



Legislation Details (With Text)

File #: 2502-2023 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 8/30/2023 **In control:** Housing Committee
On agenda: 9/18/2023 **Final action:** 9/21/2023
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 (835-837 S. Columbus Street) held in the Land Bank pursuant to the Land Reutilization Program.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
9/21/2023	1	CITY CLERK	Attest	
9/20/2023	1	MAYOR	Signed	
9/18/2023	1	COUNCIL PRESIDENT	Signed	
9/18/2023	1	Columbus City Council	Approved	Pass
9/11/2023	1	Columbus City Council	Read for the First Time	

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. The Land Bank parcel at 835-837 S. Columbus Street (010-030762) lies between an alley and houses fronting Gilbert Street. The Land Bank lot will be split into three separate parcels and sold to three adjacent property owners, thereby providing access from their houses to the alley. 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.

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 (835-837 S. Columbus Street) held in the Land Bank pursuant to the Land Reutilization Program.

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; **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 as follows:

Tract 1

TO: Fikre Barkneh
PARCEL NUMBER: 010-030762 (part)
ADDRESS: 835-837 S. Columbus Street, Columbus, Ohio 43219
PRICE: \$4,000.00, plus a \$49.00 processing fee
USE: Side yard expansion

0.033 Acre
(1,429 SF)
West of 919 Gilbert Street

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Lots 5 and 6 of Annie E. Marshall and Josephine Jones Subdivision, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, Page 51, Franklin County Recorder’s Office, also being part of the premises conveyed to the City of Columbus as shown of record in Inst. No. 201111020141109 and being more particularly described as follows:

Commencing at an iron pipe set at the northeast corner of said Lot 6, the northwest corner of Lot 7 of said subdivision and the northwest corner of the tract conveyed to Carol M. Phalo (D.B. 3723, P. 720) being on the south right of way line at Columbus Street (30 feet wide), also being referenced as North 89°27’49” West, 80.20 feet from the intersection of the south line of said Columbus Street with the west right of way line at Gilbert Steet (50 feet wide);

Thence, along part of the east line of said Lot 6, along part of the west line of said Lot 7, SOUTH, 95.16 feet to an iron pipe set at the southwest corner of the tract conveyed to Kyle Powell a/k/a Kyle Stephan Powell (I.N. 202101150009917), the northwest corner of the tract conveyed to Fikre H. Barkneh (I.N. 201405200062290), and being the TRUE POINT OF BEGINNING:

Thence, along part of the east line of said Lot 6, along part of the west line of said Lot 7, SOUTH, 30.05 feet to an iron pipe set at the southeast corner of said Lot 6, the southwest corner of said Lot 7, the southwest corner of said Barkneh tract, and being on the north line of a seventeen (17) foot wide alley;

Thence, across said Lots 6 and 5, North 89°28’09” West, 47.58 feet to an iron pipe set at the intersection of the north line of said seventeen (17) foot wide alley with the east line of an eighteen (18) foot wide alley, being the southwest line

of said City of Columbus tract;

Thence, across said Lot 5, along the east line of said alley, North 00°07'37" East, 30.05 feet to a point, said point being referenced by an iron pipe set South 89°28'09" East, 5.00 feet therefrom;

Thence, across said Lots 5 and 6, South 89°28'09" East, 47.52 feet (passing over said iron pipe set at 5.00 feet) to the point of beginning CONTAINING 0.033 Acres (1,429 S.F.). Basis of bearing is the west line of Gilbert Avenue assumed SOUTH. Iron pipes set at 1"O.D. x 30" long with an orange plastic cap inscribed MYERS PS 6579. The foregoing description is based on a boundary survey by Myers Surveying Co. in January, 2022.

Tract 2

TO: Kyle Powell
PARCEL NUMBER: 010-030762 (part)
ADDRESS: 835-837 S. Columbus Street, Columbus, Ohio 43219
PRICE: \$4,000.00, plus a \$49.00 processing fee
USE: Side yard expansion

0.034 Acre
(1,498 SF)
West of 915 Gilbert Street

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Lots 5 and 6 of Annie E. Marshall and Josephine Jones Subdivision, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, Page 51, Franklin County Recorder's Office, also being part of the premises conveyed to the City of Columbus as shown of record in Inst. No. 201111020141109 and being more particularly described as follows:

Commencing at an iron pipe set at the northeast corner of said Lot 6, the northwest corner of Lot 7 of said subdivision and the northwest corner of the tract conveyed to Carol M. Phalo (D.B. 3723, P. 720) being on the south right of way line at Columbus Street (30 feet wide), also being referenced as North 89°27'49" West, 80.20 feet from the intersection of the south line of said Columbus Street with the west right of way line at Gilbert Steet (50 feet wide);

