Legislation Details (With Text)

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Type:	Resolution	**Status:**	Passed
File created:	3/11/2021	**In control:**	Public Service & Transportation Committee
On agenda:	3/29/2021	**Final action:**	4/1/2021
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 Roadway - Sullivant Avenue - Hague to I-70 Project; and to declare an emergency. ($0.00)		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. 1-T, 2. 2-T, 3. 3-T, 4. 4A-T, 5. 4-P, 6. 5-T, 7. 6-P, 8. 7-T1, 9. 7-T2, 10. 8-T, 11. 9-T, 12. 10-P, 13. 10-T, 14. 11-T, 15. 12-T, 16. 13-T, 17. 13-WD, 18. 14A-T, 19. 15-T1, 20. 15-T2, 21. 16-T, 22. 17-T, 23. 18-T1, 24. 18-T2, 25. 19-T, 26. 20A-P, 27. 20A-T, 28. 20-T, 29. 21-P, 30. 21-T, 31. 23-T, 32. 24-P, 33. 24-T, 34. 24-WD, 35. 25-T, 36. 26-T		

Date	Ver.	Action By	Action	Result
4/1/2021	1	CITY CLERK	Attest	
3/31/2021	1	MAYOR	Signed	
3/29/2021	1	COUNCIL PRESIDENT	Signed	
3/29/2021	1	Columbus City Council	Adopted	Pass

BACKGROUND: The City's Department of Public Service ("DPS") is performing the Roadway - Sullivant Avenue - Hague to I-70 Project (Project Number 531034-100001) ("Public Project"). The City must acquire certain fee simple title and lesser real estate located in the vicinity of Sullivant Avenue from Hague Avenue to I-70 (collectively, "Real Estate") in order for DPS to timely complete the Public Project. The City passed Ordinance Number 2293-2020 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: Emergency action is requested in order to acquire the Real Estate and allow DPS to timely complete the Public Project without unnecessary delay, which will preserve the public peace, health, property, safety, and welfare.

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 Roadway - Sullivant Avenue - Hague to I-70 Project; and to declare an emergency. ($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 Roadway - Sullivant Avenue - Hague to I-70 Project (Project Number 531034-100001) ("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 Sullivant Avenue from Hague Avenue to I-70 (*"*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

WHEREAS, an emergency exists in the usual daily operations of DPS in that it is immediately necessary to acquire 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:

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 Service ("DPS") to complete the Roadway - Sullivant Avenue - Hague to I-70 Project (Project Number 531034-100001) ("Public Project").

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

1) 1-T (24-Month Temporary Easement)
2) 2-T (24-Month Temporary Easement)
3) 3-T (24-Month Temporary Easement)
4) 4A-T (24-Month Temporary Easement)
5) 4-P (Permanent Easement)
6) 5-T (24-Month Temporary Easement)
7) 6-P (Permanent Easement)
8) 7-T1 (24-Month Temporary Easement)
9) 7-T2 (24-Month Temporary Easement)
10) 8-T (24-Month Temporary Easement)
11) 9-T (24-Month Temporary Easement)
12) 10-P (Permanent Easement)
13) 10-T (24-Month Temporary Easement)
14) 11-T (24-Month Temporary Easement)
15) 12-T (24-Month Temporary Easement)
16) 13-T (24-Month Temporary Easement)
17) 13-WD (Fee Simple Without Limitation of Access)
18) 14A-T (24-Month Temporary Easement)
19) 15-T1 (24-Month Temporary Easement)
20) 15-T2 (24-Month Temporary Easement)
21) 16-T (24-Month Temporary Easement)
22) 17-T (24-Month Temporary Easement)
23) 18-T1 (24-Month Temporary Easement)
24) 18-T2 (24-Month Temporary Easement)
25) 19-T (24-Month Temporary Easement)

26) 20A-P (Permanent Easement)
27) 20A-T (24-Month Temporary Easement)
28) 20-T (24-Month Temporary Easement)
29) 21-P (Permanent Easement)
30) 21-T (24-Month Temporary Easement)
31) 23-T (24-Month Temporary Easement)
32) 24-P (Permanent Easement)
33) 24-T (24-Month Temporary Easement)
34) 24-WD (Fee Simple Without Limitation of Access)
35) 25-T (24-Month Temporary Easement)
36) 26-T (24-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 the Real Estate's acquisition will help make, improve, or repair certain portions of public right-of-way and associated appurtenances which will be open to the public without change.

SECTION 4. That this resolution, for the reasons stated in the preamble, which are made a part of this resolution and fully incorporated for referenced as it rewritten, is declared to be an emergency measure and shall take effect and be in force and after this resolution's adoption and approval by the Mayor or ten (10) days after its adoption if the MAyor neither approves nor vetoes this resolution.

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