



Legislation Details (With Text)

File #: 0394-2005 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 2/16/2005 **In control:** Safety Committee

On agenda: 2/28/2005 **Final action:** 3/2/2005

Title: To authorize the City Attorney to file the necessary complaints for the appropriation of permanent easements in and to real estate necessary for the Hague Avenue Stormwater Improvement project and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
3/2/2005	1	MAYOR	Signed	
3/2/2005	1	CITY CLERK	Attest	
2/28/2005	1	Columbus City Council	Approved	Pass
2/28/2005	1	COUNCIL PRESIDENT	Signed	
2/24/2005	1	Atty Drafter	Sent to Clerk's Office for Council	
2/22/2005	1	Atty Drafter	Sent to Clerk's Office for Council	
2/22/2005	1	City Clerk's Office	Sent back for Clarification/Correction	
2/18/2005	1	City Clerk's Office	Sent back for Clarification/Correction	
2/18/2005	1	City Clerk's Office	Sent back for Clarification/Correction	
2/17/2005	1	Atty Reviewer	Reviewed and Approved	
2/17/2005	1	Atty Drafter	Sent for Approval	
2/17/2005	1	CITY ATTORNEY	Reviewed and Approved	
2/17/2005	1	Atty Drafter	Sent to Clerk's Office for Council	
2/16/2005	1	Atty Drafter	Sent for Approval	

Background: The following legislation authorizes the City Attorney to file the necessary complaints for the appropriation of permanent easements in and to real estate necessary for the **Hague Avenue Stormwater Improvement project**.

Fiscal Impact: N/A

Emergency Justification: Emergency action is requested to allow the acquisition of the parcels necessary for this project to proceed without delay, thus facilitating the commencement of construction necessary to the project.

To authorize the City Attorney to file the necessary complaints for the appropriation of permanent easements in and to real estate

necessary for the **Hague Avenue Stormwater 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 **Hague Avenue Stormwater Improvement project**; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 095X-2004, on the 19th day of April, 2004, 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 permanent easements in, over, under, across and through the following described real property, be appropriated for the public purpose of the **Hague Avenue Stormwater Improvement project, # 610963**, 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:

3P

Situated in the County of Franklin, in the State of Ohio and in the City of Columbus. Being part of 0.837 acre tract conveyed to Robert Owen Snyder and Marilyn Joan Snyder, husband and wife, by deed of Record dated 29th March 1985, Official Record Number 05512F02, Recorders Office, Franklin County, Ohio, and bounds as follows:

Beginning at an iron pin in the northwest corner of said 0.837 acre tract; thence along the westerly line of said tract, South 3° 51' East, 150.01 feet to an iron pin, in the southwest corner of said 0.837 acre tract; thence along the southerly line of said tract, North 86° 30' East, 110.11 feet to a point, said point being in the westerly right-of-way line of a cul-de-sac in Dibblee Avenue; thence along said westerly right-of-way line with a curve to the right having a 50 feet radius, North 41° 10' 49" East 14.06 feet along a chord to a point; thence along a line parallel and 10.00 feet North of said southerly line, South 86° 30' 00" West 110.06 feet to a point; thence along a line parallel and 10.00 feet East of said westerly line, North 3° 51' 00" West 140.01 feet to a point, said point being in the northerly line of said 0.837 acre tract; thence along said northerly line South 86° 30' 00" West 10.00 feet to a point of beginning containing 0.058 acre more or less.

Parcel Number: 010-121702, Property Address: 2900 Dibblee Avenue, Columbus, Ohio 43204. Dwight D. Stuckey, P.E., P.S.

Licensed Surveyor No. 4992

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, Ohio, hereby declares the value of the subject real property interests to be One Thousand Five Hundred Ninety Six Dollars (\$1,596.00).

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, which is hereby made a part hereof, 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.