



## Legislation Details (With Text)

**File #:** 0062X-2022 **Version:** 1

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

**File created:** 4/6/2022 **In control:** Public Utilities Committee

**On agenda:** 5/9/2022 **Final action:** 5/11/2022

**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 Blueprint Miller Kelton Newton Bedford Project. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 41 WD Legal Description- Word, 2. PARCEL 2T, 3. PARCEL 5T, 4. PARCEL 7T, 5. PARCEL 9T, 6. PARCEL 12T, 7. PARCEL 16T, 8. PARCEL 17T, 9. PARCEL 20AT, 10. PARCEL 21T, 11. PARCEL 22T, 12. PARCEL 23T, 13. PARCEL 24T, 14. PARCEL 25T, 15. PARCEL 26T, 16. PARCEL 27T, 17. PARCEL 28T, 18. PARCEL 29T, 19. PARCEL 33T, 20. PARCEL 34T, 21. PARCEL 37T, 22. PARCEL 38T, 23. PARCEL 39T, 24. PARCEL 40T

| Date      | Ver. | Action By             | Action                  | Result |
|-----------|------|-----------------------|-------------------------|--------|
| 5/11/2022 | 1    | ACTING CITY CLERK     | Attest                  |        |
| 5/10/2022 | 1    | MAYOR                 | Signed                  |        |
| 5/9/2022  | 1    | COUNCIL PRESIDENT     | Signed                  |        |
| 5/9/2022  | 1    | Columbus City Council | Adopted                 | Pass   |
| 5/2/2022  | 1    | Columbus City Council | Read for the First Time |        |

**BACKGROUND:** The City's Department of Public Utilities ("DPU") is performing the Blueprint Miller Kelton Newton Bedford Project (CIP 650870-101201, CIP 650870-162001 & 690236-100120) ("Public Project"). The City must acquire certain fee simple title and lesser real estate located in the vicinity of Miller Avenue, Kelton Avenue, Newton Street, and Bedford Avenue (collectively, "Real Estate") in order for DPU to timely complete the Public Project. The City passed Ordinance Number 2759-2020 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 Blueprint Miller Kelton Newton Bedford 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 Blueprint Miller Kelton Newton Bedford Project (CIP 650870-101201, CIP 650870-162001 & 690236-100120) ("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 Miller Avenue, Kelton Avenue, Newton Street, and Bedford Avenue (“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 Blueprint Miller Kelton Newton Bedford Project (CIP 650870-101201, CIP 650870-162001 & 690236-100120) (“Public Project”).

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

- |     |       |                                            |
|-----|-------|--------------------------------------------|
| 1)  | 2-T   | (24-Month Temporary Construction Easement) |
| 2)  | 5-T   | (24-Month Temporary Construction Easement) |
| 3)  | 7-T   | (24-Month Temporary Construction Easement) |
| 4)  | 9-T   | (24-Month Temporary Construction Easement) |
| 5)  | 12-T  | (24-Month Temporary Construction Easement) |
| 6)  | 13-T  | (24-Month Temporary Construction Easement) |
| 7)  | 16-T  | (24-Month Temporary Construction Easement) |
| 8)  | 17-T  | (24-Month Temporary Construction Easement) |
| 9)  | 20A-T | (24-Month Temporary Construction Easement) |
| 10) | 21-T  | (24-Month Temporary Construction Easement) |
| 11) | 23-T  | (24-Month Temporary Construction Easement) |
| 12) | 24-T  | (24-Month Temporary Construction Easement) |
| 13) | 25-T  | (24-Month Temporary Construction Easement) |
| 14) | 26-T  | (24-Month Temporary Construction Easement) |
| 15) | 27-T  | (24-Month Temporary Construction Easement) |
| 16) | 28-T  | (24-Month Temporary Construction Easement) |
| 17) | 29-T  | (24-Month Temporary Construction Easement) |
| 18) | 33-T  | (24-Month Temporary Construction Easement) |
| 19) | 34-T  | (24-Month Temporary Construction Easement) |
| 20) | 37-T  | (24-Month Temporary Construction Easement) |
| 21) | 38-T  | (24-Month Temporary Construction Easement) |
| 22) | 39-T  | (24-Month Temporary Construction Easement) |
| 23) | 40-T  | (24-Month Temporary Construction Easement) |
| 24) | 41-WD | (Fee Simple Without Limitation of Access)  |

**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.