



Legislation Details (With Text)

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File created: 5/3/2022 **In control:** Public Utilities Committee
On agenda: 6/6/2022 **Final action:** 6/9/2022
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 Blueprint Eureka-Freemont Hilltop Project; and to declare an emergency. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2 T, 2. 12 T, 3. 21 T, 4. 26 T1, 5. 26 T2, 6. 28 T, 7. 31P metes bounds

Date	Ver.	Action By	Action	Result
6/9/2022	1	CITY CLERK	Attest	
6/8/2022	1	MAYOR	Signed	
6/6/2022	1	COUNCIL PRESIDENT	Signed	
6/6/2022	1	Columbus City Council	Adopted	Pass

BACKGROUND: The City's Department of Public Utilities ("DPU") is performing the Blueprint Eureka-Freemont Hilltop Project ("Public Project"). The City must acquire certain fee simple title and lesser real estate located in the vicinity of Eureka Avenue and Freemont Street (collectively, "Real Estate") in order for DPU to timely complete the Public Project. The City passed Ordinance Number 0967-2021 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.

CONTRACT COMPLIANCE: Not applicable.

FISCAL IMPACT: Not applicable.

EMERGENCY JUSTIFICATION: Emergency action is requested in order to acquire the Real Estate and allow DPU to timely 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 and accept certain fee simple title and lesser real estate in order to complete the Blueprint Eureka-Freemont Hilltop Project; and to declare an emergency. (\$0.00)

WHEREAS, the City intends to improve certain public sewer infrastructure by allowing the Department of Public Utilities ("DPU") to engage in the Blueprint Eureka-Freemont Hilltop 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 Eureka Avenue and Freemont Street ("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 sewer infrastructure and associated appurtenances; 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; and

WHEREAS, an emergency exists in the usual daily operations of DPU in that it is immediately necessary to authorize the City Attorney to acquire the Real Estate in order to prevent unnecessary 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:

SECTION 1. That 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 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 Utilities (“DPU”) to complete the Blueprint Eureka-Freemont Hilltop Project (“Public Project”).

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

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|----------|-------------------------------|
| 1) 2-T | (24-Month Temporary Easement) |
| 2) 12-T | (24-Month Temporary Easement) |
| 3) 21-T | (24-Month Temporary Easement) |
| 4) 26-T1 | (24-Month Temporary Easement) |
| 5) 26-T2 | (24-Month Temporary Easement) |
| 6) 28-T | (24-Month Temporary Easement) |
| 7) 31-P | (Permanent Easement) |

SECTION 2. That 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. That this resolution, for the reasons stated in the preamble, which are made a part of this resolution and fully incorporated for reference as if rewritten, is declared to be an emergency measure and shall take effect and be in force from and after this resolution’s adoption and approval by the Mayor or ten (10) days after its adoption if the Mayor neither approves nor vetoes this resolution.