



City of Columbus

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

Legislation Text

File #: 0740-2016, **Version:** 1

BACKGROUND:

The City owns real property located in the vicinity of Sunbury Road, Westerville, Ohio 43082 identified as Delaware County Tax Parcel 317-442-04-001-000 ("Property"), which serves operations of the Departments of Public Utilities and Recreation and Parks. The Delaware County Commissioners, a body politic and corporate organized and existing pursuant to Ohio Revised Code Chapter 301 ("Delaware"), is undertaking the Sunbury Road (DEL-CR30-0.00, PID 95527) Public Right-of-way Improvement Project ("Public Project"). Furthermore, Delaware is required to acquire a certain highway easement to burden a portion of the Property ("Parcel 15-SHV") in the name of the City of Westerville, Ohio, an Ohio municipal corporation ("Westerville"), in order to complete the Public Project. Specifically, Delaware will utilize Parcel 15-SHV in order to widen and construct portions of Sunbury Road and associated curbs, gutters, storm sewers, lighting, recreational paths, sidewalks, and traffic signals.

The Departments of Finance and Management, Public Utilities, and Recreation and Parks have reviewed and support granting Parcel 15-SHV to Westerville in order for Delaware to perform the Public Project in consideration of (i) the City's receipt of monetary compensation in the amount of Seven Thousand, One Hundred Ninety-six, and 00/100 U.S. Dollars (\$7,196.00), (ii) fostering intergovernmental cooperation, and (iii) the Public Project will improve the safety of the Sunbury Road public right-of-way adjacent to the Property.

CONTRACT COMPLIANCE:

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 the Finance and Management Department to execute and acknowledge any necessary document(s), as approved by the City Attorney, to grant to the City of Westerville, Ohio a standard highway easement to burden a portion of the City's real property located at Hoover Reservoir in order for the Delaware County Commissioners to complete the Sunbury Road Public Right-of-way Improvement Project; and to declare an emergency. (\$0.00)

WHEREAS, the City intends to support the Delaware County Commissioners, a body politic and corporate organized and existing pursuant to Ohio Revised Code Chapter 301, Sunbury Road (DEL-CR30-0.00, PID 95527) Public Right-of-way Improvement Project (Public Project);

WHEREAS, the City intends to support the Public Project by granting the City of Westerville, Ohio, an Ohio municipal corporation (Westerville), a certain standard highway easement (Parcel 15-SHV) to burden a portion of the City's real

property located in the vicinity of Sunbury Road, Westerville, Ohio 43082 identified as Delaware County Tax Parcel 317-442-04-001-000 (Property);

WHEREAS, the City intends to grant Parcel 15-SHV to Westerville in consideration (i) of the City's receipt of monetary compensation in the amount of Seven Thousand, One Hundred Ninety-six, and 00/100 U.S. Dollars (\$7,196.00), (ii) of fostering intergovernmental cooperation, and (iii) that the Public Project will improve the safety of the Property's adjacent public right-of-way of Sunbury Road.

WHEREAS, the City intends for the City Attorney to approve all document(s) associated with this ordinance;

WHEREAS, an emergency exists in the usual daily operations of the Department of Finance and Management in that it is immediately necessary to authorize the granting of Parcel 15-SHV to Westerville in order to prevent unnecessary delay in the timely completion of the Public Project, which will preserve the public peace, property, health, welfare, and safety; **now, therefore**,

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

SECTION 1. That the Director of the Finance and Management Department is authorized to execute and acknowledge any document(s) necessary to grant to the City of Westerville, Ohio, an Ohio municipal corporation, a standard highway easement (Parcel 15-SHV) to burden a 0.1005 acre, more or less, portion of the City's real property located in the vicinity of Sunbury Road, Westerville, Ohio 43082 identified as Delaware County Tax Parcel 317-442-04-001-000 (Property), as described in the two (2) page attachment, Exhibit-A, which is fully incorporated for reference, as if rewritten herein, in order for the Delaware County Commissioners, a body politic and corporate organized and existing pursuant to Ohio Revised Code Chapter 301, to complete the Sunbury Road (DEL-CR30-0.00, PID 95527) Public Right-of-way Improvement Project (Public Project).

SECTION 2. The granting of the easement rights to Westerville described in this ordinance is contingent upon the City's receipt of consideration in the form of monetary compensation of no less than Seven Thousand, One Hundred Ninety-six, and 00/100 U.S. Dollars (\$7,196.00) from Delaware, which will be deposited in the Water General Permanent Improvement Fund, Fund 6008.

SECTION 3. The City Attorney is required to approve all instrument(s) associated with this ordinance.

SECTION 4. 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.