



Legislation Text

File #: 1085-2020, **Version:** 1

Background: This ordinance authorizes the Director of the Department of Finance and Management to execute and acknowledge those documents, as approved by the Department of Law, Real Estate Division, necessary to grant fee simple title to Park Crescent Investments LLC of an approximately .24 acre section of property to be split from that city-owned real property located at 2500 Park Crescent Drive and identified as Franklin County Tax Parcel 010-126812.

The City owns real property located at 2500 Park Crescent Drive, Columbus, Ohio, identified as Franklin County Tax Parcel 010-126812 ("Property"). The adjacent parcel (PID 010-098800) at 2510 Park Crescent, formerly owned by Columbus City Schools (CCS), now owned by Park Crescent Investments LLC (PCI), is landlocked and does not have direct access to the right-of-way. It has been determined from research of property records that the paved driveway on the south end of the City's property was installed by the original land developer, Western Land Investments, to provide access to the Park Crescent Drive right-of-way for the 2510 Park Crescent property and was in existence prior to the City's 2005 purchase of the City's property. There was no access agreement or recorded easement executed by Western Land Investment and Columbus City Schools documenting the shared use of the driveway. This issue recently came to light when PCI filed construction plans with the Department of Building and Zoning Services for review and permitting. The plans were rejected by the Department because the PCI property is landlocked and has no access agreement in place. PCI's construction has been delayed until the access issue is resolved.

After an internal review and discussion with PCI, it has been determined that it is in the best interest of both the City and PCI to transfer ownership of the driveway portion of the City's parcel (approximately .24 ac) to Park Crescent Investments LLC (PCI). In exchange for the transfer of the driveway ownership, PCI will pay the City the fair market value of the .24ac +/- tract and pay all costs to design, engineer, and construct an replacement driveway to provide the City an alternate access driveway to its south parking lot area and make all modifications necessary to the City's existing fencing and landscaping.

Fiscal Impact: Proceeds from this transaction shall be deposited in Fund 7748, the General Permanent Improvement Fund.

Emergency Justification: Emergency action is requested to allow Park Crescent Investments LLC's construction plans to now move forward in a timely manner and allow its construction project to proceed without further delay.

To authorize the Director of the Department of Finance and Management to execute and acknowledge those documents, as approved by the Department of Law, Real Estate Division, necessary to grant fee simple title to Park Crescent Investments, LLC. of an approximately .24 acre portion to be split from that city-owned real property located at 2500 Park Crescent Drive and identified as Franklin County Tax Parcel 010-126812; and to declare an emergency. (\$0.00)

WHEREAS, the City owns real property located on at 2500 Park Crescent Drive, Columbus Ohio and identified as Franklin County Tax Parcel 010-126812 with a paved driveway that provides the only access, to the Park Crescent Drive right-of-way for the adjacent landlocked parcel owned by Park Crescent Investments, LLC; and

WHEREAS, it is necessary to resolve the right-of way access issue burdening both the City's and Park Crescent Investments, LLC properties; and

WHEREAS, it has been determined that it is in the best interest of both the City and PCI to transfer ownership of the driveway portion of the City's parcel (approximately .24 ac) to Park Crescent Investments, LLC (PCI) to resolve the right-of-way access issue; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Finance and Management in that it is immediately necessary authorize the Director to execute, at the earliest feasible date, those documents necessary to allow Park Crescent Investments, LLC to construct an alternate access driveway to City owned property and grant a quit claim deed to Park Crescent Investments LLC of approximately .24 acre property to be split from that city-owned real property located at 2500 Park Crescent Drive and identified as Franklin County Tax Parcel 010-126812, thereby immediately preserving the public health, peace, property, safety, and welfare; now, therefore:

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

SECTION 1. That the Finance and Management Director be, and is hereby, authorized to execute and acknowledge those documents as approved by the Department of Law, Real Estate Division, necessary to allow Park Crescent Investments, LLC to construct an alternate access driveway to City owned property and sell and quit claim deed to Park Crescent Investments, LLC an approximately .24 acres split from the City's real property located at 2500 Park Crescent Drive, Columbus Ohio and identified as Franklin County Tax Parcel 010-126812.

SECTION 2. That sale proceeds shall be deposited in Fund 7748, the General Permanent Improvement Fund.

SECTION 3. 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.