



## Legislation Details (With Text)

**File #:** 0172X-2017    **Version:** 1  
**Type:** Resolution    **Status:** Passed  
**File created:** 6/7/2017    **In control:** Public Service & Transportation Committee  
**On agenda:** 7/17/2017    **Final action:** 7/20/2017  
**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 Pedestrian Safety Improvement-Wilson Road Shared Use Path-Broad Street to Sullivant Avenue. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1wd legal, 2. 1t legal

Date	Ver.	Action By	Action	Result
7/20/2017	1	CITY CLERK	Attest	
7/20/2017	1	MAYOR	Signed	
7/17/2017	1	COUNCIL PRESIDENT	Signed	
7/17/2017	1	Columbus City Council	Adopted	Pass
7/10/2017	1	Columbus City Council	Read for the First Time	

**BACKGROUND:**

The City's Department of Public Service ("DPS") is engaged in the Pedestrian Safety Improvement-Wilson Road Shared Use Path-Broad Street to Sullivant Avenue (PID 590105-100083) Public Improvement Project ("Public Project"). The City must acquire certain fee simple title and lesser real estate located in the vicinity of the public right-of-way of Wilson Road and Broad Street, Columbus, Ohio 43228 (collectively, "Real Estate") in order for DPS to complete the Public Project. The City passed Ordinance Number 2137-2015 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 for the Real Estate.

**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 Pedestrian Safety Improvement-Wilson Road Shared Use Path-Broad Street to Sullivant Avenue. (\$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 Pedestrian Safety Improvement-Wilson Road Shared Use Path-Broad Street to Sullivant Avenue (PID 590105-100083) Public Improvement Project (“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 the public right-of-way of Broad Street and Wilson Road, Columbus, Ohio 43228 (“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 roadway 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 for the Real Estate; and **now, therefore**,

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

**SECTION 1.** 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 additional or modified 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 Pedestrian Safety Improvement-Wilson Road Shared Use Path-Broad Street to Sullivant Avenue (PID 590105-100083) Public Improvement Project (“Public Project”)

**(Exhibit) ... (Public Project Parcel Identification) ... (Modified Real Estate)**

- 1) 1-WD (fee simple title without limitation of access)
- 2) 1-T (twenty-four (24) month temporary construction & access easement)

**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.

**SECTION 3.** This resolution shall take effect and be in full force and effect from and after the earliest period allowed by law.