



Legislation Text

File #: 1529-2018, **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 one parcel located at 488 Hilock Road. (010-115779) to Patrick C. Hensley, an Ohio resident who will maintain the vacant parcel as a side yard expansion under the Improve to Own Program. 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 (488 Hilock Rd.) 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 parcel of real estate to Patrick C. Hensley.

PARCEL NUMBER: 010-115779

ADDRESS: 488 Hillock Rd., Columbus, Ohio 43207

PRICE: \$10,850.00, minus credits granted by the City under the Improve to Own Program, plus a \$195.00 processing fee

USE: Side yard expansion

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

TRACT 1:

Being Lots Numbers Sixty-one (61), Sixty-two (62), Sixty-three (63) and Sixty-four (64) of Johnson's Proposed Suburban Subdivision, located in Range 22, Township 4, Section 10 and in Lot 6 of the partition of the lands of Michael Fisher among his heirs shown in Chancery Record 1, page 393, Court of Common Pleas, Franklin County, Ohio, and more particularly bounded and described as follows:

Lot No. 61: Beginning at a point where the east line of Lewis Road intersects, the south line of a tract of 10.07 acres conveyed to Joseph A. Johnson and Gladys L. Johnson by John M. Lewis by deed dated August 8, 1951 and recorded in Deed Book 1633, page 510, Recorder's Office, Franklin County, Ohio; thence easterly along and upon said south line of said Johnson Tract, a distance of 757.1 feet to a point; thence north parallel to the east line of Lewis Road a distance of 52.13 feet to the point of beginning; thence from said beginning point westerly parallel to said south line 84.3 feet to a point; thence southerly parallel to the east line of Lewis Road a distance of 52.13 feet to a point; thence easterly parallel to the south line of said Johnson tract 84.1 feet to a point; thence northerly to the place of beginning.

Lot No. 62: Beginning at a point where the east line of Lewis Road intersects the south line of a tract of 10.07 acres conveyed to Joseph A. Johnson and Gladys L. Johnson by John M. Lewis by deed dated August 8, 1951, and recorded in Deed Book 1633, page 510, Recorder's Office, Franklin County, Ohio; thence easterly along and upon said south line of said Johnson Tract a distance of 757.1 feet to a point; thence north parallel to the east line of Lewis Road a distance of 104.26 feet to the point of beginning; thence from said beginning point westerly parallel to said south line 84.4 feet to a point; thence southerly parallel to the east line of Lewis Road a distance of 52.13 feet to a point; thence easterly parallel to the south line of said Johnson Tract 84.3 feet to a point; thence northerly to the place of beginning.

Lot No. 63: Beginning at a point where the east line of Lewis Road intersects the south line of a tract of 10.07 acres conveyed to Joseph A. Johnson and Gladys L. Johnson by John M. Lewis by deed dated August 8, 1951 and recorded in Deed Book 1633, page 510, Recorder's Office, Franklin County, Ohio; thence easterly along and upon said south line of said Johnson tract a distance of 757.1 feet to a point; thence north parallel to the east line of Lewis Road a distance of 156.39 feet to the point of beginning; thence from said beginning point westerly parallel to said south line 84.6 feet to a point; thence southerly parallel to the east line of Lewis Road a distance of 52.13 feet to a point; thence easterly parallel to the south line of said Johnson tract 84.4 feet to a point; thence northerly to the place of beginning.

Lot No. 64: Beginning at a point where the east line of Lewis Road intersects the south line of a tract of 10.07 acres conveyed to Joseph A. Johnson and Gladys L. Johnson by John M. Lewis by deed dated August 8, 1951 and recorded in Deed Book 1633, page 510, Recorder's Office, Franklin County, Ohio; thence easterly along and upon said south line of said Johnson Tract a distance of 757.1 feet to a point; thence north parallel to the east line of Lewis Road a distance of 208.52 feet to the point of beginning; thence from said beginning point westerly parallel to said south line 84.7 feet to a point; thence southerly parallel to the east line of Lewis Road a distance of 52.13 feet to a point; thence easterly parallel to the south line of said Johnson tract 84.6 feet to a point; thence northerly to the place of beginning.

Saving, excepting and reserving unto party of the first part an easement of fifteen (15) feet off of the entire east end of said premises for road purposes for ingress and egress to and from said premises shown on said plat thereof annexed as Avenue "E" for the benefit of all the lot owners on said Avenue "E", and an easement in said road way above described as

Avenue "E" for drainage, water and gas purposes.

TRACT II:

Lot No. 65:

Being Lot Number Sixty-five (65) of Johnson's Proposed Subdivision located in Range 22, Township 4, Section 10 and in Lot 6 of the partition of the lands of Michael Fisher among his heirs shown in Chancery Record 1 page 393, Court of Common Pleas, Franklin County, Ohio and more particularly y bounded and described as follows:

Beginning at a point where the east line of Lewis Road intersects the south line of a tract of 10.07 acres conveyed to Joseph A. Johnson and Gladys L. Johnson by John M. Lewis by deed dated August 8, 1951 and recorded in Deed Book 1633, Page 510, Recorder's Office, Franklin County, Ohio. Thence easterly along and upon said south line of said Johnson Tract a distance of 757.1 feet to a point; thence north parallel to the east line of Lewis Road a distance of 260.65 feet to the point of beginning; thence from said beginning point westerly parallel to said south line 84.85 feet to a point; thence southerly parallel to the east line of Lewis Road a distance of 52.13 feet to a point; thence easterly parallel to the south line of said Johnson tract 84.7 feet to a point; thence northerly to the place of beginning.

Lot No. 66:

Being Lot Number Sixty-six (66) of Johnson's Proposed Subdivision located in Range 22, Township 4, Section 10 and in Lot 6 of the partition of the lands of Michael Fisher among his heirs shown in Chancery Record 1, page 393, Court of Common Pleas, Franklin County, Ohio and more particularly bounded and described as follows:

Beginning at a point where the east line of Lewis Road intersects the south line of a tract of 10.07 acres conveyed to Joseph A. Johnson and Gladys L. Johnson by John M. Lewis by deed dated August 8, 1951 and recorded in Deed Book 1633, page 510, Recorder's Office, Franklin County, Ohio. Thence easterly along and upon said south line of said Johnson Tract a distance of 757.1 feet to a point; thence north parallel to the east line of Lewis Road a distance of 312.78 feet to the point of beginning; thence from said beginning point westerly parallel to said south line 85 feet to a point; thence southerly parallel to the east line of Lewis Road a distance of 52.13 feet to a point ; thence easterly parallel to the south line of Johnson tract 84.7 feet to a point; thence northerly to the place of beginning.

Saving, excepting and reserving unto party of the first part an easement of fifteen (15) feet off of the entire east end of said premises for road purposes for ingress and egress to and from said premises shown on said plat thereof annexed as Avenue "E" for the benefit of all the lot owners on said Avenue "E", and an easement in said road way above described as Avenue "E" for drainage, water and gas purposes.

Also an easement of 5 feet off the rear of the above lots for erection and maintenance of a line of poles for transmission of electric energy and telephone.

SECTION 2. For the property stated in Section 1, 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 3. 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 4. That for good cause shown, the provisions of City Code Chapter 329 relating to the sale of city-owned realty are hereby waived.

SECTION 5. 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 6. 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.