Thence, along part of the east line of said Lot 6, along part of the west line of said Lot 7, SOUTH, 63.61 feet to a point being the southwest corner of the tract conveyed to Colleen P. Millett (I.N. 202107230130612), being the northwest corner of the tract conveyed to Kyle Powell a/k/a Kyle Stephan Powell (I.N. 202101150009917) said point being referenced by an iron pipe set North 89°28'09" West, 5.00 feet therefrom, and being the TRUE POINT OF BEGINNING;

Thence, along part of the east line of said Lot 6, along part of the west line of said Lot 7, SOUTH, 31.55 feet to an iron pipe set at the southwest corner of said Powell tract, the northwest corner of a tract conveyed to Fikre H. Barkneh (I.N. 201405200062290);

Thence, across said Lots 6 and 5, North 89°28'09" West, 47.52 feet (passing an iron pipe set for reference at 42.52 feet) to a point on the east line of an eighteen (18) foot wide alley, being on the west line of said City of Columbus;

Thence, across said Lot 5, along the east line of said alley, North 00°07'37" East, 31.55 feet to a point, said point being referenced by an iron pipe set South 89°28'09" East, 5.00 feet therefrom;

Thence, across said Lots 5 and 6, South 89°28'09" East, 47.45 feet (passing over said iron pipes set for reference at 5.00 feet and 42.45 feet) to the point of beginning CONTAINING 0.034 Acres (1,498 S.F.). Basis of bearing is the west line of Gilbert Avenue assumed SOUTH. Iron pipes set at 1"O.D. x 30" long with an orange plastic cap inscribed MYERS PS 6579. The foregoing description is based on a boundary survey by Myers Surveying Co. in January, 2022.

Tract 3

TO: Collen Millet and Peter Sharf
PARCEL NUMBER: 010-030762 (Part)
ADDRESS: 835-837 S. Columbus Street, Columbus, Ohio 43219
PRICE: \$9,000.00, Plus a \$97.00 processing fee
USE: Side yard expansion

0.069 Acre
(3,014 SF)
West of 905 & 909 Gilbert Street

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Lots 5 and 6 of Annie E. Marshall and Josephine Jones Subdivision, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 5, Page 51, Franklin County Recorder's Office, also being part of the premises conveyed to the City of Columbus as shown of record in Inst. No. 201111020141109 and being more particularly described as follows:

Beginning at an iron pipe set at the northeast corner of said Lot 6, the northwest corner of Lot 7 of said subdivision and the northwest corner of the tract conveyed to Carol M. Phalo (D.B. 3723, P. 720) being on the south right of way line at Columbus Street (30 feet wide), also being referenced as North 89°27'49" West, 80.20 feet from the intersection of the south line of said Columbus Street with the west right of way line at Gilbert Steet (50 feet wide);

Thence, along part of the east line of said Lot 6, along part of the west line of said Lot 7 and said Phalo tract and along the west line of the tract conveyed to Colleen P. Millett and Peter Scharf (I.N. 202107230130612), SOUTH, 63.61 feet to a point being the southwest corner of said Millett and Scharf tract, said point being referenced by an iron pipe set North 89°28'09" West, 5.00 feet therefrom;

Thence, across said Lots 6 and 5, North 89°28'09" West, 47.45 feet (passing said iron pipe set for reference at 5.00 feet and at 42.45 feet) to a point on the east line of an eighteen (18) foot wide alley as conveyed to the City of Columbus (D.B. 685, Page 413), also being on the west line of said City of Columbus tract;

Thence, across said Lot 5, along the east line of said alley and along part of the west line at said City of Columbus tract, North 00°07'37" East, 63.61 feet to a point being the northwest corner of said City of Columbus tract, the intersection of the east line of said alley with the south line of said Columbus Street, said point being referenced by an iron pipe set South 89°27'49" East, 5.00 feet therefrom;

Thence, along part of the north line of said Lot 5, all of the north line of said Lot 6, along the south line of said Columbus Street, South 89°27'49" East, 47.31 feet (passing said iron pipe set at 5.00 feet) to the point of beginning CONTAINING 0.069 Acres (1,518 S.F.). Basis of bearing is the west line of Gilbert Avenue assumed SOUTH. Iron pipes set at 1"O.D. x 30" long with an orange plastic cap inscribed MYERS PS 6579. The foregoing description is based on a boundary survey by Myers Surveying Co. in January, 2022.

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 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 4. That this ordinance shall take effect and be in force from and after the earliest period allowed

by law