City of Columbus

Legislation Details (With Text)

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File created:	6/14/2023		**In control:**	Public Service & Transportation Committee
On agenda:	7/10/2023		**Final action:**	7/13/2023
Title:	To declare the City's necessity and intent to appropriate and accept certain fee simple title and lesser real estate in order to complete the Northeast MOU - Central College Ulry Road Reconstruction Project. ($0.00)			
Sponsors:				
Indexes:				
Code sections:				
Attachments:	1. 3-T, 2. 5-T, 3. 6-WDV, 4. 7-T, 5. 8-WDV, 6. 9-WDV, 7. 11-CHV, 8. 11-T, 9. 12-CH, 10. 12-SV, 11. 12-T, 12. 12-WD, 13. 16-T, 14. 17-CH, 15. 17-T1, 16. 17-T2, 17. 17-WD, 18. 18-T, 19. 19-WD, 20. 20-CH, 21. 20-T, 22. 21-CH, 23. 21-T, 24. 22-WD, 25. 23-T, 26. 30-CH, 27. 31-CH, 28. 33-CHV			

Date	Ver.	Action By	Action	Result
7/13/2023	1	CITY CLERK	Attest	
7/11/2023	1	MAYOR	Signed	
7/10/2023	1	COUNCIL PRESIDENT	Signed	
7/10/2023	1	Columbus City Council	Adopted	Pass
6/26/2023	1	Columbus City Council	Read for the First Time	

BACKGROUND: The City's Department of Public Service ("DPS") is performing the Northeast MOU - Central College Ulry Road Reconstruction Project (440106-100000) ("Public Project"). The City must acquire certain fee simple title and lesser real estate located in the vicinity of Central College Road, Ulry Road, and Lee Road intersection (collectively, "Real Estate") in order for DPS to timely complete the Public Project. The City passed Ordinance Number 0481-2023 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: Not applicable.

To declare the City's necessity and intent to appropriate and accept certain fee simple title and lesser real estate in order to complete the Northeast MOU - Central College Ulry Road Reconstruction Project. ($0.00)

WHEREAS, the City intends to improve certain public right-of-way by allowing the Department of Public Service ("DPS") to engage in the Northeast MOU - Central College Ulry Road Reconstruction Project (440106-100000) ("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 Central College Road, Ulry Road, and Lee Road intersection (*"*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; **NOW, THEREFORE:**

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

SECTION 1. 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 Northeast MOU - Central College Ulry Road Reconstruction Project (440106-100000) ("Public Project").

(**Exhibit**) … (**Public Project Parcel Identification**) … (**Real Estate**)		
1)	3-T	(36 Month Temporary Easement)
2)	5-T	(36 Month Temporary Easement)
3)	6-WDV	(Fee Simple Without Limitation of Access)
4)	7-T	(36 Month Temporary Easement)
5)	8-WDV	(Fee Simple Without Limitation of Access)
6)	9-WDV	(Fee Simple Without Limitation of Access)
7)	11-CHV	(Perpetual Channel Easement to Construct and Maintain)
8)	11-T	(36 Month Temporary Easement)
9)	12-CH	(Perpetual Channel Easement to Construct and Maintain)
10)	12-SV	(Perpetual Sewer Easement)
11)	12-T	(36 Month Temporary Easement)
12)	12-WD	(Fee Simple Without Limitation of Access)
13)	16-T	(36 Month Temporary Easement)
14)	17-CH	(Perpetual Channel Easement to Construct and Maintain)
15)	17-T1	(36 Month Temporary Easement)
16)	17-T2	(36 Month Temporary Easement)
17)	17-WD	(Fee Simple Without Limitation of Access)
18)	18-T	(36 Month Temporary Easement)
19)	19-WD	(Fee Simple Without Limitation of Access)
20)	20-CH	(Perpetual Channel Easement to Construct and Maintain)
21)	20-T	(36 Month Temporary Easement)
22)	21-CH	(Perpetual Channel Easement to Construct and Maintain)
23)	21-T	(36 Month Temporary Easement)
24)	22-WD	(Fee Simple Without Limitation of Access)
25)	23-T	(36 Month Temporary Easement)
26)	30-CH	(Perpetual Channel Easement to Construct and Maintain)
27)	31-CH	(Perpetual Channel Easement to Construct and Maintain)
28)	33-CHV	(Perpetual Channel Easement to Construct and Maintain)

SECTION 2. 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 3. 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 charge.

SECTION 4. That this resolution shall take effect and be in full force and effect from and after the earliest period allowed by law.