



## Legislation Details (With Text)

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**Type:** Resolution    **Status:** Passed

**File created:** 7/23/2014    **In control:** Public Service & Transportation 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 City's Department of Public Service, Arterial Road Rehabilitation - James Road (PID 530103-100014) Public Project; and to declare an emergency. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 10-WD, 2. 10-T1, 3. 10-T2, 4. 11-WD, 5. 11-T, 6. 12-WD, 7. 12-T1, 8. 12-T2, 9. 13-WD1, 10. 13-WD2, 11. 13-WD3, 12. 13-T1, 13. 13-T2, 14. 13A-WD, 15. 13B-WD, 16. 15-WD, 17. 15-T, 18. 17-T, 19. 18-WD, 20. 18-T, 21. 19-T, 22. 20-WD, 23. 20-T, 24. 21-WD, 25. 21-T, 26. 22-WD, 27. 22-T, 28. 23-WD, 29. 23-T, 30. 24-WD, 31. 24-T, 32. 25-T, 33. 26-WD, 34. 26-T, 35. 27-WD, 36. 27-T, 37. 28-WD, 38. 28-T, 39. 29-WD, 40. 29-T, 41. 30-WD, 42. 30-T, 43. 31-T, 44. 32-WD, 45. 32-T, 46. 33-T, 47. 34-WD, 48. 34-T, 49. 35-T, 50. 36-WD, 51. 36-T, 52. 37-T, 53. 38-WD, 54. 38-T, 55. 39-T, 56. 40-WD, 57. 40-T, 58. 41-T, 59. 42-WD, 60. 42-T, 61. 43-T, 62. 44-WD, 63. 44-T, 64. 45-T, 65. 46-WD, 66. 46-T, 67. 47-T, 68. 48-WD, 69. 48-T, 70. 49-T, 71. 50-WD, 72. 50-T, 73. 51-T, 74. 52-T, 75. 53-WD, 76. 53-T, 77. 54-WD, 78. 54-T1, 79. 54-T2, 80. 55-WD, 81. 55-T, 82. 56-WD, 83. 56-T, 84. 57-WD, 85. 57-T, 86. 58-WD, 87. 58-T, 88. 59-WD, 89. 59-T, 90. 60-WD, 91. 60-T, 92. 61-WD, 93. 61-T, 94. 62-WD, 95. 62-T1, 96. 62-T2, 97. 63-WD, 98. 63-T, 99. 64-WD, 100. 64-T, 101. 65-WD, 102. 65-T, 103. 66-WD, 104. 66-T, 105. 67-WD, 106. 67-T, 107. 68-WD, 108. 68-T, 109. 69-WD, 110. 69-T, 111. 70-WD, 112. 70-T1, 113. 70-T2, 114. 71-WD, 115. 71-T, 116. 72-WD, 117. 72-T, 118. 73-WD, 119. 73-T, 120. 74-WD, 121. 74-T, 122. 75-WD1, 123. 75-WD2, 124. 75-T, 125. 76-WD, 126. 76-T, 127. 77-WD, 128. 77-T, 129. 78-WD, 130. 78-T, 131. 79-WD, 132. 79-T, 133. 79A-WD, 134. 80-WD, 135. 80-T, 136. 81-WD, 137. 81-T, 138. 82-WD, 139. 82-T, 140. 83-WD, 141. 83-T, 142. 83A-WD, 143. 84-WD, 144. 84-T, 145. 85-WD, 146. 85-T, 147. 86-WD, 148. 86-T, 149. 87-WD, 150. 87-T, 151. 88-WD, 152. 88-T, 153. 89-WD, 154. 89-T, 155. 90-WD, 156. 90-T, 157. 90A-WD, 158. 91-WD, 159. 91-T, 160. 92-WD, 161. 92-T, 162. 93-WD, 163. 93-T, 164. 94-WD, 165. 94-T, 166. 95-WD, 167. 95-T, 168. 96-WD, 169. 96-T, 170. 97-WD, 171. 99-T

| 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   |

0132x-2014

### 1. BACKGROUND :

The City is engaged in the Department of Public Service, Arterial Road Rehabilitation - James Road (PID 530103-100014) Public Project (the "Public Project"). The City passed Ordinance Number 2390-2013, which became effective on October 22<sup>nd</sup>, 2013, and 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 1617-2014, which became effective July 16<sup>th</sup>, 2014, and 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 for the Public Project.

**2. CONTRACT COMPLIANCE** : Not applicable.

**3. FISCAL IMPACT** : Not applicable.

**4. EMERGENCY JUSTIFICATION** : Emergency action is requested to allow for the City's acquisition of the Real Estate in order to complete 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 City's Department of Public Service, Arterial Road Rehabilitation - James Road (PID 530103-100014) 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 City's Department of Public Service, Arterial Road Rehabilitation - James Road (PID 530103-100014) Public Project (*i.e.* "Public Project");

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

**BE IT ORDAINED 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 **(i)** fully described in their associated exhibits; **(ii)** fully incorporated into this resolution for reference; and **(iii)** required for the City's Department of Public Service, Arterial Road Rehabilitation - James Road (PID 530103-100014) Public Project (the "Public Project"):

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

- (1) (10-WD)
- (2) (10-T1)
- (3) (10-T2)
- (4) (11-WD)
- (5) (11-T)
- (6) (12-WD)
- (7) (12-T1)
- (8) (12-T2)
- (9) (13-WD1)
- (10) (13-WD2)
- (11) (13-WD3)
- (12) (13-T1)
- (13) (13-T2)
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**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 required for the Public Project.

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