



## Legislation Text

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**File #:** 0785-2015, **Version:** 1

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**BACKGROUND:** Authorization is needed for the Director of the Department of Development to enter into an option agreement or sales contract to sell and transfer 21 parcels to Hilltop Homes II, LLC, a subsidiary of Columbus Housing Partnership, located within the Hilltop. Ordinance 0163-2014 passed February 6, 2014 authorized the conveyance of 13 parcels. Six of which will be used for the project. The sites are a part of a 40-unit scattered site, lease-to-own single-family project. Hilltop Homes II, LLC will develop in partnership with Homes on the Hill Community Development Corporation. The project will include both new construction and renovation of existing residential homes and is contingent on the allocation of 2014 Low Income Housing Tax Credits. This legislation authorizes the Director of Development to enter into the necessary option agreement or agreements as needed to sell and transfer of the property.

**FISCAL IMPACT:** 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 execute those documents on behalf of the City of Columbus necessary to sell and transfer by quitclaim deed 21 Land Bank parcels located in the Hilltop Neighborhood to Hilltop Homes II, LLC, a subsidiary of Columbus Housing Partnership for the Hilltop Homes II Project; and to declare an emergency.

**WHEREAS,** ordinance 1860-2008 adopted the City's Neighborhood Stabilization Program, authorized the filing of the City's Neighborhood Stabilization Program application with the United States Department of Housing and Urban Development, and made a substantial amendment to the Consolidated Plan's 2008 Action Plan; and

**WHEREAS,** ordinances 0234-2009 and 0136-2009 authorized the Director of the Department of Development's to expend funds and acquire properties under the Neighborhood Stabilization Program; 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 sell and transfer 21 Land Bank parcels, located in the Hilltop Neighborhood to Hilltop Homes II, LLC, a subsidiary of Columbus Housing Partnership, for the Hilltop Homes II Project for the following described property, and to execute a quitclaim deed and any ancillary documents as may be necessary to transfer title thereto;

**(1) 010-008981 269 Harris Ave. \$1.00**

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

Being Lot Number Six Hundred Seventy-Two (672), in Wicklow Extension Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, Pages 65 Recorder's Office, Franklin County, Ohio.

**(2) 010-025488 122 S. Highland Ave. \$2,740.00**

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

Being Lot Number Three (3) of David L. Davies' Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 170, Recorder's Office, Franklin County, Ohio.

**(3) 010-030594 177 Highland Ave. \$2,130.00**

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

Being Lot Number Nineteen (19) of Joseph P. Ongs Maple Grove Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 142, Recorder's Office, Franklin County, Ohio.

**(4) 010-067192 253-255 S. Highland Ave. \$3,600.00**

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

Being part of Lot Two Hundred Sixty-one (261) Arlington Subdivision as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 284, Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at an iron pin in the southeasterly corner of said Lot Two Hundred Sixty-one (261); thence Westerly along the southerly line of said Lot Two Hundred Sixty-one (261) a distance of 125.00 feet to an iron pin at the southwesterly corner of said Lot Two Hundred Sixty-one (261); thence Northerly along the westerly line of said Lot Two Hundred Sixty-one (261) a distance of 15.00 feet to an iron pin; thence Easterly parallel to the northerly line of said Lot Two Hundred Sixty-one (261) a distance of 612 feet to a point, passing through a garage wall at a distance of 62 feet and a distance of 24.4 feet; thence Southerly parallel to the easterly line of said Lot Two Hundred Sixty-one (261) a distance of 1.3 feet to a point; thence Easterly through a part wall and the projections thereof, a distance of 54.9 feet to a point; thence Northerly parallel to the easterly line of said Lot Two Hundred Sixty-one (261) a distance of 03 feet to a point; thence Easterly parallel to the northerly line of said Lot Two Hundred Sixty-one (261) a distance of 3.9 feet to an iron pin in the easterly line of said Lot Two Hundred Sixty-one (261) a distance of 15.00 feet to the place of beginning.

Being part of Lot Two Hundred Sixty-one (261) Arlington Subdivision as the same is numbered and delineated upon the recorded plat thereof, of record In Plat Book 4, Page 284, Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at an iron pin in the northeasterly corner of said Lot Two Hundred Sixty-one (261); thence Southerly along the easterly line of said Lot Two Hundred Sixty-one (261) a distance of 15.00 feet to an iron pin; thence Westerly parallel to the northerly line of said Lot Two Hundred Sixty-one (261) a distance of 8.9 feet to a point; thence Southerly parallel to the easterly line of said Lot Two hundred Sixty-one (261) a distance of 0.7 feet to a point; thence Westerly, through a part wall and the projections thereof, a distance of 54.9 feet to a point; thence Northerly parallel to the easterly line of said Lot Two Hundred Sixty-one (261) a distance of 1.3 feet to a point; thence Westerly parallel to the northerly line of said Lot Two Hundred Sixty-one (261) a distance of 61.2 feet to an iron pin in the westerly line of said Lot Two Hundred Sixty-one (261) passing through a garage wall at a distance of 36.8 feet and at a distance of 55.0 feet; thence Northerly along the westerly line of said Lot Two Hundred sixty- one (261) a distance of 15.00 feet to an iron pin at the northwesterly corner of said Lot Two Hundred Sixty-one (261); then Easterly along the northerly line of said Lot Two Hundred Sixty-one (261) distance of 125.00 feet to the place of beginning.

