



Legislation Text

File #: 0347-2015, **Version:** 1

BACKGROUND: This legislation will authorize the Director of the Department of Development to enter into an option agreement or sales contract, and execute all agreements and deeds for the conveyance of 29 parcels currently held in the Land Bank. The parcels will be conveyed to Columbus Housing Partnership DBA Homeport, and/or Central Ohio Housing Development Organization, and/or Third Avenue Homes LLC. The sites are a part of a proposed scattered site housing project in the Milo-Grogan neighborhood. The Developer intends to use the Land Bank properties to apply for 2015 Low Income Housing Tax Credits.

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 enable the City to immediately enter into the necessary agreements allowing the buyer to meet the application deadlines established by the Ohio Housing Finance Agency, which is required to complete the development of the lease-to-own project.

To authorize the Director of the Department of Development to enter into an option agreement or agreements as needed to sell and transfer by quitclaim deed 29 parcels, located in the Milo-Grogan area to Columbus Housing Partnership DBA Homeport, and/or Central Ohio Housing Development Organization, and/or Third Avenue Homes LLC; and to declare an emergency.

WHEREAS, the Department of Development desires to sell and transfer 30 parcels and allow the Developer to make application for 2015 Low Income Housing Tax Credits; and

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 5722.06 and 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 enable the City to enter into the necessary agreements allowing the buyer to meet the application deadlines established by the Ohio Housing Finance Agency, which is required to complete the development of the lease-to-own project, 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 those documents on behalf of the City of Columbus, as approved by the Department of Law, Division of Real Estate, necessary to enter into a contract for the sale of the following described property, and to execute a quitclaim deed and any ancillary documents as may be necessary to transfer title thereto;

Parcel 1:

0000 Peters Avenue

Parcel No. 010-002808

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

Being Lot Number Lot Number One Hundred Eighty (180) of Sarah A. Shoemaker's Heirs Subdivision to said City of Columbus, as the same is numbered and delineated upon the plat thereof in Plat Book 6, Page 17A, Recorder's Office, Franklin County, Ohio.

Parcel 2:

1023 Leona Ave

Parcel No. 010-003327

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

Being Lot Number One Hundred Fifty-eight (158) of Theodore Weyant Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, Page 194, Recorder's Office, Franklin County, Ohio.

Parcel 3:

1027-1029 N Howard St

Parcel No. 010-015846

Situated in the State of Ohio, County of Franklin, and in the City of Columbus, and being described as follows:

Being Lot Number Sixty-Five (65), of Bidleman's Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 8, Page 14-A, Recorder's Office, Franklin County Ohio.

Parcel 4:

1057 St. Clair Ave

Parcel No. 010-053492

Situated in the County of Franklin in the State of Ohio and in the City of Columbus and bounded and described as follows:

Being Lot Number Nine (9) in J.E. Peter's Subdivision of Lot 10 of Henry Shoemaker's Heirs Subdivision of a part of Lots 2 and 3 of Stevenson's Heirs Subdivision of Quarter Township 4, Township No. 1, Range 18, U.S. Military Lands as said Lot No. 9 is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, Page 9, Recorder's Office, Franklin County, Ohio.

Parcel 5:

1059 St. Clair Ave

Parcel No. 010-026111

Situated in the County of Franklin, in the State of Ohio and in the City of Columbus and bounded and described as follows:

Lot Number Eight of the J.H. Peters Subdivision as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, Page 9 at the Franklin County, Ohio Recorder's Office.

Parcel 6:

1072 Olmstead Ave

Parcel No. 010-005885

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

Being Lot Number One Hundred Nine (109) of Theodore Weyant Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, page 197, Recorder's Office, Franklin County, Ohio.

Parcel 7:

1107 Walters St

Parcel No. 010-026240

Situated in the County of Franklin, in the State of Ohio, and in the City of Columbus and bounded and described as follows,

Being Lot Number Twenty-One (21) of John Short's Pan Handle Addition to the City of Columbus, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, Page 9, Recorder's Office, Franklin County Ohio.

Parcel 8:

1125 St. Clair Ave

Parcel No. 010-046441

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

Being Lot Number Two Hundred Twenty-four (224) of Sarah A. Shoemaker's Heirs Subdivision of lands in Clinton Township, Franklin County, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 6, page 17-A, Recorder's Office, Franklin County, Ohio.

Parcel 9:

1180 Walters St

Parcel No. 010-046472

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

Being Lot Number One Hundred Thirty (130) of Shoemaker's Heirs' Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 6, Page 17A, Recorder's Office, Franklin County, Ohio.

Parcel 10:

475 E 2nd Ave

Parcel No. 010-010769

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

Being Lot Number Seventy-Seven (77) in Terrace View Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 250, Recorder's Office, Franklin County, Ohio.

Parcel 11:

589 E 2nd Ave

Parcel No. 010-027493

Situated in the County of Franklin, in the State of Ohio, and in the City of Columbus, and bounded and described as follows:

Being Lot Number Twenty Eight (28) of J.F. Linton's Highland Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 92, Recorder's Office, Franklin County, Ohio.

