



Legislation Details (With Text)

File #: 0360X-2018 **Version:** 1

Type: Resolution **Status:** Passed

File created: 11/16/2018 **In control:** Public Service & Transportation Committee

On agenda: 12/10/2018 **Final action:** 12/13/2018

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 Poindexter Village Roadways Phase 2 Public Improvement Project. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Poindexter Attachment

Date	Ver.	Action By	Action	Result
12/13/2018	1	ACTING CITY CLERK	Attest	
12/12/2018	1	MAYOR	Signed	
12/10/2018	1	COUNCIL PRESIDENT	Signed	
12/10/2018	1	Columbus City Council	Adopted	Pass
12/3/2018	1	Columbus City Council	Read for the First Time	

The City's Department of Public Service (DPS) is engaged in the Poindexter Village Roadways Phase 2 (PID 590416-100003) Public Improvement Project ("Public Project"). The City must acquire certain fee simple title and lesser real property interests located in the vicinity of Mount Vernon Avenue and Ohio Avenue, Columbus, Ohio 43203 (collectively, "Real Estate") in order for DPS to timely complete the Public Project. Furthermore, the City passed Ordinance Number 2965-2015 and adopted Resolution 0069X-2016 establishing the City's intent to appropriate the Real Estate. As the Public Project proceeded, it was discovered that an additional one (1) foot strip of land needed to be acquired by the City. 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 Poindexter Village Roadways Phase 2 Public Improvement Project. (\$0.00)

WHEREAS, the City intends to improve the real estate in the vicinity of Mount Vernon Avenue and Ohio Avenue, Columbus, Ohio 43203 by allowing the Department of Public Service (DPS) to engage in the Poindexter Village Roadways Phase 2 (PID 590416-100003) Public Improvement Project (*i.e.* Public Project);

WHEREAS, the City, pursuant to the passage of Ordinance Number 2965-2015, intends for the City Attorney to acquire in good faith the necessary fee simple title and lesser property interests located in the vicinity Mount Vernon Avenue and Ohio Avenue, Columbus, Ohio 43203 (*i.e.* Real Estate) in order for DPS to timely 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;

WHEREAS, it is necessary to declare the City's intent to appropriate the Real Estate in order to prevent unnecessary delay in completing the Public Project, which will preserve the public peace, property, health, welfare, and safety; and **now, therefore**,

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

SECTION 1. That 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 complete the Poindexter Village Roadways Phase 2 (PID 590416-100003) Public Improvement Project (*i.e.* Public Project):

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

- 1) **1-WD** (Fee Simple Title without limitation of access)

SECTION 2. That the City Attorney is authorized to serve a written notice of this resolution's adoption in the manner provided by law to 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. That this ordinance shall take effect and be in full force and effect from and after the earliest period allowed by law.