



Legislation Details (With Text)

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On agenda: 6/20/2016 **Final action:** 6/22/2016

Title: To formally accept certain real estate conveyed to the City that are being used for various public purposes; and to authorize the directors of the Departments of Public Utilities, Public Service, Finance and Management, Development, and Recreation and Parks to enter into any necessary agreements, as approved by the City Attorney's Office, in order to address any real estate tax or assessment issues. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/22/2016	1	CITY CLERK	Attest	
6/21/2016	1	ACTING MAYOR	Signed	
6/20/2016	1	COUNCIL PRESIDENT	Signed	
6/20/2016	1	Columbus City Council	Approved	Pass
6/6/2016	1	Columbus City Council	Read for the First Time	

BACKGROUND:

The City is required to authorize the acquisition and acceptance of any real estate conveyed to the City. Accordingly, it is periodically necessary for the City to formally accept certain real estate previously conveyed to the City (collectively, "Real Estate," which are further described in Sections One (1) and Two (2) of this ordinance), because the Real Estate was not the subject of any previous legislation authorizing the Real Estate's acquisition and acceptance.

The City is using the Real Estate for various public purposes, including but not limited to sewerage, drainage, water, electric, and other general utilities, pedestrian and vehicular traffic control, pedestrian and vehicular access and parking, parkland and conservation, landscaping, signs, ADA-compliant sidewalks, walkways, bikeways, and shared-use paths, and associated appurtenances. The Real Estate was recorded in the public land records in an applicable county in the state of Ohio. Additionally, it may be necessary for the City to enter into agreements, as approved by the City Attorney, with the grantors of the Real Estate in order to address any real estate tax or assessment implications associated with the City's acquisition and acceptance of the Real Estate.

CONTRACT COMPLIANCE:

Not applicable.

FISCAL IMPACT:

Not applicable.

EMERGENCY JUSTIFICATION:

Not applicable.

To formally accept certain real estate conveyed to the City that are being used for various public purposes; and to authorize the directors of the Departments of Public Utilities, Public Service, Finance and Management, Development, and Recreation and Parks to enter into any necessary agreements, as approved by the City Attorney's Office, in order to address any real estate tax or assessment issues. (\$0.00)

WHEREAS, the City intends to formally accept certain real estate conveyed to the City (*i.e.* Real Estate);

WHEREAS, the City intends to use the Real Estate for various public purposes, including but not limited to sewerage, drainage, water, electric, and other general utilities, pedestrian and vehicular traffic control, pedestrian and vehicular access and parking, parkland and conservation, landscaping, signs, ADA-compliant sidewalks, walkways, bikeways, and shared-use paths, and associated appurtenances;

WHEREAS, the City intends for the directors of the Departments of Public Utilities, Public Service, Finance and Management, Development, Recreation and Parks to enter into any necessary agreements with the grantors of the Real Estate in order to address any real estate tax or assessment implications associated with the Real Estate's acquisition and acceptance;

WHEREAS, the City intends for the City Attorney to review and approve of any agreements executed pursuant to this ordinance; and, **now, therefore:**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:

SECTION 1. The City formally accepts the following described real estate previously conveyed to the City that were recorded in the public land records of the Recorder's Office, Franklin County, Ohio (*i.e.* Real Estate), which are being used for various public purposes, including but not limited to sewerage, drainage, water, electric, and other general utilities, pedestrian and vehicular traffic control, pedestrian and vehicular access and parking, parkland and conservation, landscaping, signs, ADA-compliant sidewalks, walkways, bikeways, and shared-use paths, and associated appurtenances:

Grantor(s)...Franklin County Recorder Reference...(Real Estate)

