



in the vicinity of West Broad Street from Stevens Avenue to Starling 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 right-of-way 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; and

**WHEREAS**, an emergency exists in the usual daily operations of DPS in that it is immediately necessary to declare the City’s intent to appropriate and accept 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 Service (“DPS”) to complete the FRA-US40-10.55 W. Broad Urban Paving (Project No. 530282-100110) Project. (“Public Project”).

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

- |    |       |   |
|----|-------|---|
| 1) | 3-WD  | (Fee Simple Without Limitation of Access) |
| 2) | 7-T   | (12 Month Temporary Easement)             |
| 3) | 20-WD | (Fee Simple Without Limitation of Access) |
| 4) | 11-WD | (Fee Simple Without Limitation of Access) |
| 5) | 12-WD | (Fee Simple Without Limitation of Access) |
| 6) | 15-WD | (Fee Simple Without Limitation of Access) |
| 7) | 18-WD | (Fee Simple Without Limitation of Access) |

**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 the Real Estate’s acquisition for the Public Project is required to make, improve, or repair certain portions of the public right-of-way in the vicinity of West Broad Street and associated appurtenances which will be open to the public without charge.

**SECTION 4.** That this resolution, for the reasons stated in the preamble, which are made of 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.