



## Legislation Details (With Text)

**File #:** 0013X-2017    **Version:** 1

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

**File created:** 1/12/2017    **In control:** Public Utilities Committee

**On agenda:** 2/13/2017    **Final action:** 2/15/2017

**Title:** To declare the City's necessity and intent to appropriate and accept certain fee simple title and lesser real estate located in the vicinity of Woodward Avenue, Columbus, Ohio 43219 in order to complete the Woodward Avenue Storm Sewer Public Improvement Project. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Woodward Ave Storm Sewer 1 P legal description, 2. Woodward Ave Storm Sewer 1 T legal description

| Date      | Ver. | Action By             | Action                  | Result |
|-----------|------|-----------------------|-------------------------|--------|
| 2/15/2017 | 1    | CITY CLERK            | Attest                  |        |
| 2/15/2017 | 1    | MAYOR                 | Signed                  |        |
| 2/13/2017 | 1    | COUNCIL PRESIDENT     | Signed                  |        |
| 2/13/2017 | 1    | Columbus City Council | Adopted                 | Pass   |
| 2/6/2017  | 1    | Columbus City Council | Read for the First Time |        |

**BACKGROUND:**

The City's Department of Public Utilities (DPU) is performing the Woodward Avenue Storm Sewer (CIP 610990-100001/CC15722) Public Improvement Project ("Public Project"). The Public Project will improve certain storm sewer infrastructure in the vicinity of Woodward Avenue, Columbus, Ohio 43219. The City must acquire certain fee simple title and lesser real estate located in the vicinity of Woodward Avenue, Columbus, Ohio 43219 {Franklin County Tax Parcel(s) 010-223703} (collectively, "Real Estate") in order for DPU to complete the Public Project. The City passed Ordinance Number 2527-2016 authorizing the City Attorney to acquire Real Estate as needed to complete the project. The acquisition of the Real Estate will help make, improve, or repair certain portions of the sewer infrastructure in the vicinity of Woodward Avenue. Accordingly, the City will need to appropriate the Real Estate in order to complete the Public Project 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.

**CONTRACT COMPLIANCE:**

Not applicable.

**FISCAL IMPACT:**

Not applicable

**EMERGENCY JUSTIFICATION:**

N/A.

To declare the City's necessity and intent to appropriate and accept certain fee simple title and lesser real estate located in the vicinity of Woodward Avenue, Columbus, Ohio 43219 in order to complete the Woodward Avenue Storm Sewer Public Improvement Project. (\$0.00)

**WHEREAS**, the City intends to improve the sewer infrastructure in the vicinity of Woodward Avenue, Columbus, Ohio 43219 by allowing the Department of Public Utilities (DPU) to perform the Woodward Avenue Storm Sewer (610990-100001/CC15722) Public Improvement Project (i.e. Public Project);

**WHEREAS**, the City, pursuant to Ordinance Number 2527-2016, intends for the City Attorney to acquire the necessary fee simple title and lesser real estate located along the public right-of-way of in the vicinity of Woodward Avenue, Columbus, Ohio 43219 (i.e. Real Estate) in order to complete the Public Project;

**WHEREAS**, the City intends for the Real Estate's acquisition to help make, improve, or repair certain portions of the sewer infrastructure in the vicinity of Woodward Avenue;

**WHEREAS**, the City intends to appropriate and accept the Real Estate for the Public Project 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; and now, therefore,

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

**SECTION 1.** The City, pursuant to the City's Charter, Columbus City Revised Code, Chapter 909 (1959), 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 estate 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 to complete the Woodward Avenue Storm Sewer Project (CIP 610990-100001/CC15722) Public Improvement Project ("i.e. Public Project").

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

- 1) 1-T (twelve (12) month temporary construction & access easement)
- 2) 1-P (permanent 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.** The acquisition of the Real Estate pursuant to this resolution is required to help make, improve, or repair certain portions of the sewer infrastructure in the vicinity of Woodward Avenue.

**SECTION 4.** This resolution shall take effect and be in full force and effect from and after the earliest period allowed by law.