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Title: To declare the City's necessity and intent to appropriate additional fee simple title and lesser real property interests required for the City's Department of Public Service, Division of Design and Construction, Pedestrian Safety Improvements-Olentangy River Road Shared-use-path (PID 590105-100036) Public Project; and to declare an emergency. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ex-A (5P), 2. Ex-B (5T)

Date	Ver.	Action By	Action	Result
3/6/2014	1	CITY CLERK	Attest	
3/5/2014	1	MAYOR	Signed	
3/3/2014	1	COUNCIL PRESIDENT	Signed	
3/3/2014	1	Columbus City Council	Adopted	Pass

BACKGROUND: This resolution by the City of Columbus, Ohio ("City"), an Ohio municipal corporation, is to declare the City's necessity and intent to appropriate fee simple title and lesser interests to real estate necessary for the City's Department of Public Service, Division of Design and Construction, Pedestrian Safety Improvements-Olentangy River Road Shared-use-path (PID 590105-100036) Public Project ("Project"). Columbus City Ordinance Number 1645-2013 previously authorized the Columbus City Attorney to spend City funds and acquire the real property interests needed for the Project. The City previously passed Columbus City Resolution 0254x-2013, which declared the City's necessity and intent to appropriate fee simple title and lesser interests regarding certain real estate needed for the Project. Some of the Project's real property interests were intentionally omitted from Columbus City Resolution 0254x-2013, because those real property interests were being redesigned by the City. Therefore, this resolution declares the City's necessity and intent to appropriate fee simple title and lesser interests regarding certain remaining real property interests needed for the Project.

FISCAL IMPACT: Not applicable.

EMERGENCY JUSTIFICATION: Emergency action is requested to allow for the City's acquisition of certain real property interests for the Project's construction to proceed without delay, which will preserve the public peace, health, property, safety, and welfare.

To declare the City's necessity and intent to appropriate additional fee simple title and lesser real property interests required for the City's Department of Public Service, Division of Design and Construction, Pedestrian Safety Improvements-Olentangy River Road Shared-use-path (PID 590105-100036) Public Project; and to declare an emergency. (\$0.00)

WHEREAS, the City is engaged in the acquisition of certain real property interests for the City's Department of Public Service, Division of Design and Construction, Pedestrian Safety Improvements-Olentangy River Road Shared-use-path (PID 590105-100036) Public Project ("Project");

WHEREAS, Ordinance Number 1645-2013 previously authorized the Columbus City Attorney to spend City funds and acquire the real property interests needed for the Project;

WHEREAS, Council previously passed Resolution 0254x-2013, which declared the City's necessity and intent to appropriate fee simple title and lesser interests regarding certain real estate needed for the Project;

WHEREAS, some of the Project's real property interests were intentionally omitted from Resolution 0254x-2013, because those real property interests were being redesigned by the City;

WHEREAS, an emergency exists in the usual daily operation of the City, because it is immediately necessary to declare the City's necessity and intent to appropriate the remaining fee simple title and lesser interests for the Project; so there will be no delay in this Project; and for the immediate preservation of the public peace, property, health, welfare, and safety; **NOW, THEREFORE**,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO ("CITY"):

SECTION 1. Pursuant to the Columbus City Charter, Chapter 909 (1959) of the Columbus City Code, the Ohio Constitution, and Chapter 719 of the Ohio Revised Code, this Council declares the necessity and intent of the City to appropriate fee simple title and lesser interests to the following listed parcels of real estate (collectively, "Property"), which are fully described in their associated exhibits; fully incorporated into this resolution; and necessary for the Department of Public Service, Division of Design and Construction, Pedestrian Safety Improvements-Olentangy River Road Shared-use-path (PID 590105-100036) Public Project:

<u>EXHIBIT</u>	<u>PROJECT PARCEL</u>
(A)	5-P
(B) 5-T	

SECTION 2. That the City Attorney is authorized to cause a written notice of this resolution's adoption to be served in the manner provided by law upon the owners, persons in possession, or persons possessing a real or possible real property interest of record in the Property.

SECTION 3. For the reasons stated in the preamble hereto, which are made a part hereof, this resolution 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 its passage if the Mayor neither approves nor vetoes the same.