



# City of Columbus

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

## Legislation Text

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**File #:** 0768-2008, **Version:** 1

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**Background:** This is consent legislation with the State of Ohio, Department of Transportation (ODOT) for a Franklin County Metropark project which proposes to construct a bikepath from Three Creeks Park to an existing bikepath under construction, south and west of Winchester Pike and Ebright Road. A portion of this project (eastern half) is located on City park property. (FRA-33 Blacklick Creek Greenway, PID 75810)

Since a portion of this project lies within the City of Columbus, this consent ordinance is necessary. Construction of this project is tentatively scheduled for the Spring of 2009.

**Fiscal Impact:** This trail project is sponsored by Franklin County Metroparks and all local costs are to be borne by them.

Emergency action is requested in order to assure that the project development proceeds in a timely manner.

To authorize the Director of the Recreation and Parks Department to grant consent and propose cooperation with the Ohio Department of Transportation to construct a bikepath from Three Creeks Park to an existing bikepath South and West of Winchester Pike and Ebright Road, and to declare an emergency.

**WHEREAS**, the Ohio Department of Transportation, Franklin County Metroparks and the Department of Recreation and Parks has identified the need to construct a 4,100 foot bikepath from Three Creeks Park to an existing bikepath which is south and west of Winchester Pike and Ebright Road, including a bridge over Blacklick Creek and US-33; and

**WHEREAS**, the eastern most portion of this project is on city park property; and

**WHEREAS**, the Recreation and Parks Department grants consent and agrees to cooperate with the Ohio Department of Transportation and Franklin County Metroparks in accordance with the planning, design and construction of this project; and

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to grant consent to the Ohio Department of Transportation to ensure that the project development proceeds in a timely manner. for the preservation of public health, peace, property and safety; now, therefore

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

#### **SECTION 1.** Consent Statement

Being in the public interest, the City of Columbus gives consent to the Director of the Ohio Department of Transportation to complete the above described project.

#### **SECTION 2.** Cooperation Statement

The City hereby agrees to cooperate with the Ohio Department of Transportation in the planning, design and construction of the identified improvement project.

#### **SECTION 3.** Utilities and Right-of-Way Statement

The City agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with

current State and Federal regulations. The City also understands that right-of-way costs include eligible utility costs.

The City agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

**SECTION 4. Maintenance**

Upon completion of the project, and unless otherwise agreed, the City shall: (1) provide adequate maintenance for the project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial resources, as necessary, for the maintenance of the project; (3) maintain the right-of-way, keeping it free of obstructions, and (4) hold said right-of-way inviolate for public highway purposes.

**SECTION 5. Authority to Sign**

The Recreation and Parks Director is hereby empowered on behalf of the City of Columbus to enter into contracts with the Ohio Department of Transportation necessary to complete the above-described project.

**SECTION 6.** 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.