



Legislation Text

File #: 0339-2019, **Version:** 1

BACKGROUND: This legislation will authorize the Director of the Department of Development to enter into an option agreement or sales contract, and execute all agreements and deeds for the conveyance of two parcels currently held in the Land Bank. The parcels will be conveyed to Columbus Housing Partnership, Inc., DBA Homeport, and/or a subsidiary established for this project. The sites are a part of a proposed multi-unit affordable housing project in the East Franklinton Creative Community District. The Developer intends to use the Land Bank properties for the 2019 Low Income Housing Tax Credits.

FISCAL IMPACT: No funding is required for this legislation. 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 action is requested to enable the City to immediately enter into the necessary agreements allowing the buyer to meet the application deadlines established by the Ohio Housing Finance Agency, which is required to complete the development of the tax credit project.

To authorize the Director of the Department of Development to enter into any agreements necessary to sell and transfer by quitclaim deed two parcels, located in the East Franklinton Creative Community District, to Columbus Housing Partnership, Inc., DBA Homeport, and/or a subsidiary; and to declare an emergency.

WHEREAS, the Department of Development desires to sell and transfer 2 parcels and allow the Developer to make application for 2019 Low Income Housing Tax Credits; and

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 5722.06 and 5722.03 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 authorize the Director to enter into the necessary agreements allowing the buyer to meet the application deadlines established by the Ohio Housing Finance Agency, which is required to complete the development of the project, 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 those documents on behalf of the City of Columbus, as approved by the Department of Law, Division of Real Estate, necessary to enter into any agreements necessary for the sale of the following described property, and to execute a quitclaim deed and any ancillary documents as may be necessary to transfer title thereto to Columbus Housing Partnership, Inc. DBA Homeport and/or a subsidiary established for this project;

Parcel 1:

79 McDowell St., Columbus, OH 43215
Parcel No. 010-013943

Parcel 2:

83-85 S. McDowell St., Columbus, OH 43215
Parcel No. 010-005307

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. 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.