



# City of Columbus

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org

## Legislation Text

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**File #:** 1841-2015, **Version:** 1

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### **BACKGROUND :**

The City owns real property located at 9280 South Old State Road, Lewis Center, Ohio 43035 {Delaware County Tax Parcel 318-341-02-013-000} ("Property"), which is managed by the Columbus Recreation and Parks Department (CRPD). The Delaware County Commissioners, a body politic and corporate organized and existing pursuant to Ohio Revised Code Chapter 301 ("Delaware") is undertaking the South Old State Road DEL-CR10-0.90 (PID 90243) Public Improvement Project ("Public Project"). Furthermore, Delaware is required to acquire certain temporary real property interests from portions of the Property ("Real Estate") in order to complete the Public Project. Specifically, Delaware will temporarily use the Real Estate in order to perform grading.

CRPD, after reviewing this matter, supports granting the Real Estate to Delaware for no monetary compensation in consideration (i) of fostering intergovernmental cooperation, and (ii) that the Public Project will improve the safety of the Property's adjacent public right-of-way. Accordingly, this ordinance authorizes the director of CRPD on behalf of the City to execute and acknowledge any necessary instrument(s), as approved by the City Attorney, in order to grant the Real Estate to Delaware County.

**CONTRACT COMPLIANCE No:** Not applicable.

**FISCAL IMPACT :** Not applicable.

**EMERGENCY JUSTIFICATION :** Emergency action is requested to allow for Delaware to complete the Public Project without unnecessary delay, which will preserve the public peace, health, property, safety, and welfare.

To authorize the director of Columbus Recreation and Parks Department to execute and acknowledge any necessary instrument(s), as approved by the City Attorney, to grant to the Delaware County Commissioners certain temporary real property interests from portions of real property located at 9280 South Old State Road, Lewis Center, Ohio 43035 in order to complete the South Old State Road DEL-CR10-0.90 (PID 90243) Public Improvement Project; and to declare an emergency. (\$0.00)

**WHEREAS** , the City intends to support Delaware County Commissioners, a body politic and corporate organized and existing pursuant to Ohio Revised Code Chapter 301 (*i.e.* Delaware), South Old State Road DEL-CR10-0.90 (PID 90243) Public Improvement Project (*i.e.* Public Project);

**WHEREAS** , the City intends to support Delaware County's Public Project by granting Delaware County certain temporary real property interests (*i.e.* Real Estate) from a portion of real property located at 9280 South Old State Road, Lewis Center, Ohio 43035 {Delaware County Tax Parcel 318-341-02-013-000} (*i.e.* Property);

**WHEREAS** , the City intends to grant the Real Estate to Delaware for no monetary compensation in consideration (i) of fostering intergovernmental cooperation, and (ii) that the Public Project will improve the safety of the Property's adjacent public right-of-way;

**WHEREAS** , the City Attorney shall approve all instrument(s) associated with this ordinance;

**WHEREAS** , an emergency exists in the usual daily operation of the Department of Recreation and Parks in the it is immediately necessary to authorize the granting of the Real Estate in order to prevent unnecessary delay in Delaware County timely completing the Public Project, which will preserve the public peace, property, health, welfare, and safety; and **now, therefore** ,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:**

**SECTION 1.** The director of the Columbus Recreation and Parks Department (CRPD) is authorized to execute and acknowledge any instrument(s) necessary to grant to the Delaware County Commissioners, a body politic and corporate organized and existing pursuant to Ohio Revised Code Chapter 301 (*i.e.* Delaware County), a two (2) year temporary construction easement (Public Project Parcel 22-T) to use a 0.002 acre, more or less, portion of the City's real property located at 9280 South Old State Road, Lewis Center, Ohio 43035 {Delaware County Tax Parcel 318-341-02-013-000} (*i.e.* Property), as described in the two (2) page attachment, Exhibit-A, which is fully incorporated into this ordinance for reference, in order for Delaware County to complete the South Old State Road DEL-CR10-0.90 (PID 90243) Public Improvement Project (*i.e.* Public Project).

**SECTION 2.** The City Attorney is required to approve all instrument(s) associated with this ordinance prior to the director of CRPD executing and acknowledging any of those instrument(s).

**SECTION 3.** For the reasons stated in the preamble of this ordinance, which are made a part of this ordinance, this ordinance is declared an emergency measure and shall take effect and be in force from and after this ordinance's passage and approval by the Mayor, or ten (10) days after this ordinance's passage if the Mayor neither approves nor vetoes this ordinance.