



Legislation Text

File #: ORD-0067-2016, **Version:** 1

DECLARATION OF INTENT TO SELL EXCESS LAND AND TO AUTHORIZE THE MAYOR TO EXECUTE THOSE DOCUMENTS REQUIRED FOR TRANSFER OF THE PROPERTY; AND TO DECLARE AN EMERGENCY.

WHEREAS, the City of Gahanna is the owner of right-of-way, hereafter referred to as the "Property", as more particularly identified on Exhibit A, the Legal Description, and as depicted in Exhibit B, the Survey, attached hereto; and

WHEREAS, the City of Gahanna for the purpose of promoting the industrial and economic development deems proper the sale of the Property to the Community Improvement Corporation of Gahanna, an Ohio corporation; and

WHEREAS, the subject Property conforms to excess lands as provided for by Ohio Revised Code 723.121 and with the uses and benefits set forth in Ohio Revised Code Section 761.02; and

WHEREAS, the Department of Planning and Development has been working with VRG, the Pizzuti Company, Columbia Gas of Ohio and the Community Improvement Corporation of Gahanna in an effort to finalize a develop the adjacent Junkermann property, a 29 acre collection of three parcels located south of Taylor Road just west of Eastgate Parkway within Gahanna's Eastgate Parkway Industrial Park; and

WHEREAS, after investigation, it has been determined that the transfer of the requested Property will benefit and not adversely affect the City; and

WHEREAS, it is imperative to move forward with this legislation in order to execute the documents in a timely manner, and all for the preservation of the public peace, property, health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA, COUNTY OF FRANKLIN, STATE OF OHIO:

Section 1. That the Mayor is hereby authorized to execute deed(s) and other incidental instruments necessary to transfer to the Community Improvement Corporation of Gahanna, an Ohio corporation, the Property as more particularly identified on EXHIBIT A, the Legal Description, and as depicted in EXHIBIT B, the Survey, attached hereto.

Section 2. That the above referenced Property shall be considered excess road right-of-way and the public rights therein shall terminate upon the Mayor's execution and delivery of said deed(s) to the grantees thereof.

Section 3. That general utility easements in, on, over, across, under and through the above referenced properties for existing utilities therein shall be and hereby are reserved unto the City of Gahanna.

Section 4. That upon notification and verification of the relocation or abandonment of all existing utilities located within the above referenced reserved general utility easements the Mayor is hereby authorized to execute those documents necessary to release the above referenced reserved general utility easements with no further compensation due or further legislative action necessary.

Section 5. That this Council has determined it is in the best interest of the City of Gahanna to allow the Property to be sold without requiring competitive bidding and hereby waives the competitive bidding requirement with regards to the transfer of the Property.

Section 6. That, for the reasons set forth in the preamble hereinabove, this Ordinance is declared emergency legislation and shall be in full force and effect immediately upon passage by this Council and on date of signature approval by the Mayor.