



Legislation Details (With Text)

File #: 0224X-2017 **Version:** 1

Type: Resolution **Status:** Passed

File created: 9/6/2017 **In control:** Public Service & Transportation Committee

On agenda: 10/16/2017 **Final action:** 10/19/2017

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 Weinland Park 7th to 9th Right-of-Way (PID 530058-100002) Public Improvement Project ("Public Project") (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 1-WD 0.002 Ac ROW Description, 2. 2-WD 0.003 Ac ROW Description, 3. 3-P1 0.004 Ac Ease Description, 4. 3-P2 0.009 Ac, 5. 13-P 0.002 Ac Ease Description

Date	Ver.	Action By	Action	Result
10/19/2017	1	CITY CLERK	Attest	
10/18/2017	1	MAYOR	Signed	
10/16/2017	1	COUNCIL PRESIDENT	Signed	
10/16/2017	1	Columbus City Council	Adopted	Pass
10/2/2017	1	Columbus City Council	Read for the First Time	

BACKGROUND:

The City's Department of Public Service (DPS) is performing the Weinland Park 7th to 9th Right-of-Way (PID 530058-100002) Public Improvement Project ("Public Project"). The City must acquire certain fee simple title and lesser real estate located in the vicinity of High Street between 7th and 9th Avenues. (collectively, "Real Estate") in order for DPS to timely complete the Public Project. The City passed Ordinance Numbers 1576-2012 and 2525-2016 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.

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 Weinland Park 7th to 9th Right-of-Way (PID 530058-100002) Public Improvement Project (“Public 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 Weinland Park 7th to 9th Right-of-Way (PID 530058-100002) Public Improvement Project (“Public Project”); and

WHEREAS, the City intends for the City Attorney to acquire the necessary fee simple title and lesser real estate located in the vicinity of High Street between 7th and 9th Avenues (“Real Estate”) in order to complete the Public Project; and

WHEREAS, the City intends for the Real Estate’s acquisition to help make, improve, or repair certain portions of public right-of-way and associated appurtenances, which will be open to the public without charge; and

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; and **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 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 (“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 complete the Weinland Park 7th to 9th Right-of-Way (PID 530058-100002) Public Improvement Project:

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

- | | | |
|----|------|---|
| 1) | 1-WD | (fee simple title without limitation of access) |
| 2) | 2-WD | (fee simple title without limitation of access) |
| 3) | 3-P1 | (Permanent Sidewalk Easement) |
| 4) | 3-P2 | (Permanent Sidewalk Easement) |
| 5) | 13-P | (Permanent Sidewalk 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.