



Legislation Text

File #: 2560-2017, **Version:** 1

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 the easterly 0.0344 acre, more or less, of one parcel located at 1607 Myrtle Ave. (010-059358) to John S. Lathram III, who will maintain the vacant parcel as a side yard expansion under the Improve to Own Program, and the transfer of the westerly 0.0402 acre, more or less, of one parcel located at 1607 Myrtle Ave. (010-059358) to Habitat for Humanity-MidOhio, 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 (1607 Myrtle Ave. (010-059358) 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 easterly 0.0344 acre, more or less, of real property to John S. Lathram III.

PARCEL NUMBER: easterly 0.0344 acre split from 010-059358
ADDRESS: 1607 Myrtle Ave., Columbus, Ohio 43211
PRICE: \$495.00, minus credits granted by the City plus a \$150.00 recording fee
USE: Side yard expansion

Easterly 15.00 feet of Lot 206, Waldon Subdivision

Following is the description of the east 15.00 feet of Lot 206 of Waldon Subdivision as recorded in Plat book 5, Page 416, owned by the City of Columbus, PID 010-059358-00, Instr. 201408270112968, being in the City of Columbus, Franklin County, Ohio, fronting on Myrtle Avenue, 50 feet in width, and said East 15.00 feet of Lot 206 described as follows:

Commencing for reference at an iron pipe set at the northwest corner of Lot 205 of Waldon Subdivision, owned by Central Ohio Community Improvement Corporation, PID 010-059582-00, Instr. 201503180033544, at the southeast corner of the intersection of Myrtle Avenue and Greenwich Street, both 50 feet in width;

Thence **S 86° 22' 47"E a distance of 32.50 feet** along the south side of Myrtle Avenue to an uncapped 3/4" iron pipe found at the northeast corner of Lot 205 and being the northwest corner of Lot 206 owned by the City of Columbus, PID 010-059358-00 , Instr. 201408270112968;

Thence **S 86° 22' 47"E a distance of 17.50 feet** continuing along the south side of Myrtle Avenue to an iron pipe set at a new corner at the northeast corner of said East 15.00 feet of Lot 206 described herein, and being the **True Point of Beginning** of said East 15.00 feet of Lot 206 described herein;

Thence **S 86° 22' 47"E a distance of 15.00 feet** continuing along the south side of Myrtle Avenue to an iron pipe set at the northeast corner of Lot 206 and being the northwest corner of Lot 207 of Waldon Subdivision, with Lot 207 and Lot 208 being owned by John S Lathram III, PID 010-030991-00, Instr. 200008300174648;

Thence **S 03 deg. 37' 13"W a distance of 100.00 feet** along the line between Lots 206 and 207 and the line between lands owned by John S Lathram III and the City of Columbus to an iron pipe set at the southeast corner of said East 15.00 feet of Lot 206 described herein, in the north side of an un-named 15 foot wide alley;

Thence **N 86° 22' 47"W a distance of 15.00 feet** along the north side of said alley to an iron pipe set at the southwest corner of said East 15.00 feet of Lot 206 described herein;

Thence **N 03 deg. 37' 13"E a distance of 100.00 feet** with a new line across Lot 206 owned by the City of Columbus, to the **True Point of Beginning** of the East 15.00 feet of Lot 206 described herein, containing 1500 square feet (0.0344 acres).

And being subject to all easements, legal highways, zoning and to all conditions and descriptions of record. The plat of this survey is on permanent file with the Franklin County Engineers Office and represents the tract as surveyed by Diamond V, LLC, in June, 2017. Iron pins found are 3/4" iron pipes unless otherwise noted and all iron pipes set are 3/4 I.D. steel pipes with a plastic cap stamped "SL-7876".

All work used to prepare this description is based upon field observations and measurements made by myself or persons under my direct supervision from actual surveys of these premises performed in June, 2017.

