Legislation Details (With Text)

File #:	0048X-2023 **Version:** 1		
Type:	Resolution	**Status:**	Passed
File created:	3/27/2023	**In control:**	Public Utilities Committee
On agenda:	4/24/2023	**Final action:**	4/26/2023
Title:	To declare the City's necessity and intent to appropriate and accept certain fee simple title, and lesser real property interests, in real estate in order to complete the Barnett Road Stormwater System Improvements Project; ($0.00)		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. 6-T, 2. 8-T, 3. 14-T, 4. 15-T, 5. 16-T, 6. 20-T, 7. 22-T, 8. 24-T, 9. 25-T, 10. 27-T, 11. 29-T, 12. 30-T		

Date	Ver.	Action By	Action	Result
4/26/2023	1	CITY CLERK	Attest	
4/25/2023	1	MAYOR	Signed	
4/24/2023	1	Columbus City Council	Adopted	Pass
4/24/2023	1	COUNCIL PRESIDENT	Signed	
4/17/2023	1	Columbus City Council	Read for the First Time	

BACKGROUND: The City's Department of Public Utilities ("DPU") is performing the Barnett Road Stormwater System Improvements Project (project number 611040-100000) ("Public Project"). The City must acquire certain fee simple title, and lesser real estate interests, from property located in the vicinity of Barnett Road from Fulton Street to Main Street (collectively, "Real Estate") in order for DPU to timely complete the Public Project. The City passed Ordinance Number 2432-2021 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, if any, 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 property interests, in real estate in order to complete the Barnett Road Stormwater System Improvements Project; ($0.00)

WHEREAS, the City intends to improve certain public sewer infrastructure by authorizing the Department of Public Utilities ("DPU") to engage in the Barnett Road Stormwater System Improvements Project (project number 611040-100000) ("Public Project"); and

WHEREAS, the City intends for the City Attorney to acquire the necessary fee simple title, and lesser real estate

interests, in real property located in the vicinity of Barnett Road from Fulton Street to Main Street (collectively, "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 associated with the Public Project; 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, the 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 interests, in real property from 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 Barnett Road Stormwater System Improvements Project (project number 611040 -100000) ("Public Project").

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

1) 6-T (24 Month Temporary Easement)
2) 8-T (24 Month Temporary Easement)
3) 14-T (24 Month Temporary Easement)
4) 15-T (24 Month Temporary Easement)
5) 16-T (24 Month Temporary Easement)
6) 20-T (24 Month Temporary Easement)
7) 22-T (24 Month Temporary Easement)
8) 24-T (24 Month Temporary Easement)
9) 25-T (24 Month Temporary Easement)
10) 27-T (24 Month Temporary Easement)
11) 29-T (24 Month Temporary Easement)
12) 30-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. Further, the City Attorney is authorized to accept and record the real property interests acquired pursuant to this Resolution for the Public Project.

SECTION 3. That this Resolution shall take effect and be in full force and effect from and after the earliest period allowed by law.

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