



Legislation Details (With Text)

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Title: To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property (3075 S. High St.; 010-112265) held in the Land Bank pursuant to the Land Reutilization Program.

Sponsors:

Indexes:

Code sections:

Attachments:

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|-------------------------|--------|
| 2/15/2023 | 1 | CITY CLERK | Attest | |
| 2/14/2023 | 1 | MAYOR | Signed | |
| 2/13/2023 | 1 | COUNCIL PRESIDENT | Signed | |
| 2/13/2023 | 1 | Columbus City Council | Approved | Pass |
| 2/6/2023 | 1 | Columbus City Council | Read for the First Time | |

BACKGROUND: This legislation authorizes the transfer of a 13-acre parcel of land that is currently held in the City Land Bank and located on South High Street (010-112265). The Land Bank issued a request for proposals in 2017 and selected a proposal submitted by Scioto River Team, LLC, to develop the site for a production facility for Rambling House Soda. The facility will consist of a production, retail venue, tasting room, kayak rentals, outdoor entertainment, and similar uses. The project was delayed due to the pandemic and survey and title issues. Some of the site is located within the Scioto River floodplain and the sale is contingent on the City retaining a conservation easement within the floodplain along the Scioto River frontage. The sale is also contingent on a rezoning of the site to allow the proposed uses (Z21-093). In order to complete the transfer, authorization is needed for the Director of the Departments of Development to execute any and all agreements and deeds for conveyance of the real property to the buyer.

FISCAL IMPACT: 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 one parcel of real property (3075 S. High St.; 010-112265) held in the Land Bank pursuant to the Land Reutilization Program.

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, in 2017, the Land Reutilization Program issued a request for proposals for a parcel located on S. High Street. An application by Scioto River Team, LLC was selected. The proposal for the sale of the property which the City acquired pursuant to Ohio Revised Code Section 5722.03 or 5722.06, meets the Land Reutilization Program's Disposition Policies and Guiding Principles and has been approved by the Land Redevelopment Division Administrator; and

WHEREAS, the sale is contingent on the parcel being rezoned to the L-M District. The rezoning is pending (Case No. Z21-093) and will require a site plan illustrating the location of the site improvements and the preservation of existing trees; 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 the real property; 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 authorized to execute any and all necessary agreements, documents and deeds to convey title to the following parcel ("Property") of real estate to Scioto River Team, LLC:

PARCEL NUMBER: 010-112265
ADDRESS: 3075 S. High St., Columbus, Ohio 43207
PRICE: \$125,000.00
USE: Commercial Redevelopment

Situated in the State of Ohio, County of Franklin, City of Columbus, located in the Southwest Quarter of Section 9, Township 4, Range 22, Congress Lands, being all of a 13.066 acre tract as described in Instrument Number 201410240141191, (Auditor's Parcel 010-112265-00), conveyed to the City of Columbus (record references to those of the Recorders Office, Franklin County, Ohio), and being more particularly bounded and described as follows:

Commencing at Franklin County Monument FCGS 5210 at the centerline intersection of Parsons Avenue and Williams Road;

Thence North 43°55'04" West, 3351.70 feet to a set mag nail, being a southeast corner of a 27.562 acre tract as described in Instrument Number 202011020171832 to Windmill Point Apartments, L.P., being on the centerline of High Street (US RT 23), being the True Point of Beginning:

Thence southerly along the centerline of said High Street, South 00°25'05" East, 96.52 feet to a set mag nail, being the northeast corner of a 1.889 acre tract as described in Instrument Number 201608050102476 to Opal L. Collier;

Thence westerly along the northern line of said 1.889 acre tract, North 86°02'10" West, 300.00 feet to a submerged point, passing set iron pins at 40.11 feet and 133.07 feet;

Thence southerly along the western line of said 1.889 acre tract, South 00°15'10" East, 275.00 feet to a found $\frac{3}{4}$ " pipe, passing a set iron pin at 250.00 feet, being the southwest corner of said 1.889 acre tract, being on the northern line of a 2.941 acre tract as described in Instrument Number 200406250148053 to SS South High, LLC;

Thence westerly along the northern line of said 2.941 acre tract, North 86°04'17" West, 476.25 feet to a set iron pin, being the northwest corner of said 2.941 acre tract;

Thence southerly along the western line of said 2.941 acre tract, South 02°41'08" West, 31.67 feet to a found $\frac{3}{4}$ " pipe, being on the western line of said 2.941 acre tract, being the northeast corner of a 0.231 acre tract as described in Instrument Number 202110010176763 to AFN Absprop002, LLC;

Thence westerly along the northern lines of said 0.231 acre tract, a 5.683 acre tract, a 0.912 acre tract, and a 0.811 acre tract, all described in Instrument Number 201105040057661 to City of Columbus, Ohio, South 88°02'58" West, 781.66 feet to a point on the eastern bank of the Scioto River, passing a found $\frac{3}{4}$ " pipe with a cap "SANDS DECKER" at 100.48 feet, passing a $\frac{3}{4}$ " pipe with a cap "SANDS DECKER" at 621.16 feet being the eastern line of the Columbus Feeder of the Ohio & Erie Canal as acquired by the State of Ohio by the Canal Land Act of 1825 and as described in the commissioners Register and as demonstrated on Pages 7 and 8 of the "Plat of the Columbus Feeder of the Ohio & Erie Canal Surveyed for the Columbus Railway Power & Light Co. under the terms of the lease with the State of Ohio", dated January 30, 1927, and subject to a 99 year lease with Columbus and Southern Ohio Electric Company, now known as the American Electric Company (AEP), passing a found $\frac{3}{4}$ " pipe with a cap "SANDS DECKER" at 715.65 feet being on the western side of said Canal, passing a found $\frac{3}{4}$ " pipe with a cap "SANDS DECKER" at 766.66 feet;

Thence northerly along the eastern bank of the Scioto River the following 4 courses:

North 07°32'12" East, 167.86 feet to a point;

North 14°25'02" East, 358.73 feet to a point;

North 07°03'36" East, 104.64 feet to a point, being on the western line of said Canal;

North 17°01'46" East, 23.86 feet to a point, being on the western line of said Canal;

Thence easterly through said canal and along a southern line of said 27.562 acre tract, South 84°45'10" East, 229.15 feet to a set iron pin, passing a found $\frac{3}{4}$ " pipe at 91.92 feet at the eastern line of said canal, being a southwest corner of said 27.562 acre tract;

Thence southerly along a western line of said 27.562 acre tract, South 03°29'50" West, 146.75 feet to a found 1" pipe, being a southwest corner of said 27.562 acre tract;

Thence easterly along a southern line of said 27.562 acre tract, South 85°24'43" East, 1208.64 feet to the True Point of Beginning, passing a set iron pin at 1168.53 feet, containing 13.261 acres of land, more or less, of which 0.089 acres are occupied by the ROW of High Street, and 1.295 acres occupied by the ROW of the Columbus Feeder of the Ohio & Erie Canal;

All iron pins set are #5 rebar 30 inches long with yellow I.D. cap labeled "PECK S-8324".

Basis of Bearings for the above legal description are based upon Franklin County Monument FCGS 5210 to Franklin County Monument FCGS 5558 being South 03°49'13" West.

SECTION 2. For the Property stated in Section 1, that the Director of Development is authorized to enter into a sales agreement with Scioto River Team, LLC, to sell the Property and to execute any agreements, documents, deed restriction, or mortgage to ensure compliance with land bank program rules and the submitted application and to release such restriction or mortgage upon compliance. Sale of the property by the City is conditioned on the Property being rezoned to the L-M District.

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 hereby approves the same.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.