



## Legislation Details (With Text)

**File #:** 2022-2017      **Version:** 1

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

**File created:** 7/17/2017      **In control:** Housing Committee

**On agenda:** 7/31/2017      **Final action:** 8/3/2017

**Title:** To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property (000 9th St.) held in the Land Bank pursuant to the Land Reutilization Program and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
8/3/2017	1	ACTING CITY CLERK	Attest	
8/2/2017	1	MAYOR	Signed	
8/2/2017	1	MAYOR	Signed	
7/31/2017	1	COUNCIL PRESIDENT	Signed	
7/31/2017	1	Columbus City Council	Approved	Pass

**BACKGROUND:** One parcel currently held in the Land Bank has been approved for disposition. In order to complete the transfer, authorization is needed for the Director of the Department of Development to execute any and all agreements and deeds for conveyance of the real property. This legislation authorizes transfer of one parcel located at 000 9<sup>th</sup> St. (010 -129673) to Fortunato S. Villena, who will maintain the vacant parcel as a side yard expansion. The parcel will be transferred by deed recorded in the Official Records of the Franklin County Recorder's Office.

**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 Legislation is requested to expedite the transfer in order to reduce Land Bank maintenance costs.

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property (000 9<sup>th</sup> St.) held in the Land Bank pursuant to the Land Reutilization Program and to declare an emergency.

**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 5722.03 or 5722.06 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 convey title of said parcel of real estate to expedite the transfer in order to reduce Land Bank maintenance costs, 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 any and all necessary agreements and deeds to convey title to the following parcel of real estate to Fortunato S. Villena:

PARCEL NUMBER: 010-129673  
ADDRESS: 000 9<sup>th</sup> St., Columbus, Ohio 43201  
PRICE: \$1,925.00 plus a \$150.00 recording fee  
USE: Side yard expansion

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 59;

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 servo 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.** 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.