



## Legislation Details (With Text)

**File #:** 1003-2022      **Version:** 1

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

**File created:** 3/30/2022      **In control:** Finance Committee

**On agenda:** 4/18/2022      **Final action:** 4/20/2022

**Title:** To authorize the Director of Finance and Management, on behalf of the Department of Public Utilities, to execute those documents necessary to enter into a Fourth Amendment to Agreement for Lease of Real Property for Agricultural Purposes; and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
4/20/2022	1	CITY CLERK	Attest	
4/19/2022	1	ACTING MAYOR	Signed	
4/18/2022	1	COUNCIL PRESIDENT	Signed	
4/18/2022	1	Columbus City Council	Approved	Pass

**Background:** On behalf of the Department of Public Utilities, the Real Estate Management Office leases farmland located in Delaware County and surrounding the upground reservoir. The Agreement for Lease of Real Property for Agricultural Purposes effective December 1, 2016 has been amended three times, twice to increase the farm acreage (First and Second Amendments) and once to assign the Lease from Lowell Thomas Taylor to his son Zachary Lincoln Taylor (Third Amendment) as authorized by City Council Ordinance 2772-2021. In January 2022, Zachary Lincoln Taylor passed away leaving the family farming operations to his widow, Stephanie Lynn Taylor. A Fourth Amendment to the Agreement for Lease of Real Property for Agricultural Purposes is necessary to assign the lease agreement to Stephanie Lynn Taylor as Tenant.

This legislation authorizes the Director of Finance and Management, on behalf of the Department of Public Utilities, to execute those documents necessary to assign the existing lease and recognize Stephanie Lynn Taylor as Tenant and enter into a Fourth Amendment to Agreement for Lease of Real Property for Agricultural Purposes of that certain Agreement for Lease of Real Property for Agricultural Purposes, effective December 1, 2016, as amended by the First Amendment to Agreement for Lease of Real Property for Agricultural Purposes, effective December 1, 2020, as further amended by the Second Amendment to Agreement for Lease of Real Property for Agricultural Purposes, effective December 1, 2020, and as further amended by the Third Amendment to Agreement for Lease of Real Property for Agricultural Purposes effective December 1, 2021, All other terms, conditions, and provisions of the Agreement for Lease of Real Property for Agricultural Purposes will remain unchanged and in full force and effect.

**Fiscal Impact:** None

**Emergency Action:** This legislation is presented as emergency measure to allow for immediate modification of the Lease to be effective as soon as possible so that farming of the property can continue uninterrupted for the 2022 farming season.

To authorize the Director of Finance and Management, on behalf of the Department of Public Utilities, to execute those

documents necessary to enter into a Fourth Amendment to Agreement for Lease of Real Property for Agricultural Purposes; and to declare an emergency.

**WHEREAS**, the Department of Finance and Management, through its Real Estate Management Office, leases vacant land in Delaware County on behalf of the Department of Public Utilities for farming purposes; and

**WHEREAS**, the existing Agreement for Lease of Real Property for Agricultural Purposes requires a transfer of tenancy from Zachary Lincoln Taylor to Stephanie Lynn Taylor; and

**WHEREAS**, an emergency exists in the usual daily operation of the City in that it is immediately necessary to authorize the Director of the Department of Finance and Management, on behalf of the City, to execute those documents necessary to enter into a Fourth Amendment for Lease of Real Property for Agricultural Purposes in order to assign tenancy to Stephanie Lynn Taylor at the earliest possible date to allow farming of the leased acreage to continue uninterrupted for the 2022 farming season and 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 Finance and Management be, and hereby is, authorized to execute those documents necessary, as prepared and approved by the Department of Law, Division of Real Estate, to enter into a Fourth Amendment to Agreement for Lease of Real Property for Agricultural Purposes by and between the City of Columbus and Stephanie Lynn Taylor.

**SECTION 2.** That the City Auditor is authorized to make any accounting changes necessary to ensure that this lease is properly accounted for and recorded accurately on the City's financial records.

**SECTION 3.** That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared an emergency measure and shall take effect and be in force from and after passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes the same.