



Legislation Details (With Text)

File #: 0187-2007 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 1/30/2007 **In control:** Development Committee

On agenda: 5/14/2007 **Final action:** 5/15/2007

Title: To authorize and direct the Clerk of Council to execute and sign a petition on behalf of the City of Columbus to be presented to the Board of County Commissioners of Franklin County, Ohio by Tremont Club, LLC to create a new authority under Ohio Revised Code Chapter 349 for the benefit of the Hilliard City School District and the City of Hilliard and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0187-2007 Exhibit A Tremont Club New Community District Petition.pdf

Date	Ver.	Action By	Action	Result
5/15/2007	2	MAYOR	Signed	
5/15/2007	2	CITY CLERK	Attest	
5/14/2007	1	Columbus City Council	Taken from the Table	Pass
5/14/2007	2	Columbus City Council	Amended to Emergency	Pass
5/14/2007	2	Columbus City Council	Approved as Amended	Pass
5/14/2007	2	COUNCIL PRESIDENT	Signed	
4/9/2007	1	Columbus City Council	Tabled Indefinitely	Pass
4/2/2007	1	Columbus City Council	Read for the First Time	
3/8/2007	1	CITY ATTORNEY	Reviewed and Approved	
3/8/2007	1	Dev Drafter	Sent to Clerk's Office for Council	
3/5/2007	1	Dev Drafter	Sent for Approval	
2/20/2007	1	Dev Drafter	Sent for Approval	
2/5/2007	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
1/30/2007	1	Dev Drafter	Sent for Approval	

BACKGROUND: Tremont Club LLC, as owner of approximately 51 acres in the City of Hilliard, Franklin County, Ohio (the "Developer"), has requested the City of Columbus, Ohio to execute and sign a petition to be presented to the Board of County Commissioners of Franklin County, Ohio to create a new community authority under the provisions of Ohio Revised Code Chapter 349 for the benefit of the Hilliard City School District and the City of Hilliard. The other jurisdictions or entities included within the proposed district or affected by such proposal have evidenced their approval of the creation of such new community authority, which entities include the City Council of the City of Hilliard. The City of Columbus is a "proximate city" under Ohio Revised Code Chapter 349 as the largest city in the county and the City's approval for the creation of such authority is required in order to proceed.

Preparatory to the creation of such new community authority under Ohio Revised Code Chapter 349, the Developer must prepare and file with the Recorder of Franklin County, Ohio a Declaration of Covenants and Restrictions for The Tremont Club Community Authority which sets forth real estate covenants, restrictions, community development, fees and obligations. The Developer will file such Declaration following approval by the Franklin County Board of Commissioners. A proposed petition in its entirety has been

presented to the City of Columbus, and explanation of the proposed new community authority has been made to City officers by the Developer and the Developer's counsel, and such proposed petition is on file with the Clerk of Council.

FISCAL IMPACT: No funding is required for this legislation.

To authorize and direct the Clerk of Council to execute and sign a petition on behalf of the City of Columbus to be presented to the Board of County Commissioners of Franklin County, Ohio by Tremont Club, LLC to create a new authority under Ohio Revised Code Chapter 349 for the benefit of the Hilliard City School District and the City of Hilliard **and to declare an emergency.**

WHEREAS, Tremont Club, LLC, as owner of approximately 51 acres in the City of Hilliard, Franklin County, Ohio (the "Developer"), has requested the City of Columbus, Ohio to execute and sign a petition to be presented to the Board of County Commissioners of Franklin County, Ohio to create a new community authority under the provisions of Ohio Revised Code Chapter 349 for the benefit of the Hilliard City School District and the City of Hilliard; and

WHEREAS, the other jurisdictions or entities included within the proposed district or affected by such proposal have evidenced their approval of the creation of such new community authority, which entities include the City Council of the City of Hilliard; and

WHEREAS, the City of Columbus is a "proximate city" under Ohio Revised Code Chapter 349 as the largest city in the county and the City's approval for the creation of such authority is required in order to proceed; and

WHEREAS, preparatory to the creation of such new community authority under Ohio Revised Code Chapter 349, the Developer must prepare and file with the Recorder of Franklin County, Ohio a Declaration of Covenants and Restrictions for The Tremont Club Community Authority which sets forth real estate covenants, restrictions, community development, fees and obligations; and

WHEREAS, the Developer will file such Declaration following approval by the Franklin County Board of Commissioners; and

WHEREAS, a proposed petition in its entirety has been presented to the City of Columbus, and explanation of the proposed new community authority has been made to City officers by the Developer and the Developer's counsel, and such proposed petition is on file with the Clerk of Council; **and NOW, THEREFORE,**

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to pass this ordinance as an emergency measure because of the need to allow the City Clerk to sign the petitions immediately so the petitions can be forwarded to the County Commissioners for review; for the preservation of the public health, peace, property, safety, and welfare; now therefore

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

Section 1. That the Clerk of Council, Andrea Blevins, be and hereby is authorized to execute and sign on behalf of the City of Columbus and the Columbus City Council a petition of the Developer, a proposed draft copy which is on file with the Clerk of Council, to be presented to the Board of County Commissioners of Franklin County, Ohio pursuant to Ohio Revised Code Chapter 349 to create a new community authority for the benefit of the Hilliard City School District and the City of Hilliard, thereby indicating the approval of the City and its legislative authority for the creation and establishment of such authority based upon the conditions and restrictions stated in this Ordinance. The Clerk of Council is also authorized to execute and sign a petition that is substantially identical to Exhibit A where any changes are minor, technical, or requested by the City, and the City Attorney approves such changes, omissions, or additions as non-substantive.

Section 2. That this Ordinance has been passed, and all formal actions and deliberations taken, in a meeting open to the public.

Section 3. That the City's approval incorporates by references within this Ordinance the petition, the petition's exhibits, and the declaration of covenants and restrictions publicly filed and referred to above.

Section 4. That this Ordinance shall be in effect from and after the earliest period allowed by law. **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.