



## Legislation Details (With Text)

**File #:** 0112X-2016    **Version:** 1

**Type:** Resolution    **Status:** Passed

**File created:** 5/5/2016    **In control:** Public Service & Transportation Committee

**On agenda:** 6/6/2016    **Final action:** 6/9/2016

**Title:** To declare the City's necessity and intent to appropriate and accept certain fee simple title and lesser real property interests in order to timely complete the Signal Installation - Hague Avenue at Broad Street and Sullivant Avenue Public Improvement Project. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1-U, 2. 1-T, 3. 2-U, 4. 2-T, 5. 3-WD, 6. 3-T, 7. 4-WD, 8. 5-T, 9. 6-WD, 10. 7-WD, 11. 7-T

Date	Ver.	Action By	Action	Result
6/9/2016	1	CITY CLERK	Attest	
6/8/2016	1	MAYOR	Signed	
6/6/2016	1	COUNCIL PRESIDENT	Signed	
6/6/2016	1	Columbus City Council	Adopted	Pass
5/23/2016	1	Columbus City Council	Read for the First Time	

**BACKGROUND:**

The City's Department of Public Service (DPS) is engaged in the Signal Installation - Hague Avenue at Broad Street and Sullivant Avenue (PID 540007-100048) Public Improvement Project ("Public Project"). The City must acquire certain fee simple title and lesser real property interests located in the vicinity along the right-of-way of Hague Avenue from Broad Street to Sullivant Avenue, Columbus, Ohio 43204 (collectively, "Real Estate") in order to for DPS to timely complete the Public Project. The City passed Ordinance Number 0055-2016 authorizing the City Attorney to acquire the Real Estate. Accordingly, the City intends to appropriate and accept the Real Estate in the event the City Attorney is unable to (i) locate the owners of the Real Estate, or (ii) agree with the owners of the Real Estate in good faith regarding the amount of just compensation for the Real Estate.

**CONTRACT COMPLIANCE:**

Not applicable.

**FISCAL IMPACT:**

Not applicable.

**EMERGENCY JUSTIFICATION:**

Not applicable.

To declare the City's necessity and intent to appropriate and accept certain fee simple title and lesser real property interests in order to timely complete the Signal Installation - Hague Avenue at Broad Street and Sullivant Avenue Public Improvement Project. (\$0.00)

**WHEREAS**, the City intends to improve certain public right-of-way by allowing the Department of Public Service (DPS) to engage in the Signal Installation - Hague Avenue at Broad Street and Sullivant Avenue (PID 540007-100048) Public Improvement Project (*i.e.* Public Project);

**WHEREAS**, the City intends for the City Attorney to acquire the necessary fee simple title and lesser property interests located in the vicinity of the right-of-way of Hague Avenue from Broad Street to Sullivant Avenue, Columbus, Ohio 43204 (*i.e.* Real Estate) in order to complete the Public Project;

**WHEREAS**, the City intends to appropriate and accept the Real Estate in the event the City Attorney is unable to (i) locate the owners of the Real Estate, or (ii) agree with the owners of the Real Estate in good faith regarding the amount of just compensation; **now, therefore**,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** The City, pursuant to the City's Charter, Columbus City Code, Chapter 909, Constitution of the state of Ohio, and Ohio Revised Code, Chapter 719, declares the necessity and intent to appropriate and accept the fee simple title and lesser real property interests to the following listed parcels (*i.e.* Real Estate), which are fully described in their associated exhibits and incorporated into this resolution for reference, in order for the Department of Public Service (DPS) to timely complete the Signal Installation - Hague Avenue at Broad Street and Sullivant Avenue (PID 540007-100048) Public Improvement Project (*i.e.* Public Project):

**(Exhibit) ... (Public Project Parcel Identification) ... (Real Estate)**

- 1) 1-U (perpetual general utility easement)
- 2) 1-T (twenty-four (24) month temporary construction & access easement)
- 3) 2-U (perpetual general utility easement)
- 4) 2-T (twenty-four (24) month temporary construction & access easement)
- 5) 3-WD (fee simple title without limitation of access)
- 6) 3-T (twenty-four (24) month temporary construction & access easement)
- 7) 4-WD (fee simple title without limitation of access)
- 8) 5-T (twenty-four (24) month temporary construction & access easement)
- 9) 6-WD (fee simple title without limitation of access)
- 10) 7-WD (fee simple title without limitation of access)
- 11) 7-T (twenty-four (24) month temporary construction & access easement)

**SECTION 2.** 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 owner(s), person(s) in possession, or person(s) possessing a real or possible real property interest of record in the Real Estate.

**SECTION 3.** This resolution shall take effect and be in full force and effect from and after the earliest period allowed by law.