



# City of Columbus

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

## Legislation Text

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**File #: 1632-2008, Version: 1**

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This ordinance determines to proceed with the construction of a parking garage at the southeast corner of the intersection of Fourth and Elm Streets in Downtown Columbus, a portion of which will be funded by levying special assessments on the Special Benefit District described in the Petition attached to Resolution No. 0132X-2008,. The special assessments will be collected over 30 years in an amount equaling \$348,658.73 annually. This amount is \$16,341.27 less than the annual amount set forth in Resolution 0123X-2008 as a result of a recommended amendment by the Board of Revision in its report to City Council pursuant to Section 173 of the City Charter. It is anticipated that the reduction in this annual assessment will be offset by revenues from garage operations and if necessary TIF revenues from the Downtown TIF The City anticipates issuing bonds to pay for the construction of the parking garage, and the construction of the parking garage is set to begin in late 2008.

An ordinance determining to proceed with the acquiring, constructing, installing, equipping, and improving of off-street parking facilities at the southeast corner of the intersection of Fourth and Elm Streets, acquiring interests in the site thereof, together with all necessary and proper appurtenances, and determining that such action is necessary pursuant to Section 55(b) of the Charter of the City of Columbus.

WHEREAS, this Council previously adopted Resolution 0132X-2008 (the "Resolution of Necessity") on July 14, 2008, which declared the necessity of acquiring, constructing, installing, equipping, and improving off-street parking facilities at the southeast corner of the intersection of Fourth and Elm Streets, and acquiring interests in the site thereof, together with all necessary and proper appurtenances, all as shown on the Plans and Specifications on file in the office of the Clerk of Council (the "Project"); and

WHEREAS, the Resolution of Necessity imposed Special Assessments on the Assessed Parcels in proportion to the special benefits conferred upon such Assessed Parcels from the Project in order to pay for a portion of the cost and expense of the Project; and

WHEREAS, certain Owners filed objections to their estimated Special Assessments, and a Board of Revision (the "Board of Revision") appointed by Resolution 0170X-2008 and acting in the pursuance of the Resolution of Necessity, met on October 7, 2008 and recommended approval of the estimated Special Assessments with an amendment, as set forth in the Board of Revision findings submitted to Council and on file with the City Clerk; and

WHEREAS, this ordinance is another in a series subsequent to Ordinance Nos. 0628-2007, 1167-2007, 1277-2007 and Resolution Nos. 0132X-2008 and 0170-2008 necessary to the construction of a public improvement such that action hereunder is deemed to be necessary pursuant to Section 55(b) of the Charter of the City of Columbus; NOW THEREFORE,

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

Section 1. Capitalized terms not otherwise defined herein shall have the meaning assigned to each term in the Petition attached as Appendix A to the Resolution of Necessity.

Section 2. It is determined to proceed with the acquisition, construction, installation, equipping, and improving of the Project in accordance with the Resolution of Necessity and the Plans and Specifications.

Section 3. All claims for damages resulting from the Project that have been legally filed shall be inquired into after completion

of the Project, and the City Attorney is hereby authorized and directed to institute legal proceedings in a court of competent jurisdiction to inquire into such claims in accordance with all legal requirements, including Sections 176 and 177 of the Charter.

Section 4. The estimated Special Assessments to be assessed in accordance with the Resolution of Necessity, as amended by the recommendation of the Board of Revision, are hereby adopted, and such Special Assessments shall be assessed in the manner set forth in the Resolution of Necessity in proportion to the special benefits conferred upon the Assessed Parcels from the Project.

Section 5. The Clerk of Council shall deliver a certified copy of this Ordinance to the County Auditor within 15 days after its passage.

Section 6. That for the reasons set forth in the preamble hereto, which is hereby made a part hereof, and in accordance with Section 55(b) of the Charter of the City of Columbus, this ordinance 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.