



## Legislation Details (With Text)

**File #:** 0170X-2014    **Version:** 1  
**Type:** Resolution    **Status:** Passed  
**File created:** 9/30/2014    **In control:** Public Utilities Committee  
**On agenda:** 10/20/2014    **Final action:** 10/22/2014

**Title:** To declare the City's necessity and intent to appropriate additional fee simple title and lesser real property interests for the Department of Public Utilities, Division of Sewerage and Drainage, Blacklick Creek Sanitary Interceptor Sewer (CIP 650034-100006) Public Project; and to declare an emergency. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1-P1, 2. 1-P2, 3. 1-P3, 4. 1-T1, 5. 1-T2, 6. 8-PS, 7. 8-T, 8. 9-PS

Date	Ver.	Action By	Action	Result
10/22/2014	1	CITY CLERK	Attest	
10/21/2014	1	MAYOR	Signed	
10/20/2014	1	COUNCIL PRESIDENT	Signed	
10/20/2014	1	Columbus City Council	Adopted	Pass

**BACKGROUND:** The City is presently engaged in the Department of Public Utilities, Division of Sewerage and Drainage, Blacklick Creek Sanitary Interceptor Sewer (CIP 650034-100006) Public Project (the "Public Project"). The City desires to acquire certain fee simple title and lesser real property interests (collectively, the "Real Estate") in order to complete the Public Project. The City previously passed Ordinance Number 1794-2013 on July 22, 2013, 2717-2013 on December 9, 2013, and 0134-2014 on February 24, 2014, which, collectively, authorized the City Attorney to spend City funds to acquire the Real Estate. Additionally, the City adopted Resolution Number 0260x-2013 on December 9, 2013, and Resolution Number 0020x-2014 on March 3, 2014, which each declared the City's necessity and intent to appropriate some of the Real Estate. However, some of the parcels of Real Estate were intentionally omitted from Resolution Numbers 0260x-2013 and 0020x-2014, because some of the parcels of Real Estate were being redesigned for the Public Project. Accordingly, this resolution declares the City's necessity and intent to appropriate the remaining Real Estate.

**FISCAL IMPACT:** Not applicable.

**EMERGENCY JUSTIFICATION:** Emergency action is requested to allow for the City's acquisition of the Real Estate to allow for the Public Project's construction to proceed without delay, which will preserve the public peace, health, property, safety, and welfare.

To declare the City's necessity and intent to appropriate additional fee simple title and lesser real property interests for the Department of Public Utilities, Division of Sewerage and Drainage, Blacklick Creek Sanitary Interceptor Sewer (CIP 650034-100006) Public Project; and to declare an emergency. (\$0.00)

**WHEREAS,** it is in the City's best interest to declare the City's necessity and intent to appropriate the remainder of fee simple title and lesser property interests (*i.e.* Real Estate) being acquired by the City Attorney for the Department of

Public Utilities, Division of Sewerage and Drainage, Blacklick Creek Sanitary Interceptor Sewer (CIP 650034-100006) Public Project (*i.e.* Public Project);

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities, because declaring the City's immediate necessity and intent to appropriate the remainder of the Real Estate prevents delays in completing the Public Project, which will preserve the public peace, property, health, welfare, and safety; and **now, therefore**,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO**

**SECTION 1.** 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, the City declares the immediate necessity and intent to appropriate the fee simple title and lesser real property interests to the following listed parcels of real property (collectively, the "Real Estate"), which are fully described in their associated exhibits and incorporated into this resolution for reference and to complete the Department of Public Utilities, Division of Sewerage and Drainage, Blacklick Creek Sanitary Interceptor Sewer (CIP 650034-100006) Public Project (the "Public Project"):

**(EXHIBIT) ... (PUBLIC PROJECT PARCEL IDENTIFICATION)**

- |     |        |
|-----|--------|
| (1) | (1-P1) |
| (2) | (1-P2) |
| (3) | (1-P3) |
| (4) | (1-T1) |
| (5) | (1-T2) |
| (6) | (8-PS) |
| (7) | (8-T)  |
| (8) | (9-PS) |

**SECTION 2.** 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 in order to complete the Public Project.

**SECTION 3.** For the reasons stated in the preamble of this resolution, which are fully incorporated into this resolution, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the mayor or ten (10) days after its adoption if the mayor neither approves nor vetoes this resolution.