Parcel 12:

590 E Reynolds Ave

Parcel No. 010-001747

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

Being Lots No. 18 and 19 of Engelwood Addition as the same are shown of record in Plat Book 4, page 333, Franklin County Recorder's Office.

Parcel 13:

613 E Starr Ave

Parcel No. 010-034741

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

Being Lot Number Ninety-Two (92) of J.F. Linton's Highland Addition, to the City of Columbus, Ohio, as the same is numbered and delineated upon, the recorded plat thereof, of record in Plat Book 4, page 92, Recorder's Office, Franklin County, Ohio.

Parcel 14:

617 E Gibbard Ave

Parcel No. 010-047999

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

Being Lot Number Thirty-Two (32), in Solomon J. Wooley's Second Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 190, Recorder's Office, Franklin County, Ohio.

Parcel 15:

620 E 3rd Ave

Parcel No. 010-028658

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

Being Lots Number Forty-four (44) and Forty-five (45) of Solomon J. Wooley's Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, pages 190 and 193, Recorder's Office, Franklin County, Ohio.

Parcel 16:

621 E Gibbard Ave

Parcel No. 010-044139

Situated in the State of Ohio, County of Franklin, City of Columbus and bounded and described as follows:

Being Lot Number Thirty-Three (33) of Solomon Wooley 2nd Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 190, Recorder's Office, Franklin County, Ohio.

Parcel 17:

661 E 2nd Ave

Parcel No. 010-009883

Situated in the State of Ohio, County of Franklin, and in the City of Columbus and being described as follows:

Being Eleven and Eight-Twelfths (11 8/12) feet off the East side of Lot Number Forty-two (42) and Eleven and Eight-Twelfths (11 8/12) feet off of the West side of Lot Number Forty-three (43) of J.F. Linton's Highland Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 92, Recorder's Office, Franklin County, Ohio. Excepting Therefrom a strip Four (4) inches wide off of the East side thereof.

Parcel 18:

666 E Gibbard Ave

Parcel No. 010-042079

Situated in the County of Franklin, State of Ohio and in the City of Columbus, and is further bounded and described as follows:

Being Lot Number Sixty-one (61) of Wooley's Reserve Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, Page 188, Recorder's Office, Franklin County, Ohio.

Parcel 19:

669 E 3rd Ave

Parcel No. 010-014462

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

Being Lot No. Ninety-Four (94) in Solomon J. Wooley's Second Addition to the City of Columbus, as the same is designated and delineated on the Plat thereof, of Record in Plat Book 4, Page 190, Recorder's Office, Franklin County, Ohio.

Parcel 20:

758 E Gibbard Ave

Parcel No. 010-026874

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

Being parts of Lots Seventy-seven (77), Seventy-eight (78) and Seventy-nine (79) of Bidleman's Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 8, page 14A, Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning 64 feet east of the southwest corner of Lot 79; thence east along the south lot line of Lot 79, 35 feet to a point in the south lot line of Lot 79; thence North parallel with Howard Street to a point in the north lot line of Lot 77; thence west along the north line lot line of Lot 77, 35 feet to a stake in the north lot line of Lot 77; thence South to the south line lot line of Lot 79 to the place of beginning.

Parcel 21:

758 - 760 E 2nd Ave

Parcel No. 010-055131

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

Being Four feet off the West side of Lot Number Three Hundred Thirty-Nine (339) and Twenty Nine Feet off of the East side of Lot Number Three Hundred Forty (340) of Bidleman's Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 8, Page 14A, Recorder's Office, Franklin County, Ohio.

Parcel 22:

769 E Reynolds Ave

Parcel No. 010-043508

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

Being Lots Number Seventy-Two (72) in Englewood Addition to the City of Columbus, as the same is numbered and delineated upon the recorded plat thereof of record in Plat Book 4, Page 33, Recorder's Office, Franklin County, Ohio.

Parcel 23:

822 E Gibbard Ave

Parcel No. 010-062186

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

Being Lot Number One Hundred Twenty-nine (129) of The Bidleman's Subdivision to the City of Columbus, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 8, Page 14-A, Recorder's Office, Franklin County, Ohio.

Parcel 24:

826 E Gibbard Ave

Parcel No. 010-013875

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

Being Lot Number One Hundred Twenty-eight (128) of Bidleman's Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 8, Page 14-A, Recorder's Office, Franklin County, Ohio.

Parcel 25:

853 E Gibbard Ave

Parcel No. 010-054932

Situated in the State of Ohio, County of Franklin, and in the City of Columbus and being described as follows:

Being Lot Number One Hundred Sixty-four (164) of Bidleman's Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 8, page 14A, Recorder's Office, Franklin County, Ohio.

Parcel 26:

871 E 3rd Ave

Parcel No. 010-006560

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

Being Lots Numbers Two Hundred Forty (240) and Two Hundred Thirty-Nine (239) of Bidleman's Subdivision, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 8, Page 14-A, Recorder's Office, Franklin County, Ohio.

