



Legislation Details (With Text)

File #: 3036-2018 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 10/29/2018 **In control:** Finance Committee

On agenda: 11/19/2018 **Final action:** 11/21/2018

Title: To authorize the Director of the Department of Finance and Management to execute and acknowledge any document(s), as approved by the Department of Law, Real Estate Division, necessary to grant a non-exclusive access easement to Tapestry Park Polaris LLC to burden a portion of the City's real property located on Barley Loft Drive identified as Delaware County Tax Parcel 318-43-02 027-00, and to declare an emergency. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
11/21/2018	1	ACTING CITY CLERK	Attest	
11/20/2018	1	MAYOR	Signed	
11/19/2018	1	COUNCIL PRESIDENT	Signed	
11/19/2018	1	Columbus City Council	Approved	Pass

Background: The City owns real property located on Barley Loft Drive, Columbus, Ohio 43240 identified as Delaware County Tax Parcel 318-43-02 027-00 ("Property"), having a paved driveway that serves to provide secondary EMS vehicle access, by way of Candlelite Lane, to the Prestwick Commons Subdivision. Earlier this year, the City received a request to transfer a 0.584 acre portion of the Candlelite Lane right-of-way to facilitate the residential development of property currently owned by Arlington Properties Inc. / Tapestry Park Polaris LLC. The vacation and transfer of that portion of Candlelite Lane, authorized by City Council Ordinance 1040-2018 necessitates the realignment of the EMS vehicle access drive on the City's Barley Loft Parcel to align with a new entrance from a roadway in the residential development. The residential developer is responsible for completing the work to realign and construct the access driveway connecting to the residential development roadway. Additionally, the developer will be responsible for installing landscaping and grading and maintaining the access road and surrounding property. In order for the developer to complete this work, it is necessary for the City to grant an access and landscape easement ("Easement") to the developer to complete work on the City's property in order to grade, construct, install and maintain the access driveway and landscaping. This developer's project cannot receive its final permit until the easement is recorded

Fiscal Impact: N/A.

Emergency Justification: Emergency action is requested to allow the development project to move forward in a timely manner to meet its construction schedule.

To authorize the Director of the Department of Finance and Management to execute and acknowledge any document(s), as approved by the Department of Law, Real Estate Division, necessary to grant a non-exclusive access easement to Tapestry Park Polaris LLC to burden a portion of the City's real property located on Barley Loft Drive identified as

Delaware County Tax Parcel 318-43-02 027-00, and to declare an emergency. (\$0.00)

WHEREAS, the City owns real property located on Barley Loft Drive, Columbus, Ohio 43240 identified as Delaware County Tax Parcel 318-43-02 027-00 with a paved driveway that provides secondary EMS vehicle access, by way of Candlelite Lane, to the Prestwick Commons Subdivision as required by the City for the plat of the subdivision; and

WHEREAS, to facilitate the construction of a residential development and as authorized by Ordinance 1040-2018, the City vacated and transferred the portion of Candlelite Lane connecting to the access driveway providing secondary EMS vehicle access to the Prestwick Commons Subdivision; and

WHEREAS, it is necessary to realign and reconstruct the access driveway on the City's Barley Loft parcel to connect it to a new roadway in the residential development to provide the required secondary EMS vehicle access to the Prestwick Commons Subdivision;

WHEREAS, the developer of the residential property, Tapestry Park Polaris LLC, is required to complete work on the City's property necessary to realign and construct the access driveway connecting the new roadway to the residential development and to grade the area and install and maintain landscaping making it necessary for the City to grant an access and landscape easement to the developer to complete the work on the City's property; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, in that it is immediately necessary authorize the Director of the Department of Finance and Management to execute of those documents necessary to grant the Easement to Tapestry Park Polaris LLC at the earliest feasible date thereby immediately preserving the public health, peace, property, safety, and welfare; now, therefore:

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

SECTION 1. That the Finance and Management Director be and is hereby authorized to execute and acknowledge those documents as approved by the Department of Law, Real Estate Division, necessary to quit claim grant a non-exclusive access easement to Tapestry Park Polaris LLC to burden the City's real property located on Barley Loft Drive, Columbus, Ohio 43240 identified as Delaware County Tax Parcel 318-43-02 027-00 to realign, reconstruct, and maintain the access driveway on the Property connecting Barley Loft to the residential roadway in the Tapestry Park Polaris residential development to provide EMS vehicle access to the Prestwick Commons and to install and maintain landscaping and grass areas.

SECTION 2. 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.