All bearings are based upon Ohio State Plane, South Zone, established by GPS/ ODOT-VRS methods NAD 88/ 2011 2010.0 epoch, as determined by NGS with elevations determined by the 2012A Geoid, with the center line of Myrtle Avenue being S 86° 22' 47"E.

SECTION 2. 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 westerly 0.0402 acre, more or less, of real property to Habitat for Humanity-MidOhio.

PARCEL NUMBER: westerly 0.0402 acre split from 010-059358
ADDRESS: 1607 Myrtle Ave., Columbus, Ohio 43211
PRICE: \$580.00, minus credits granted by the City under the Improve to Own Program, plus a \$150.00 recording fee
USE: Side yard expansion

Westerly 17.50 feet of Lot 206, Waldon Subdivision

Following is the description of the west 17.50 feet of Lot 206 of Waldon Subdivision as recorded in Plat book 5, Page 416, owned by the City of Columbus, PID 010-059358-00, Instr.

201408270112968, being in the City of Columbus, Franklin County, Ohio, fronting on Myrtle Avenue, 50 feet in width, and said West 17.50 feet of Lot 206 described as follows:

Commencing for reference at an iron pipe set at the northwest corner of Lot 205 of Waldon Subdivision, owned by Central Ohio Community Improvement Corporation, PID 010-059582-00, Instr. 201503180033544, at the southeast corner of the intersection of Myrtle Avenue and Greenwich Street, both 50 feet in width;

Thence S 86° 22' 47"E a distance of 32.50 feet along the south side of Myrtle Avenue to an uncapped ¾" iron pipe found at the northeast corner of Lot 205 and being the northwest corner of Lot 206 owned by the City of Columbus, PID 010-059358-00, Instr. 201408270112968, and being the **True Point of Beginning** of said West 17.50 feet of Lot 206 described herein;

Thence S 86° 22' 47"E a distance of 17.50 feet continuing along the south side of Myrtle Avenue to an iron pipe set at the northeast corner of said West 17.50 feet of Lot 206 described herein;

Thence S 03 deg. 37' 13"W a distance of 100.00 feet with a new line across Lot 206 owned by the City of Columbus, to an iron pipe set at the southeast corner of said West 17.50 feet of Lot 206 described herein, in the north side of an un-named 15 foot wide alley;

Thence N 86° 22' 47"W a distance of 17.50 feet along the north side of said alley to an iron pipe set at the southeast corner of said Lot 205 witnessed by a steel post being found nearby;

Thence N 03 deg. 37' 13"E a distance of 100.00 feet along the line between Lots 205 and 206 and the line between lands owned by Central Ohio Community Improvement Corporation and the City of Columbus to the **True Point of Beginning** of the West 17.50 feet of Lot 206 described herein, containing 1750 square feet (0.0402 acres).

And being subject to all easements, legal highways, zoning and to all conditions and descriptions of record. The plat of this survey is on permanent file with the Franklin County Engineers Office and represents the tract as surveyed by Diamond V, LLC, in June, 2017. Iron pins found are ¾" iron pipes unless otherwise noted and all iron pipes set are ¾" I.D. steel pipes with a plastic cap stamped "SL-7876".

All work used to prepare this description is based upon field observations and measurements made by myself or persons under my direct supervision from actual surveys of these premises performed in June, 2017.

All bearings are based upon Ohio State Plane, South Zone, established by GPS/ ODOT-VRS methods NAO 88/ 2011 2010.0 epoch, as determined by NGS with elevations determined by the 2012A Geoid, with the center line of Myrtle Avenue being S 86° 22' 47"E.

SECTION 3. That for the property stated in Sections 1 and 2, that the City will credit the Buyer at the time of transfer for the value of maintenance and/or improvements made by the Buyer under the Improve to Own Program as specified in the Memorandum of Understanding.

SECTION 4. That for the property stated in Sections 1 and 2, 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 5. That for good cause shown, the provisions of City Code Chapter 329 relating to the sale of city-owned realty are hereby waived.

SECTION 6. 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 7. 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.