



Legislation Details (With Text)

File #: 0139X-2014 **Version:** 1
Type: Resolution **Status:** Passed
File created: 8/6/2014 **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 Department of Public Service, Division of Design and Construction, American Addition Infrastructure Improvement, Phases Two (2) and Three (3), (PID 590131-10003/2639 Dr E) Public Project; and to declare an emergency. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 54-S, 2. 54-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

BACKGROUND :

The Department of Public Service and Department of Development are engaged in the redevelopment of the American Addition Subdivision. Specifically, the Department of Public Service, Division of Design and Construction, is engaged in four (4) phases of the American Addition Infrastructure Improvement (PID 590131-10003/2639 Dr E) Public Project (the "Public Project"). The City passed **Ordinance Number 0652-2012** on April 2nd, 2012, which generally authorized the City Attorney to spend City funds to acquire the fee simple title and lesser property interests necessary for the City to complete all four (4) phases of the Public Project (collectively, the "Real Estate"). Pursuant to **Ordinance Number 0652-2014**, **Resolution Number 0018x-2014**, which passed on January 28th, 2013, **Ordinance Number 0906-2013**, which passed on April 29th, 2013, and **Ordinance Number 1149-2013**, which passed on June 3rd, 2013, the City Attorney acquired all of the Real Estate associated with Phase One (1) of the Public Project. Pursuant to Ordinance Number 0652-2012, the City Attorney is presently engaged in acquiring the Real Estate associated with Phases Two (2) and Three (3) of the Public Project. Accordingly, this resolution declares the City's immediate necessity and intent to appropriate the Real Estate in order to complete Phases Two (2) and Three (3) of the Public Project.

CONTRACT COMPLIANCE No : Not applicable.

FISCAL IMPACT : Not applicable.

EMERGENCY JUSTIFICATION : Emergency action is requested to allow for the City's acquisition of the Real Estate in order to complete Phases Two (2) and Three (3) of 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 the fee simple title and lesser real property interests required for

the Department of Public Service, Division of Design and Construction, American Addition Infrastructure Improvement, Phases Two (2) and Three (3), (PID 590131-10003/2639 Dr E) 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, Division of Design and Construction, American Addition Infrastructure Improvement, Phases Two (2) and Three (3), (PID 590131-10003/2639 Dr E) Public Project (*i.e.* Public Project);

WHEREAS , an emergency exists in the usual daily operation of the City in that it is immediately necessary to declare the necessity and intent to appropriate the Real Estate for Phases Two (2) and Three (3) of the Public Project to prevent 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, OHIO:

SECTION 1. Pursuant to the Columbus City Charter, Chapter 909 of the Columbus City Code, the Ohio Constitution, and Chapter 719 of the Ohio Revised Code, 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 and incorporated into this resolution for reference; and **(ii)** required for the Department of Public Service, Division of Design and Construction, American Addition Infrastructure Improvement, Phases Two (2) and Three (3), (PID 590131-10003/2639 Dr E) Public Project (the “Public Project”):

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

- (1) (54-S)
- (2) (54-T)

SECTION 2. The City Attorney is authorized to cause a written notice of the adoption of this resolution 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 in order to complete the Public Project.

SECTION 3. For the reasons stated in the preamble hereto, which are made a part hereof, this resolution 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.