grant perpetual, nonexclusive, conservation easement rights over the entire acreage of the Property, at no cost, because Metro-Parks' receipt of OEPA grant funds to restore, protect, and preserve the Property and the Blacklick Creek riparian corridor is a benefit to the City and public and fosters intergovernmental cooperation;

**WHEREAS**, an emergency exists in the usual daily operations of the City, because it is immediately necessary to authorize the Director of the Department of Recreation and Parks to execute those documents approved by the Columbus City Attorney, Real Estate Division, to quit claim grant perpetual, nonexclusive, conservation easement rights to Metro-Parks over the entire acreage of the Property, which will preserve the public health, peace, property, safety, and welfare; and **NOW, THEREFORE**,

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

**SECTION 1.** The Director of the Department of Recreation and Parks is authorized to execute those documents approved by the Columbus City Attorney, Real Estate Division, to quit claim grant perpetual, nonexclusive, conservation easement rights to the Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District, a park district organized under Ohio Revised Code, Chapter 1545, in, on, over, under, across, upon, through, and burdening all 23.85 acres of the City's real property located at Franklin County Tax Parcel 010-252434, which is managed by the Columbus Recreation and Parks Department and further described and recorded in Instrument Number 200401090006860, Recorder's Office, Franklin County, Ohio (Deed to this real property attached as **Exhibit-A**, and fully incorporated into this ordinance for reference).

**SECTION 2.** For the reasons stated in the preamble hereto, which are 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 (10) days after its passage if the Mayor neither approves nor vetoes the same.