



## Legislation Details (With Text)

**File #:** 0256X-2022    **Version:** 1

**Type:** Resolution    **Status:** Passed

**File created:** 12/6/2022    **In control:** Public Service & Transportation Committee

**On agenda:** 1/9/2023    **Final action:** 1/11/2023

**Title:** To amend previously approved Resolution 0061X-2022 to correct the project identification number assigned by the Ohio Department of Transportation and correct the project name; and to declare an emergency. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 24-T, 2. 25-T, 3. 25-WD, 4. 26-T, 5. 26-WD, 6. 27-T, 7. 27-WD, 8. 28-T, 9. 28-WD, 10. 29-T, 11. 29-WD1, 12. 29-WD2, 13. 30-T, 14. 30-WD, 15. 31-T, 16. 31-WD

Date	Ver.	Action By	Action	Result
1/11/2023	1	ACTING CITY CLERK	Attest	
1/10/2023	1	MAYOR	Signed	
1/9/2023	1	COUNCIL PRESIDENT	Signed	
1/9/2023	1	Columbus City Council	Adopted	Pass

**BACKGROUND:** This Resolution amends previously approved resolution 0061X-2022 by correcting the project identification number (PID) assigned by the Ohio Department of Transportation from PID 110367 to 114254 and correcting the project name to include the additional name of FRA 161- 13.03 Spring Run Dr. /Parkville St. PID 114254 project, (Project No. 530103-100075).

The City's Department of Public Service ("DPS") is performing the Arterial Street Rehabilitation - SR161 - I71 to Cleveland Avenue Phase I Part 2 Project (PID 114254) project also known as FRA 161- 13.03 Spring Run Dr. /Parkville St. PID 114254 project, (Project No. 530103-100075) ("Public Project"). The City must acquire certain fee simple title and lesser real estate located in the vicinity of State Route 161 in the area of Parkville Street and Spring Run Drive (collectively, "Real Estate") in order for DPS to timely complete the Public Project. The City passed Ordinance Number 2106-2021 which was subsequently amended by Ordinance 3385-2022 authorizing the City Attorney to acquire the Real Estate. Accordingly, the City intends to appropriate and accept the Real Estate in the event the City Attorney is unable to (i) locate the owners of the Real Estate, or (ii) agree with the owners of the Real Estate in good faith regarding the amount of just compensation.

**CONTRACT COMPLIANCE:** Not applicable.

**FISCAL IMPACT:** Not applicable.

**EMERGENCY JUSTIFICATION:** Emergency action is requested to amend the original resolution as soon as possible in order to avoid any issues with the offers made and to meet the project clear date of March 3, 2023.

To amend previously approved Resolution 0061X-2022 to correct the project identification number assigned by the Ohio Department of Transportation and correct the project name; and to declare an emergency. (\$0.00)

**WHEREAS**, Resolution 0061X-2022 declared the City’s necessity and intent to appropriate and accept certain fee simple title and lesser real estate in order to acquire the various property rights necessary to complete the Arterial Street Rehabilitation - SR161 - I71 to Cleveland Avenue Phase I Part 2 PID 110376 project; and

**WHEREAS**, this resolution amends previously approved resolution 0061X-2022 by correcting the project identification number (PID) assigned by the Ohio Department of Transportation from PID 110367 to 114254 and correcting the project name to include the additional name of FRA 161- 13.03 Spring Run Dr. /Parkville St. PID 114254 project, (Project No. 530103-100075); and

**WHEREAS**, the City intends to improve certain public right-of-way by allowing the Department of Public Service (“DPS”) to engage in the Arterial Street Rehabilitation - SR161 - I71 to Cleveland Avenue Phase I Part 2 PID 114254 project which is also known as the FRA 161- 13.03 Spring Run Dr. /Parkville St. PID 114254 project, (Project No. 530103-100075) (“Public Project”); and

**WHEREAS**, the City intends for the City Attorney to acquire the necessary fee simple title and lesser real estate located in the vicinity of State Route 161 in the area of Parkville Street and Spring Run Drive (“Real Estate”) in order to complete the Public Project; and

**WHEREAS**, the City intends for the Real Estate’s acquisition to help make, improve, or repair certain portions of public right-of-way and associated appurtenances which will be open to the public without charge; and

**WHEREAS**, the City intends to appropriate and accept the Real Estate in the event the City Attorney is unable to (i) locate the owners of the Real Estate, or (ii) agree with the owners of the Real Estate in good faith regarding the amount of just compensation; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to amend Resolution Number 0061X-2022 in order to amend the PID number and correct the project name where applicable to prevent unnecessary delays in the Department of Public Service's Capital Improvement Program, to ensure the safety of the traveling public thereby preserving the public health, peace, property, safety and welfare; **now, therefore**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** This Resolution amends previously approved resolution 0061X-2022 by correcting the project identification number (PID) assigned by the Ohio Department of Transportation from PID 110367 to 114254 and correcting the project name to include the additional name of FRA 161- 13.03 Spring Run Dr. /Parkville St. PID 114254 project, (Project No. 530103-100075).

**SECTION 2.** That the City, pursuant to the City’s Charter, Columbus City Revised Code, Chapter 909 (1959), Constitution of the state of Ohio, and Ohio Revised Code, Chapter 719, declares the necessity and intent to appropriate and accept the fee simple title and lesser real estate to the following listed parcels (“Real Estate”), which are fully described in their associated exhibits and incorporated into this resolution for reference, in order for the Department of Public Service (“DPS”) to complete the Arterial Street Rehabilitation - SR161 - I71 to Cleveland Avenue Phase I Part 2 PID 114254 project which is also known as the FRA 161- 13.03 Spring Run Dr. /Parkville St. PID 114254 project, (Project No. 530103-100075) (“Public Project”).

**(Exhibit) ... (Public Project Parcel Identification) ... (Real Estate)**

- |    |      |  |
|----|------|--|
| 1) | 24-T | (24 Month Temporary Construction Easement) |
| 2) | 25-T | (24 Month Temporary Construction Easement) |

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|-----|--------|--|
| 3)  | 25-WD  | (Fee Simple Without Limitation of Access)  |
| 4)  | 26-T   | (24 Month Temporary Construction Easement) |
| 5)  | 26-WD  | (Fee Simple Without Limitation of Access)  |
| 6)  | 27-T   | (24 Month Temporary Construction Easement) |
| 7)  | 27-WD  | (Fee Simple Without Limitation of Access)  |
| 8)  | 28-T   | (24 Month Temporary Construction Easement) |
| 9)  | 28-WD  | (Fee Simple Without Limitation of Access)  |
| 10) | 29-T   | (24 Month Temporary Construction Easement) |
| 11) | 29-WD1 | (Fee Simple Without Limitation of Access)  |
| 12) | 29-WD2 | (Fee Simple Without Limitation of Access)  |
| 13) | 30-T   | (24 Month Temporary Construction Easement) |
| 14) | 30-WD  | (Fee Simple Without Limitation of Access)  |
| 15) | 31-T   | (24 Month Temporary Construction Easement) |
| 16) | 31-WD  | (Fee Simple Without Limitation of Access)  |

**SECTION 3.** That the City Attorney is authorized to cause a written notice of this resolution's adoption to be served in the manner provided by law upon the owner(s), person(s) in possession, or person(s) possessing a real or possible real property interest of record in the Real Estate.

**SECTION 4.** That the Real Estate's acquisition will help make, improve, or repair certain portions of public right-of-way and associated appurtenances which will be open to the public without change.

**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.