



City of Columbus

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

Legislation Details (With Text)

File #: 0020X-2017 **Version:** 1

Type: Resolution **Status:** Passed

File created: 1/18/2017 **In control:** Public Service & Transportation 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 in order to complete the Downtown Signals Public Improvement Project. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 1-P, 2. 2-P, 3. 4-T, 4. 5-T, 5. 8-P, 6. 9-T, 7. 10-T, 8. 11-P, 9. 12-P, 10. 13-T

| 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 Service (DPS) is engaged in the Traffic Signal Installation - Downtown Signals Project (54007-100030) Public Improvement Project ("Public Project"). The City must acquire certain fee simple title and lesser real estate located in the vicinity of the public right-of-way of Grant Avenue, Washington Avenue, Oak Street, and Town Street, Columbus, Ohio 43215 (collectively, "Real Estate") in order to for DPS to complete the Public Project. The City passed Ordinance Number 2905-2016 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 estate in order to complete the Downtown Signals 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 Traffic Signal Installation - Downtown Signals Project (54007-100030) Public Improvement Project ("Public Project");

WHEREAS, the City intends for the City Attorney to acquire the necessary fee simple title and lesser real estate located in the vicinity of the public right-of-way of Grant Avenue, Washington Avenue, Oak Street, and Town Street, Columbus, Ohio 43215 (*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 for the Real Estate; 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 fee simple title and lesser real estate to the following listed parcels (*i.e.* Real Estate), which is fully described in the associated exhibit and incorporated into this resolution for reference, in order for the Department of Public Service (DPS) to complete the Traffic Signal Installation - Downtown Signals Project (54007-100030) Public Improvement Project ("Public Project").

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

| | | |
|-----|-------------------|---|
| 1) | 1-P | (Permanent Sidewalk Easement) |
| 2) | 2-P | (Permanent Sidewalk Easement) |
| 3) | 4-T easement) | (twenty-four (24) month temporary construction & access |
| 4) | 5-T easement) | (twenty-four (24) month temporary construction & access |
| 5) | 8-P | (Permanent Sidewalk Easement) |
| 6) | 9-T easement) | (twenty-four (24) month temporary construction & access |
| 7) | 10-T easement) | (twenty-four (24) month temporary construction & access |
| 8) | 11-P | (Permanent Sidewalk Easement) |
| 9) | 12-P | (Permanent Sidewalk Easement) |
| 10) | 13-T easement) | (twenty-four (24) month temporary construction & access |

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 make, improve, or repair certain portions of the of Grant Avenue, Washington Avenue, Oak Street, and Town Street public roadways and associated appurtenances, which will be open to the public without charge.

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

