



## Legislation Details (With Text)

**File #:** 0014X-2021    **Version:** 1

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

**File created:** 1/27/2021    **In control:** Public Utilities Committee

**On agenda:** 3/1/2021    **Final action:** 3/5/2021

**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 Big Walnut Sanitary Trunk Extension Phase 2 Project. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 09058v\_Tract 19A\_Patel\_Perm, 2. 09058v\_Tract 19B\_Patel\_Temp, 3. 09058v\_Tract 20\_Hensel\_Temp, 4. 09058v\_Tract 18A\_Chapel Nth\_Perm, 5. 09058v\_Tract 18B\_Chapel Nth\_Perm, 6. 09058v\_Tract 18C\_Chapel Nth\_Perm, 7. 09058v\_Tract 17\_Anders\_Perm, 8. 09058v\_Tract 1\_U Albany HOA\_Temp, 9. 09058v\_Tract 14\_Albrecht\_Perm

Date	Ver.	Action By	Action	Result
3/5/2021	1	CITY CLERK	Attest	
3/4/2021	1	MAYOR	Signed	
3/1/2021	1	COUNCIL PRESIDENT	Signed	
3/1/2021	1	Columbus City Council	Adopted	Pass
2/22/2021	1	Columbus City Council	Read for the First Time	

**BACKGROUND:** The City's Department of Public Utilities ("DPU") is performing the Big Walnut Sanitary Trunk Extension Phase 2 Project (CIP 650033-100002) ("Public Project"). The City must acquire certain fee simple title and lesser real estate located in the vicinity of Lee Road from Central College Road to Smothers Road, Columbus, OH 43081 (collectively, "Real Estate") in order for DPU to timely complete the Public Project. The City passed Ordinance Number 0170-2020 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 Big Walnut Sanitary Trunk Extension Phase 2 Project. (\$0.00)

**WHEREAS,** the City intends to improve certain public sewer infrastructure by allowing the Department of Public Utilities ("DPU") to engage in the Big Walnut Sanitary Trunk Extension Phase 2 Project (CIP 650033-100002) ("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 Lee Road from Central College Road to Smothers Road, Columbus, OH 43081 (“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 sewer infrastructure and associated appurtenances; 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.** That 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 Utilities (“DPU”) to complete the Big Walnut Sanitary Trunk Extension Phase 2 Project (CIP 650033-100002) (“Public Project”).

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

- 1) 1-T (48-Month Temporary Easement)**
- 2) 14-S (Permanent Sewer Easement)**
- 3) 17-S (Permanent Sewer Easement)**
- 4) 18A-S (Permanent Sewer Easement)**
- 5) 18B-S (Permanent Sewer Easement)**
- 6) 18C-S (Permanent Sewer Easement)**
- 7) 19A-S (Permanent Sewer Easement)**
- 8) 19B-T (48-Month Temporary Easement)**
- 9) 20-T (48-Month Temporary Easement)**

**SECTION 2.** That 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.** That this resolution shall take effect and be in full force and effect from and after the earliest period allowed by law.