



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 1/17/2019 **In control:** Housing Committee

On agenda: 1/28/2019 **Final action:** 1/31/2019

Title: To authorize the Director of the Department of Development to execute any and all documents necessary to grant an encroachment easement of one parcel of real property located at 905 S. Champion Ave. (010-013637) 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 |
|-----------|------|-----------------------|----------|--------|
| 1/31/2019 | 1 | CITY CLERK | Attest | |
| 1/30/2019 | 1 | MAYOR | Signed | |
| 1/28/2019 | 1 | COUNCIL PRESIDENT | Signed | |
| 1/28/2019 | 1 | Columbus City Council | Approved | Pass |

BACKGROUND: One parcel currently held in the Land Bank has been approved to allow an encroachment easement. In order to complete the transfer, authorization is needed for the Director of the Department of Development to execute any and all agreements to grant an easement. This legislation authorizes an encroachment easement of 0.0008 ACRES (34 Square Feet) located at 905 S. Champion Ave. (010-013637) to Ryan L. & Erin M. Priest. The encroachment will be transferred by recorded easement 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.

To authorize the Director of the Department of Development to execute any and all documents necessary to grant an encroachment easement of one parcel of real property located at 905 S. Champion Ave. (010-013637) 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, 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 documents for conveyance of an easement on 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 grant an encroachment easement, 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 documents necessary to grant an encroachment easement of one parcel of real property to Ryan L. & Erin M. Priest:

PARCEL NUMBER: 010-013637
ADDRESS: 905 S. Champion Ave.; Columbus, Ohio 43206
PRICE: \$750.00
USE: Encroachment Easement

SECTION 2. For the property stated in Section 1, that the Director of Development is hereby authorized to execute any document, 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.