**(5) 010-009624 283 Highland Ave. \$1,280.00**

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

Being Lot Number Two Hundred Fifty Four (254) of Arlington's Subdivision as the same is numbered and delineated upon the recorded plat thereof of record in Plat Book 4, Page 284, Recorder's Office, Franklin County, Ohio.

**(6) 010-051234 295 S. Terrace Ave. \$1,550.00**

Situated in the County of Franklin in the State of Ohio and in the City of Columbus:  
Being Lot Number 242, in THORPE BROTHERS BRONX SUBDIVISION in said City of Columbus, Ohio as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 12, Page 31, Recorder's Office, Franklin County, Ohio.

**(7) 010-007400 211 S. Warren Ave. \$1,490.00**

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

Being Lot Number Four Hundred Forty-seven (447), in Wicklow Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Books, Page 412, Recorder's office, Franklin County Ohio

**(8) 010-045758 264-66 S. Warren Ave. \$1,720.00**

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

Being lot Number Three Hundred Eight (308) and North Half of Lot Number Three Hundred Nine (309) of Wicklow Addition to the City of Columbus, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, Page 412, Recorder's Office, Franklin County, Ohio.

**(9) 010-027852 000000 Wheatland Ave. \$1,280.00**

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

Being Lots Numbered One Hundred Sixty-one (161) and One Hundred Sixty-two (162% of W. S. Cappellar's Arlington Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 284, Recorder's Office, Franklin County, Ohio.

**(10) 010-030584 000000 Wheatland Ave. \$1,275.00**

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

Being Lot Number Two Hundred Five (205) in Arlington Subdivision as platted by W.S. Cappeller. of record in Plat Book 4, pages 284, 285, and 286, Recorder's Office, Franklin County Ohio.

**(11) 010-065044 239 Wheatland Ave. \$1,280.00**

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

Being Lots Numbered One Hundred Sixty-one (161) and One Hundred Sixty-two (162% of W. S. Cappellar's Arlington Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 284, Recorder's Office, Franklin County, Ohio.

**(12) 010-031789 00000 S Eureka Ave. \$1,259.00**

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

Being Lot Two Hundred Sixty (260) in Belleaire Extension Addition, to the City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 7, pages 236 and 237, Recorder's Office, Franklin County, Ohio.

**(13) 010-005244 121-123 S. Harris Ave. \$1,295.00**

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

Being Lot Number Seven Hundred Six (706) of Wicklow Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, page 65, Recorder's Office, Franklin County, Ohio.

**(14) 010-034366 00000 Plum St. \$1,280.00**

Situated in the State of Ohio, County of Franklin, and in the City of Columbus, and bounded and described as follows: Being Lot Number One Hundred Forty-seven (147) in Oakley Subdivision, West Side, Columbus, Ohio, as the same is

numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 4, Page 294-295, Recorder's Office, Franklin County, Ohio.

**(15) 010-007412      156 S. Terrace Ave.      \$1,420.00**

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

Being Lot Number Fifty (50) of Landscape Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, Page 320 and 321, Recorder's Office, Franklin County, Ohio.

**(16) 010-024390      232 S. Wheatland Ave. \$1,400.00**

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

Being Lot Number Fifty-Five, excepting a strip seventeen feet in width off the North side thereof, in Joseph P. Ong's Maple Grove Addition, to said City of Columbus, as said lot is numbered and delineated upon the recorded plat of said addition, of record in the Recorder's Office, Franklin County, Ohio, in Plat Book Number 4, Page 142.

**(17) 010-000399      189 S. Warren Ave.      \$1,150.00**

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

Being Lot Number Four Hundred Fifty-One (451), in Wicklow Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, Page 412, Recorder's Office, Franklin County, Ohio.

**(18) 010-056025      244 S. Wheatland Ave. \$1,280.00 (or \$5,900 if property is not demolished)**

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

Being Lot Number Two Hundred Thirteen (213) of William S. Cappeler's Arlington Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 284, Recorder's Office, Franklin County, Ohio.

**(19) 010-027773      2389 Plum St.      \$1,280.00**

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

Being Lot Number One Hundred Forty-seven (147) in Oakley Subdivision, West Side, Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 4, Page 294-295, Recorder's Office, Franklin County, Ohio.

**(20) 010-015872      274 S. Eureka Ave.      \$1.00**

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

Being Lot Number Two Hundred Fifty Nine (259) of Bellaire Extension Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, Pages 236 and 237, Recorder's Office, Franklin County, Ohio.

**(21) 010-032999      283 S. Midland Ave.      \$6,800.00**

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

Being Lot Number One Hundred Seventy (170) of Hayden and Price's Westwood Heights Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 426, Recorder's Office, Franklin County, Ohio.

**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, 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.