



Legislation Details (With Text)

File #: 0805-2007 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 5/14/2007 **In control:** Utilities Committee
On agenda: 6/4/2007 **Final action:** 6/11/2007
Title: To authorize the City Attorney to file the necessary complaints for the appropriation of construction and permanent easements in and to real estate necessary for the Petzinger Road Storm Sewer Improvement Project and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/11/2007	1	CITY CLERK	Attest	
6/8/2007	1	MAYOR	Signed	
6/4/2007	1	Columbus City Council	Approved	Pass
6/4/2007	1	COUNCIL PRESIDENT	Signed	
5/22/2007	1	Utilities Reviewer	Reviewed and Approved	
5/22/2007	1	Atty Drafter	Sent for Approval	
5/22/2007	1	CITY ATTORNEY	Reviewed and Approved	
5/22/2007	1	Atty Drafter	Sent to Clerk's Office for Council	
5/21/2007	1	Atty Reviewer	Reviewed and Approved	
5/21/2007	1	Atty Drafter	Sent for Approval	
5/21/2007	1	Utilities Reviewer	Sent for Approval	
5/21/2007	1	UTILITIES DIRECTOR	Reviewed and Approved	
5/14/2007	1	Atty Drafter	Sent for Approval	

Background: The following legislation authorizes the City Attorney to file the necessary complaints for the appropriation of construction and permanent easements in and to real estate necessary for the **Petzinger Road Storm Sewer Improvement Project**.

Fiscal Impact: Funding for this project is from the Department of Public Utilities, Division of Sewerage and Drainage, Storm Sewers Bonds Fund.

Emergency Justification: Emergency action is requested to allow the acquisition of the parcels necessary for this project to proceed without delay in order to meet the Division of Sewerage and Drainage construction schedule.

To authorize the City Attorney to file the necessary complaints for the appropriation of construction and

permanent easements in and to real estate necessary for the **Petzinger Road Storm Sewer Improvement Project** and to declare an emergency.

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the **Petzinger Road Storm Sewer Improvement Project**; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 0004X-2007, on the 22nd day of January, 2007, declaring the necessity and intent to appropriate the real property interests hereinafter described and the purpose of the appropriation, and notice of such adoption of said resolution has been served in accordance with Columbus City Code Sec. 909.03; and,

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, in that it is necessary to appropriate such real property interests so that there will be no delay in the aforementioned project, and for the immediate preservation of the public peace, property, health and safety; now, therefore:

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

Section 1. That construction and permanent easements in, over, under, across and through the parcels listed in Section 3 hereof, as are fully described in Resolution No. 0004X-2007, adopted on the 22nd day of January, 2007, said descriptions being incorporated herein, be appropriated for the public purpose of the **Petzinger Road Storm Sewer Improvement Project, #610739**, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

Section 2. That the Council of the City of Columbus, Ohio, declares that the appropriation of said real property interests is necessary for the stated public purpose, and that the City of Columbus, Ohio, has been unable to agree with the owner(s) as to the just compensation to be paid by the City of Columbus, Ohio.

Section 3. That the Council of the City of Columbus hereby fixes the value of said construction and permanent easements as follows:

1.	6T	\$200.00
2.	11T	\$325.00
3.	40P	\$977.00
4.	44P	\$1,340.00

Section 4. That the City Attorney be and hereby is authorized to file a complaint for appropriation of real property, in a Court of competent jurisdiction, and to have a jury impaneled to make inquiry into and assess the just compensation to be paid for the foregoing described real property interests.

Section 5. That for the reasons state in the preamble hereto, 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 its passage if the Mayor neither approves nor vetoes the same.