



## Legislation Details (With Text)

**File #:** 2773-2022      **Version:** 1

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

**File created:** 10/4/2022      **In control:** Recreation & Parks Committee

**On agenda:** 10/24/2022      **Final action:** 10/26/2022

**Title:** To authorize the City Auditor to transfer funds within the Recreation and Parks Voted Bond Fund; to authorize the Director of the Recreation and Parks Department to execute those document(s), as approved by the Department of Law, Real Estate Division, necessary to purchase the real property located behind 1817 E. Cooke Road, Columbus, Ohio 43224 from Tod Edwards and Chad Edwards; to authorize the expenditure of up to \$95,000.00 from the Recreation and Parks Voted Bond Fund; and to declare an emergency. (\$95,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2773-2022 Funding Cooke Woods purchase legislation Edwards - ATTACHMENT

| Date       | Ver. | Action By             | Action   | Result |
|------------|------|-----------------------|----------|--------|
| 10/26/2022 | 1    | CITY CLERK            | Attest   |        |
| 10/25/2022 | 1    | MAYOR                 | Signed   |        |
| 10/24/2022 | 1    | COUNCIL PRESIDENT     | Signed   |        |
| 10/24/2022 | 1    | Columbus City Council | Approved | Pass   |

**BACKGROUND:** The City's Recreation and Parks Department ("CRPD") is engaged in the Cooke Woods Preservation Project ("Public Project"). The Public Project will acquire two forested parcels in the North Linden area to preserve nearly 3.889 +/- acres of mature woodlands. This ordinance authorizes the Recreation and Parks Department ("CRPD") to acquire property consisting of approximately 1.59 acres {Franklin county parcel number 010-117497} located east of the terminus of Hansen Avenue and Coronet Drive, Columbus, Ohio 43224 ("Real Estate").

Since 2016, CRPD has been seeking to preserve existing high quality woodlands in the Linden community. This Property on East Cooke Road was identified as containing a significant piece of the largest remaining undisturbed woodland in North Linden. In 2022, two of three owners made contact with CRPD to inquire about selling their wooded parcels to the City for permanent preservation.

This legislation authorizes the Director of the Recreation and Parks Department to execute those documents necessary to purchase the real property from Tod Edwards and Chad Edwards and to expend up to Ninety Five Thousand and 00/100 Dollars (\$95,000.00) for costs associated with the acquisition of the property, all associated due diligence testing costs, and closing costs. The other 2.3 +/- acres of mature woodlands is to being considered in Ordinance No. 2774-2022.

There was no quorum on the October 12, 2022 Recreation and Parks Commission Meeting. Per the approval of the present Commissioners, this ordinance was requested to be sent thru the legislation approval process in order to avoid a delay with this land acquisition.

**CONTRACT COMPLIANCE:** Not applicable

**FISCAL IMPACT:** The Recreation and Parks Department has determined that \$95,000.00 is budgeted and will be available in the Recreation and Parks Voted Bond Fund 7702.

**EMERGENCY JUSTIFICATION:**

Emergency action is requested in order to acquire the Real Estate allowing the Recreation and Parks Department to complete the purchase of the property without unnecessary delay, as required by the owner, which will preserve the public peace, health, property, safety, and welfare.

To authorize the City Auditor to transfer funds within the Recreation and Parks Voted Bond Fund; to authorize the Director of the Recreation and Parks Department to execute those document(s), as approved by the Department of Law, Real Estate Division, necessary to purchase the real property located behind 1817 E. Cooke Road, Columbus, Ohio 43224 from Tod Edwards and Chad Edwards; to authorize the expenditure of up to \$95,000.00 from the Recreation and Parks Voted Bond Fund; and to declare an emergency. (\$95,000.00)

**WHEREAS**, the City of Columbus Recreation and Parks Department desires to enter into a purchase contract between the City and Tod Edwards and Chad Edwards for the purchase of approximately 1.59 acres, more or less, of real property located behind 1817 E. Cooke Road, Columbus, Ohio 43224 (*i.e.* Real Estate) and further identified as Franklin county parcel number 010-117497; and

**WHEREAS**, the City intends for the City Attorney to contract for associated professional services and acquire in good faith the necessary fee simple title and lesser real estate located behind 1817 E. Cooke Road, Columbus, Ohio 43224; and

**WHEREAS**, the purchase of this Real Estate will allow for the Recreation and Parks Department to establish a park and green space; and

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to authorize the Director to execute those documents necessary to purchase the Real Estate from Tod Edwards and Chad Edwards at the earliest feasible date, as required by the owner, and because closing on this property is a contingency of another property purchase, thereby providing for the immediate preservation of the public health, peace, property, welfare; and **now, therefore:**

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

**SECTION 1.** That the Director of the Recreation and Parks Department be, and hereby is, authorized to execute those documents, as approved by the Department of Law, Real Estate Division, necessary for the purchase of the approximately 1.59 acres, more or less, of real property located east of the terminus of Hansen Avenue and Coronet Drive, Columbus, Ohio 43224, and identified as Franklin County Tax Parcel 010-117497 from Tod Edwards and Chad Edwards.

**SECTION 2.** That the transfer of Two Hundred Thirty Five Thousand and 00/100 Dollars (\$235,000.00) or so much thereof as may be needed, is hereby authorized between projects within the Recreation and Parks Voted Bond Fund 7702 per the accounting codes in the attachment to this ordinance. See attachment "Ordinance 2773-2022 Funding".

**SECTION 3.** That the 2022 Capital Improvements Budget Ordinance 1896-2022 is hereby amended as follows in order to provide sufficient budget authority for this ordinance and future projects.

Fund / Project / Project Name / Current / Change / Amended

Fund 7702; P513000-100000; Acquisition - Misc. (Voted Carryover) / \$2,162,537 / (\$235,000) / \$1,927,537

Fund 7702; P513005-100000; Cooke Woods Acquisitions 2022 (Voted Carryover) / \$0 / \$235,000 / \$235,000

**SECTION 4.** That the expenditure of Ninety Five Thousand and 00/100 Dollars (\$95,000.00), or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Voted Bond Fund 7702 per the accounting codes in the attachment to this ordinance. See attachment “Ordinance 2773-2022 Funding”.

**SECTION 5.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 6.** That the City Auditor is authorized to transfer the unencumbered balance in a project account to the unallocated balance account of the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project.

**SECTION 7.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 8.** 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.