1. **UPH Holdings, LLC:** Ins. 201512290181395 (perpetual sewerage & drainage utility easement)
2. **Arena District CA I, LLC:** Ins. 201601080002869 (perpetual sewerage & drainage utility easement)
3. **Meijer Realty Company:** Ins. 201511160161871 (perpetual sewerage & drainage utility easement)
4. **Alum Creek Park Limited Partnership:** Ins. 201602260023360 (perpetual sewerage & drainage utility easement)
5. **Carol J. Baker, Trustee:** Ins. 201602260023361 (perpetual sewerage & drainage utility easement)
6. **William Carrol Brunk:** Ins. 201602260023362 (perpetual sewerage & drainage utility easement)
7. **The Kroger Co.:** Ins. 201602260023363 (perpetual sewerage & drainage utility easement)
8. **The Attleigh LLC:** Ins. 201602260023364 (perpetual sewerage & drainage, water channel & course, and water

detention & retention utility easement)

9. **Telhio Credit Union, Inc.:** Ins. 201602120018016 (perpetual sewerage & drainage utility easement)
10. **DS Hamilton LLC:** Ins. 201602120018017 (perpetual sewerage & drainage utility easement)
11. **Jeffrey New Day LLC:** Ins. 201601290011925 (perpetual sewerage & drainage utility easement)
12. **Jeffrey Place New Community Authority:** Ins. 201601290011926 (perpetual sewerage & drainage utility easement)
13. **Plastic Suppliers, Inc.:** Ins. 201602050014967 (perpetual sewerage & drainage utility easement)
14. **Braxton On Bethel LLC:** Ins. 201602050014968 (perpetual sewerage & drainage utility easement)
15. **Wesley Woods at New Albany, LLC:** Ins. 201602050014969 (perpetual sewerage & drainage utility easement)
16. **Weber Holdings-South, LLC:** Ins. 201603140029927 (perpetual sewerage & drainage and water basin utility easement)
17. **Graceland Owner, LLC:** Ins. 201603140029936 (perpetual sidewalk, sign, parking & access easement)
18. **William R. Welch & Peggy J. Welch:** Ins. 201603230033962 (perpetual sewerage & drainage utility easement)
19. **NWD 500 Nationwide, LLC:** Ins. 201603210032748 (perpetual sewerage & drainage, water basin, and water detention & retention utility easement)
20. **Grafton Park LLC:** Ins. 201604110043416 & Ins. 201604110043417 (public parkland & conservation)
21. **Labs Place I, LLC:** Ins. 201604150046099 (perpetual sewerage & drainage utility easement)
22. **Thomas L. Brown & Judith A. Brown, Trustees:** Ins. 201604150046100 (perpetual sewerage & drainage utility easement)
23. **NWD 500 Nationwide, LLC:** Ins. 201604150046101 (perpetual sidewalk easement)
24. **Mary E. Waydo & Kevin A. Roberts:** Ins. 201603170031552 (perpetual sidewalk easement)
25. **Great Western ARCJ LLC:** Ins. 201603210032757 (perpetual traffic signal declaration & agreement)
26. **Moo Moo Clintonville LLC:** Ins. 201512140174560 (perpetual traffic signal declaration & agreement)
27. **Sawmill Athletic Club LLC:** Ins. 201510050140408 (perpetual traffic signal declaration & agreement)
28. **Ohio Dominican University:** Ins. 201510050140405 (perpetual traffic signal declaration & agreement)
29. **The New Albany Company LLC:** Ins. 201604220049450 (perpetual general utility, sidewalk, landscaping & traffic control easement)
30. **Center State Enterprises LLC:** Ins. 201604220049448 (perpetual general utility, sidewalk, landscaping & traffic control easement)
31. **Town & Country Club, Inc.:** Ins. 201604220049446 (perpetual general utility, sidewalk, landscaping & traffic

control easement)

