

ORDINANCE NO. - 23

BY:

An ordinance authorizing the Mayor to accept the donation of real property from the Columbia Place Association and providing for the amendment of the Columbia Place PUR, conditional upon the completion of certain repairs and upgrades under the conditions outlined herein.

WHEREAS, the City of Bexley adopted Amended Ordinance No.28-80 which was subsequently amended on May 22, 1984, by Amended Ordinance No. 17-84; and, then again amended on May 12, 2009, by Amended Ordinance 23-09; and

WHEREAS, the Columbia Place Association, an Ohio not-for-profit corporation, organized and acting as the Homeowners Association for all of the residents of the Columbia Place PUR, wishes to further amend the ordinance by making the heretofore private street known as "Columbia Place" a public street in the City of Bexley; and

WHEREAS, the City is willing to accept Columbia Place as a public street in a similar manner to other public streets within the City; and

WHEREAS, the Columbia Place Association and the individual property owners on Columbia Place are willing to accept the conditions required by the City for Columbia Place to become a public street.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1.

That the Mayor is authorized to accept the donation of real property from the Columbia Place Association, being that portion of the PUR known as Columbia Place that contains the common street, sidewalk, water and sewer infrastructure.

Commented [MF1]: Does this cover the entire right of way?

Section 2.

That prior to acceptance of the real property referenced in Section 1, the Service Director shall contract with the Columbia Place Association and every individual property owner to make the necessary repairs and upgrades to the street, sidewalk, water, and sewer infrastructure in order to bring them to a standard appropriate for public improvements as determined by the Service Director. Prior to commencement of any such repairs and upgrades, all of the individual property owners within the Association must unanimously execute a contract agreeing to compensate the City, over a ten year assessment period, for the actual costs of such repairs and upgrades, based upon a calculation wherein each individual property owner shall be responsible for 1/7th of the total cost.

Section 3.

After completion of the repairs and upgrades detailed in Section 2, the Auditor shall prepare an assessment ordinance, to be introduced at Council, in order to recapture the costs associated with the same.

Section 4.

That upon the City's acceptance of the real property referenced in Section 1, an amendment to the PUR known as Columbia Place shall immediately go into effect. In which instance the PUR, originally established via Amended Ordinance 28-80 and subsequently amended, shall be further amended with the addition of the following text:

[Date of transfer of real property], 2023 Amendment:

Columbia Place, heretofore a private street established as part of a PUR, and wholly contained as parcel 020-004617 in the records of the Franklin County Auditor, shall, upon conveyance by proper quitclaim deed from the Columbia Place Association to the city of Bexley, be a public street subject to all of the ordinances, services and policies of the City of Bexley.

Section 2.

That this ordinance shall go into effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2023

Troy Markam, President of Council

Matt McPeek, Auditor

Ben Kessler, Mayor