



## Legislation Details (With Text)

**File #:** 0140X-2014    **Version:** 1  
**Type:** Resolution    **Status:** Passed  
**File created:** 8/11/2014    **In control:** Public Utilities Committee  
**On agenda:** 9/8/2014    **Final action:** 9/11/2014  
**Title:** To declare the City's necessity and intent to appropriate the fee simple title and lesser real property interests required for the Department of Public Utilities, Division of Sewerage and Drainage, Big Walnut Augmentation Rickenbacker Interceptor Lockborne Intermodal Subtrunk (PID 650491-100002) Public Project; and to declare an emergency. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2-S, 2. 2-DT, 3. 2-ET, 4. 3-S, 5. 4-S, 6. 5-S, 7. 5-T, 8. 6-S, 9. 6-T, 10. 7-S, 11. 9-S, 12. 10-WD, 13. 10-S

| Date      | Ver. | Action By             | Action  | Result |
|-----------|------|-----------------------|---------|--------|
| 9/11/2014 | 1    | CITY CLERK            | Attest  |        |
| 9/10/2014 | 1    | MAYOR                 | Signed  |        |
| 9/8/2014  | 1    | COUNCIL PRESIDENT     | Signed  |        |
| 9/8/2014  | 1    | Columbus City Council | Adopted | Pass   |

**BACKGROUND :**

The City is engaged in the Department of Public Utilities, Division of Sewerage and Drainage, Big Walnut Augmentation Rickenbacker Interceptor Lockborne Intermodal Subtrunk (PID 650491-100002) Public Project (the "Public Project"). The City passed **Ordinance Number 0796-2008 on June 16<sup>th</sup>, 2008**, which authorized the City Attorney to spend City funds to acquire the fee simple title and lesser property interests necessary for the City to complete the Public Project (collectively, the "Real Estate"). The City also passed **Ordinance Number 1659-2010 on December 6<sup>th</sup>, 2010**, and **Ordinance Number 0705-2011 on May 23<sup>rd</sup>, 2011**, which each authorized the City Attorney to spend additional City funds to acquire the Real Estate. Accordingly, this resolution declares the City's immediate necessity and intent to appropriate the Real Estate in order to complete the Public Project.

**CONTRACT COMPLIANCE № :** Not applicable.

**FISCAL IMPACT :** Not applicable.

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

To declare the City's necessity and intent to appropriate the fee simple title and lesser real property interests required for the Department of Public Utilities, Division of Sewerage and Drainage, Big Walnut Augmentation Rickenbacker Interceptor Lockborne Intermodal Subtrunk (PID 650491-100002) 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 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, Big Walnut Augmentation Rickenbacker Interceptor Lockborne Intermodal Subtrunk (PID 650491-100002) Public Project (*i.e.* Public Project);

**WHEREAS** , an emergency exists in the usual daily operation of the City in that it is immediately necessary to declare the City's necessity and intent to prevent delay 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 Columbus City Charter, Chapter 909 of the Columbus City Code, the Ohio Constitution , and Chapter 719 of the Ohio Revised Code, 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 (i) fully described in their associated exhibits and incorporated into this resolution for reference; and (ii) required for the Department of Public Utilities, Division of Sewerage and Drainage, Big Walnut Augmentation Rickenbacker Interceptor Lockborne Intermodal Subtrunk (PID 650491-100002) Public Project (the “Public Project”):

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

- (1) (2-S)
- (2) (2-DT)
- (3) (2-ET)
- (4) (3-S)
- (5) (4-S)
- (6) (5-S)
- (7) (5-T)
- (8) (6-S)
- (9) (6-T)
- (10) (7-S)
- (11) (9-S)
- (12) (10-WD)
- (13) (10-S)

**SECTION 2.** The City Attorney is authorized to cause a written notice of the adoption of this resolution 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 required in order to complete the Public Project.

**SECTION 3.** For the reasons stated in the preamble hereto, which are made a part hereof, this resolution 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.