



## Legislation Details (With Text)

**File #:** 2349-2013      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 9/27/2013      **In control:** Development Committee  
**On agenda:** 10/21/2013      **Final action:** 10/23/2013  
**Title:** To provide duly authorized consent satisfying Ohio Revised Code 5709.911 (B)(1) allowing a subsequent exemption to be granted in the Albany Crossing TIF District so that the City may be 100% exempt from taxation and service payments for donated parcels of parkland; and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD2349-2013 Exhibit A Map

Date	Ver.	Action By	Action	Result
10/23/2013	1	CITY CLERK	Attest	
10/22/2013	1	MAYOR	Signed	
10/21/2013	1	COUNCIL PRESIDENT	Signed	
10/21/2013	1	Columbus City Council	Approved	Pass

**Background:** The Columbus City Council passed Ordinance 2117-2005 on December 14, 2005 establishing ten tax increment financing districts, one of which is known as the Albany Crossing TIF District (TIF District) benefiting parcels near Warner Road and Central College Road pursuant to Section 5709.40(C) of the Ohio Revised Code. The property owner, Dominion Homes, Inc. filed exemption applications for all parcels in the TIF District and exemptions were granted by the Ohio Department of Taxation by DTE case number ME-4715 and DTE case number ME-4719. Subsequently, Dominion Homes, Inc. donated two parcels numbered 010-290557 and 010-290558 within the TIF District, to the City of Columbus for parkland. The City of Columbus desires to file an application to exempt the donated parcels under Section 5709.08, of the Ohio Revised Code, public purpose. However, under Ohio Revised Code 5709.911, if the owner of the property files the exemption application, and if more than one real property tax exemption applies by law to the property or a portion of the property, no other exemption shall be granted for the portion already exempt under 5709.40 of the Ohio Revised Code unless the municipality that enacted the authorizing ordinance for the earlier exemption provides its duly authorized written consent to the subsequent exemption by means of an ordinance or resolution satisfying the provisions of Ohio Revised Code 5709.911(B)(1). This Ordinance will provide duly authorized written consent to the subsequent exemption.

**Fiscal Impact:** No City funding is required for this legislation.

To provide duly authorized consent satisfying Ohio Revised Code 5709.911 (B)(1) allowing a subsequent exemption to be granted in the Albany Crossing TIF District so that the City may be 100% exempt from taxation and service payments for donated parcels of parkland; and to declare an emergency.

**WHEREAS**, Sections 5709.40 (C), 5709.42 and 5709.43 of the Ohio Revised Code authorize this Council, by ordinance, to declare the improvement to certain parcels of real property located within the corporate boundaries of the City of Columbus, Ohio (the “City”), to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, and specify public infrastructure improvements made, to be made or in the process of being made that directly benefit, or that once made will directly benefit, those parcels; and

**WHEREAS**, pursuant to Ordinance 2117-2005 on December 14, 2005 (the “TIF Ordinance”), this Council created ten tax increment financing districts, one of which is known as the Albany Crossing TIF District (the “TIF District”) benefiting parcels near Warner Road and Central College Road pursuant to Section 5709.40(C) of the Ohio Revised Code. (Exhibit A Map); and

**WHEREAS**, the property owner, Dominion Homes, Inc. filed an exemption application for all parcels in the TIF District and exemptions were granted by the Ohio Department of Taxation by DTE case number ME-4715 and DTE case number ME-4719; and

**WHEREAS**, Dominion Homes, Inc. subsequently donated two parcels numbered 010-290557 and 010-290558 within the TIF District, to the City for parkland; and

**WHEREAS**, the City desires to file an application to exempt those parcels numbered 010-290557 and 010-290558, under Section 5709.08, of the Ohio Revised Code, public purpose; and

**WHEREAS**, under to Ohio Revised Code 5709.911, if the owner of the property files the exemption application, and if more than one real property tax exemption applies by law to the property or a portion of the property, no other exemption shall be granted for the portion already exempt under 5709.40 of the Ohio Revised Code unless the municipality that enacted the authorizing ordinance for the earlier exemption provides its duly authorized written consent to the subsequent exemption by means of an ordinance or resolution satisfying the provisions of Ohio Revised Code 5709.911(B)(1); and

**WHEREAS**, to satisfy the provisions of Ohio Revised Code 5709.911 (B)(1), the City being the municipal corporation that enacted the authorizing ordinance for the earlier exemption, desires to provide duly authorized written consent to the subsequent exemption allowing the City to be 100% exempt from taxation and service payments; and

**WHEREAS**, an emergency exists in that this Ordinance is required to be immediately effective in order to facilitate the consent of the subsequent exemption, such immediate action being necessary for the preservation of the public health, peace, property and safety; **NOW, THEREFORE**,

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

**Section 1.** That the Director of Development, for and in the name of the City, is hereby authorized to provide its duly authorized written consent to the subsequent exemption by means of this Ordinance satisfying the provisions of Ohio Revised Code 5709.911(B)(1) for two parcels numbered 010-290557 and 010-290558 within the Albany Crossing TIF District, donated to the City of Columbus for parkland.

**Section 2.** 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 the passage if the Mayor neither approves nor vetoes the same.