32. **Town & Country Club, Inc.:** Ins. 201604220049444 (perpetual sewerage & drainage and water quality control utility easement)
33. **Wesley Woods at New Albany, LLC:** Ins. 201604220049443 (perpetual general utility, sidewalk, landscaping & traffic control easement)
34. **Hamilton Crossing LLC:** Ins. 201604220049441 (perpetual general utility, sidewalk, landscaping & traffic control easement)
35. **Hamilton Crossing LLC:** Ins. 201604220049439 (perpetual water utility easement)
36. **Hamilton Crossing LLC:** Ins. 201604220049438 (perpetual electric utility easement)
37. **Hamilton Crossing LLC:** Ins. 201604220049437 (perpetual sewerage & drainage utility easement)
38. **Hamilton Crossing LLC:** Ins. 201604220049436 (perpetual sewerage & drainage and water quality control utility easement)
39. **Woodland Plaza, Ltd.:** Ins. 201604220049434 (perpetual sewerage & drainage utility easement)
40. **The Jerome Partners, LLC:** Ins. 201604220049435 (perpetual sewerage & drainage utility easement)
41. **The New Albany Company LLC:** Ins. 201605060056687 (perpetual sewerage & drainage utility easement)
42. **Wesley Woods at New Albany, LLC:** Ins. 201605060056686 (perpetual sewerage & drainage utility easement)
43. **Morsham Land Corporation:** Ins. 201604220049451 & 201604220049542 (fee title & affidavit)

SECTION 2. The City formally accepts the following real estate previously conveyed to the City that were recorded in the public land records of the Recorder's Office, Delaware County, Ohio (*i.e.* Real Estate), which are being used for various public purposes, including but not limited to sewerage, drainage, water, electric, and other general utilities, pedestrian and vehicular traffic control, pedestrian and vehicular access and parking, landscaping, signs, ADA-compliant sidewalks, walkways, bikeways, and shared-use paths, and associated appurtenances:

Grantor(s)...Delaware County Recorder Reference...(Real Estate)

1. **Polaris Neighborhood Center IV, LLC:** D.B. 1416, Pg. 590 (perpetual water utility easement)
2. **Polaris 91, LLC:** D.B. 1416, Pg. 600 (perpetual sewerage & drainage, water channel, and water retention & detention utility easement)
3. **Polaris 91, LLC:** D.B. 1416, Pg. 595 (perpetual sewerage & drainage and water channel, course & ditch utility easement)
4. **Polaris 91, LLC:** D.B. 1416, Pg. 585 (perpetual water utility easement)
5. **Polaris 91, LLC:** D.B. 1388, Pg. 2743 (perpetual general utility, sidewalk, landscaping & traffic control easement)
6. **Polaris 91, LLC:** D.B. 1388, Pg. 2719 (perpetual sewerage & drainage, water channel, course & ditch, and water detention & retention utility easement)

7. **Polaris 91, LLC:** D.B. 1388, Pg. 2707 (perpetual sewerage & drainage, water channel, course & ditch, and water detention & retention utility easement)
8. **Polaris 91, LLC:** D.B. 1388, Pg. 2701 (perpetual slope easement)
9. **Buckeye Express Car Wash, LLC:** D.B. 1416, Pg. 1949 (perpetual water utility easement)
10. **Polaris Beetle, LLC:** D.B. 1388, Pg. 2771 (perpetual sewerage & drainage and water channel, course & ditch utility easement)
11. **Polaris 91, LLC:** D.B. 1388, Pg. 2724, and as amended in D.B. 1416, Pg. 578 (perpetual sewerage & drainage and water channel, course & ditch utility easement)

SECTION 3. The directors of the Departments of Public Utilities, Public Service, Finance and Management, Development, and Recreation and Parks are authorized to enter into any necessary agreements with the grantors of the Real Estate in order to address any real estate tax or assessment issues.

SECTION 4. The director of the Department of Public Utilities is authorized to execute and acknowledge any documents necessary to amend or release any easement rights described in Section Two (2) identified as grantor numbers ten (10) (*i.e.* D.B. 1388, Pg. 2771) and eleven (11) (*i.e.* D.B. 1388, Pg. 2724) with no additional consideration due to the City and with no further legislative action required by the City.

SECTION 5. The City Attorney is required to review and approve of all document(s) executed and acknowledged pursuant to this ordinance by the directors of the Departments of Public Utilities, Public Service, Finance and Management, Development, and Recreation and Parks.

SECTION 6. This ordinance shall take effect and be in force from and after the earliest period allowed by law.