



## Legislation Details (With Text)

**File #:** 0155-2011      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 1/21/2011      **In control:** Utilities Committee  
**On agenda:** 2/7/2011      **Final action:** 2/9/2011  
**Title:** To authorize the Director of the Department of Public Utilities to execute those documents necessary to grant The Ohio Department of Transportation a temporary easement through certain City owned real property, located in the vicinity of Jackson Street and Scioto Street, needed for ODOT's FRA-317-0.00 project and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Legal Description 19T 3367\_001.pdf

Date	Ver.	Action By	Action	Result
2/9/2011	1	CITY CLERK	Attest	
2/8/2011	1	MAYOR	Signed	
2/7/2011	1	Columbus City Council	Approved	Pass
2/7/2011	1	COUNCIL PRESIDENT	Signed	
1/28/2011	1	Atty Drafter	Sent for Approval	
1/28/2011	1	CITY ATTORNEY	Reviewed and Approved	
1/28/2011	1	Atty Drafter	Sent to Clerk's Office for Council	
1/27/2011	1	Utilities Reviewer	Sent for Approval	
1/26/2011	1	Atty Drafter	Sent for Approval	
1/26/2011	1	Utilities Reviewer	Sent for Approval	
1/26/2011	1	UTILITIES DIRECTOR	Reviewed and Approved	
1/25/2011	1	Atty Reviewer	Reviewed and Approved	
1/24/2011	1	Atty Drafter	Sent for Approval	

**Background:** The City of Columbus is the owner of certain real property located in the vicinity of Jackson Street and Scioto Street, Columbus, Ohio. The Ohio Department of Transportation ("ODOT") is engaged in that highway project identified as FRA-317-0.00, and has requested a temporary easement to City owned property which is necessary to the project's completion. After investigation by the Department of Public Utilities, it has been determined that the granting a 24 month temporary easement on the subject 0.015 +/- acre tract will not adversely affect the City and may be granted. The Department of Law, Real Estate Division, agrees with ODOT's determined value of \$560.00 for the temporary easement. The following legislation authorizes the Director of the Department of Public Utilities to execute those instruments necessary to grant a temporary easement to ODOT necessary to their FRA-317-0.00 project.

**Fiscal Impact:** The \$560.00 to be received by the City, as consideration for the granting of the subject easements, shall be deposited in the appropriate City fund as determined by the Auditor.

**Emergency Justification:** This request has been thoroughly investigated and contemplated by the Department of Public Utilities and

at this time emergency action is requested by the Division of Real Estate in the spirit of inter-governmental cooperation to allow this matter to proceed without delay  
thereby allowing ODOT to timely complete its improvement project.

To authorize the Director of the Department of Public Utilities to execute those documents necessary to grant The Ohio Department of Transportation a temporary easement through certain City owned real property, located in the vicinity of Jackson Street and Scioto Street, needed for ODOT's FRA-317-0.00 project and to declare an emergency.

WHEREAS, The City of Columbus is the owner of certain real property located in the vicinity of Jackson Street and Scioto Street, Columbus, Ohio; and

WHEREAS, the Ohio Department of Transportation ("ODOT") is engaged in that highway project identified as FRA-317-0.00, and has requested a temporary easement to City owned property which is necessary to the project's completion; and

WHEREAS, after investigation by the Department of Public Utilities, it has been determined that the granting of the 24 month temporary easement for the subject 0.015 +/- acre tract will not adversely affect the City and may be granted; and

WHEREAS, the Department of Public Utilities, it has determined a value of \$560.00 for the temporary easement is appropriate; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, that it is immediately necessary to authorize the Director of Public Utilities to execute those documents, as approved by the Real Estate Division, Department of Law, necessary to grant ODOT a temporary easement in, under, across, over and through certain City owned real property located in the vicinity of Jackson Street and Scioto Street, Franklin County , Ohio for the immediate preservation of the public health, peace, property and safety; now, therefore:

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

Section 1. That the Director of the Department of Public Utilities be and hereby is authorized to execute those documents prepared by the Department of Law, Real Estate Division necessary to grant The Ohio Department of Transportation a temporary easement in, under, across, over and through the following described real property located in the vicinity of Jackson Street and Scioto Street, necessary to the State's FRA-317-0.00 Highway Project:

(See Legal Description Attached Hereto as Exhibit "A" and Made a part Hereof)

Section 2. That the City Auditor is hereby authorized and directed to deposit the Five Hundred Sixty Dollars (\$560.00), to be received by the City, as consideration for the granting of the subject temporary easements, in the appropriate City 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 passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.