Parcel 27:

919 Camden Ave

Parcel No. 010-028484

Situated in the County of Franklin in the State of Ohio and in the City of Columbus and bounded and described as follows:

Being Ten (10) feet off of the East side of Lot No. Twenty-four (24) and Twenty (20) feet off of the West side of Lot No. Twenty-five (25) of Carrie M. Tibbett's Fairview Subdivision, being a subdivision of 10 acres of land in the Fourth Quarter of Township One (1), Range 18, U.S.M. Lands, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 4, Page 118, Recorder's Office, Franklin County, Ohio.

Parcel 28:

971 N Howard St

Parcel No. 010-020560

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

And known as being Lot Number 76 of Bidleman's Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 8, Page 14-A, Recorder's Office, Franklin County, Ohio.

Excepting Therefrom the Following:

And known as being part of Lot 76 of the Bidleman's Subdivision as recorded in Plat Book 8, Page 14-A, at Franklin County Recorder's Office, and being more particularly described as follows:

Beginning at a point which is the Southwest Corner of Lot 76 and the Northwest Corner of Lot 77; thence in a Northerly direction along the West line of Lot 76 and the East line of alley a distance of 34 feet to a point, said point being the Northwest corner of Lot 76 and the Southwest corner of Lot 75; thence in an Easterly direction along the North line of Lot 76 and the South line of Lot 75 a distance of 23.05 feet to a point; thence in a Southerly direction along the right-of-way line of the North freeway expressway project which is on file at the office of the Franklin County Engineer, Columbus, Ohio, to a point on the South line of Lot 76 and the North line of Lot 77; thence, in a Westerly direction along the South line of Lot 76 and the North line of Lot 77, a distance of 30 feet to the place of beginning, containing 902 square feet, more or less.

Also Excepting the Following:

Situated in the City of Columbus, County of Franklin, State of Ohio, Township 5, Range 22, Fractional Sections 4 and 9, Refugee Lands; and being a parcel of land lying on the Left side of the Centerline of a survey, made for the Ohio Department of Transportation, and recorded in Book____, Page____, of the Records of Franklin County and being more particularly described as follows:

Beginning for reference, at the Southeast corner of Lot Number 76 of Bidleman's Subdivision as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, Page 14-A, Recorder's Office, Franklin County, Ohio, said corner being 149.54 feet Left of Station 73+72.83 in the centerline survey of Ramp D;

Thence along the Grantor's Southerly property line, the Southerly line of Lot Number 76, North 86 deg. 17' 19" West a distance of 102.16 feet to a point in the proposed right of way line for Alley Relocation No. 2, said point being 48.23 feet Left of Station 73+59.42 in the centerline survey of Ramp D and being the true place of beginning;

Thence along the Grantor's Southerly line, North 86 deg. 17' 19" West a distance of 1.66 feet to the Grantor's Southwest corner and a point in the Easterly right-of-way line of a variable width alley, said corner being 46.59 feet Left of Station 73+59.20 in the centerline survey of Ramp D;

Thence along the Grantor's Westerly line and said right-of-way line, North 7 deg. 34' 46" West a distance of 34.67 feet to the Grantor's Northwest corner, said corner being 44.10 feet Left of Station 73+24.35 in the centerline survey of Ramp D;

Thence along the Grantor's Northerly line, the North line of Lot Number 76, South 86 deg. 17' 19" East a distance of 4.30 feet to a point in the proposed right-of-way line for Alley Relocation No. 2, said point of being 48.36 feet Left of Station 73+24.87 in the centerline survey of Ramp D;

Thence along said proposed right-of-way line South 3 deg. 14' 38" East a distance of 34.25 feet to a point in the Grantor's Southerly line, said point being the true place of beginning and containing 101.00 square feet. Be the same more or less, but subject to all legal highways.

Parcel 29:

N 9th St

Parcel No. 010-129673

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

Being part of Lot Number Fifty-eight (58) and a part of Lot Number Fifty-nine (59) of M. Kingry's Heir's Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 7, page 47, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at a point in the East line of Lot No. 58, said point being 77 feet north of an iron peg at the Southeast corner of said Lot Number 58; thence, westerly parallel with the South line of Lot 58 and 59, 55 feet to a point in the West line of Lot Number 59; thence northerly along the West line of said Lot Number 59, 34 feet 10 inches to a point;

Thence easterly parallel with the South line of Lots Numbers 58 and 59, 55 feet to a point in the East line of Lot Number 58;

Thence southerly along the East line of Lot Number 58, 34 feet 10 inches to the place of beginning; together with the rights and subject to the burden of easements shown in Deed Book 2363, page 524 and the Recorder's Office, Franklin County, Ohio, granted and reserved of other and future owners of parts of Lots 58 and 59 through and over said premises for pipes for water, gas and sewer and for electric and telephone wire sufficient to serve four dwellings on the whole of said Lots 58 and 59; and subject also to all other easements, restrictions reservations and conditions, if any, of record pertaining to said lots and subject also to all zoning ordinances and other governmental violations affecting the use thereof.

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. For good cause shown, the provisions of City Code Chapter 329 relating to the sale of city-owned realty are 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.