



Legislation Details (With Text)

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On agenda: 10/28/2013 **Final action:** 10/30/2013

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 (2445 Cleveland Ave.) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
10/30/2013	1	CITY CLERK	Attest	
10/29/2013	1	MAYOR	Signed	
10/28/2013	1	COUNCIL PRESIDENT	Signed	
10/28/2013	1	Columbus City Council	Approved	Pass

BACKGROUND: One parcel currently held in the Land Bank has been 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 the real property. This legislation authorizes transfer of one parcel located at 2445 Cleveland Avenue (010-059355) to Trevis Baxam, who will rehabilitate the existing commercial structure to be maintained for commercial use. The parcel will be transferred by deed recorded in the Official Records of the Franklin County Recorder's Office.

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.

EMERGENCY JUSTIFICATION: Emergency action is requested to expedite the transfer in order to reduce Land Bank maintenance costs.

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 (2445 Cleveland Ave.) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

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, a proposal for the sale of the property which was acquired pursuant to Ohio Revised Code Section 5722.03 meets the Land Reutilization Program's Disposition Policies and Guiding Principles and has been approved by the Land Redevelopment Office Administrator; and

WHEREAS, in conformity with Ohio Revised Code Section 5722.07, the property will be sold at not less than fair market value, defined as the appraised value of the nonproductive land made with reference to any redevelopment and reutilization restrictions as may be imposed by the electing subdivision as a condition of sale or as may otherwise be applicable to such; therefore, competitive bidding is not required; 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

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 parcel of real estate to expedite the transfer in order to reduce Land Bank maintenance costs, 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 to the following parcel of real estate to Trevis Baxam:

PARCEL NUMBER: 010-059355
ADDRESS: 2445 Cleveland Avenue, Columbus, OH 43211
PRICE: \$11,500 plus a \$38.00 recording fee
USE: Commercial

Situated in the County of Franklin, in the State of Ohio and in the City of Columbus:

First Parcel: Being Lot Number One Hundred Thirteen (113) WALDON SUBDIVISION, as the said lot is numbered and delineated upon the recorded plat thereof, in Plat Book 5, page 416, Recorder's Office, Franklin County, Ohio, excepting therefrom the following described real estate conveyed by Harry Fleckner, and Louise Fleckner to Clarence H. Ballenger on May 23, 1922.

Beginning at the Northeast corner of said Lot No. 113; thence westerly along the North line of said lot a distance of 47 feet to a point; thence Southerly and parallel with the West line of said Lot No. 113; 12 inches to a point; thence Easterly and parallel with the North line of said Lot No. 113, to a point in the East line of said Lot No. 113; thence Northerly along said East line to the place of Beginning.

Also excepting the following described real estate conveyed to Harry Fleckner, and Louise Fleckner to Clarence H. Ballenger on July 27, 1922.

Beginning at the Southwest corner of a strip of ground out of the Northeast corner of said lot, deceded to Harry Fleckner, and Louise Fleckner, under date of May 3, 1922, (Which beginning point is determined by running a line from the Northeast corner of said Lot No. 113, 47 feet Westerly on the North line of said lot and then running a line from that point Southerly parallel with the West line of said lot a distance of 12 inches); thence Southerly parallel with the West line of said Lot No. 113, 2 inches to a point; thence Easterly and parallel with the North line of said Lot No. 113; thence Northerly along the East line of said lot to the Southeast corner of said strip above referred to; thence Westerly and

parallel with the North line of said Lot No. 113 to the place of beginning.

Second Parcel: Being part of Lot No. 112 of WALDON SUBDIVISION in the City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, page 416, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at the Southwest Corner of said Lot No. 112; thence Easterly along the South line of said Lot No. 112, 88.92 feet to a point; thence Northerly and parallel with the West line of said Lots no. 112, 5 inches to a point; thence Westerly and parallel with the South line of said Lot No. 112, 88.92 feet to a point in the West line of said Lot No. 112; thence Southerly along said West line 5 inches to the place of beginning.

Section 2. For the property stated in Section 1, that the Director of Development is hereby authorized to execute any agreement, 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.

Section 3. That for good cause shown, Section 329.29 of the Columbus City Codes, 1959, is hereby waived.

Section 4. 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 5. 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.