



Legislation Text

File #: 1684-2013, **Version:** 1

1. BACKGROUND

In June, 2013, pursuant to Ordinance 0199-2013, the City of Columbus (Columbus) entered into a Cooperative Right of Way Acquisition Agreement with City of Dublin, Ohio (Dublin) which agreement provided for Dublin to fund the acquisition of right of way by Columbus within the Columbus corporation limits for reconstructing the intersection at Hard Road and Sawmill Road to provide additional right turn lanes and modification to the traffic signal for the Arterial Street Rehabilitation - Hard Road Ph A Sawmill Road - Smoky Row Road project. This ordinance authorizes an escrow agreement among the City Attorney, the City Auditor, and Dublin for the deposit of the funds and payment of the costs of acquisition.

2. EMERGENCY DESIGNATION

Emergency passage is required in order to acquire the right of way timely as to not delay the project.

3. FISCAL IMPACT

None

To authorize the Department of Public Service to accept payment from Dublin of \$135,000.00 and any necessary cost increases to acquire fee simple title and lesser interests; authorizes an escrow agreement among the City Attorney, the City Auditor, and Dublin for the deposit of the funds and payment of the costs of acquisition; authorizes the City Attorney's Office to contract for professional services for the Arterial Street Rehabilitation - Hard Road Phase A Sawmill Road - Smoky Row Road project; and to declare an emergency. (\$0.00)

WHEREAS, Columbus and Dublin entered into a Cooperative Right of Way Acquisition Agreement as authorized by Ordinance 0199-2013, passed February 11, 2013; and

WHEREAS, acquisitions of parcels of land are required to construct a public improvement under the Cooperative Right of Way Acquisition Agreement and Dublin has agreed to pay for the cost of acquisition; and

WHEREAS, Columbus and Dublin now desire to facilitate the acquisition of those parcels and the following ordinance authorizes the Department of Public Service to accept a payment from Dublin; authorizes an escrow agreement among the City Attorney, the City Auditor, and Dublin for the deposit of the funds and payment of the costs of acquisition; and authorizes the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend the monies for payment of acquisition costs in connection with the Arterial Street Rehabilitation - Hard Road Ph A Sawmill Road - Smoky Row Road project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to executed an escrow agreement and authorize the City Attorney to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the aforesaid professional services necessary in connection with said project for the preservation of the public health, peace, property and safety; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the City Attorney, the City Auditor, and Dublin be, and is hereby is authorized to execute an escrow

agreement for the deposit of the funds and payment of the costs of acquisition in connection with the Arterial Street Rehabilitation - Hard Road Ph A Sawmill Road - Smoky Row Road project;

SECTION 2. That the Department of Public Service be, and he hereby is authorized to deposit \$135,000.00 and any necessary cost increases to the appropriate fund and project account to be determined by the City Auditor.

SECTION 3. That the City Attorney be, and hereby is authorized to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the professional services necessary in connection with the Arterial Street Rehabilitation - Hard Road Ph A Sawmill Road - Smoky Row Road project.

SECTION 4. That for the reasons stated 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 passage if the mayor neither approves nor vetoes the same.