



Legislation Text

File #: 0109X-2015, Version: 1

BACKGROUND :

The City is engaged in the Pedestrian Safety Improvements - Fairwood Avenue Sidewalks (PID 590105-100072) Public Project ("Public Project"). The City is required to acquire certain fee simple title and lesser real property interests (collectively, "Real Estate") in order to complete the Public Project. Specifically, the Real Estate is located in the vicinity of Fairwood Avenue, Columbus, OH 43206, and the City passed Ordinance Number 0290-2015 on April 9, 2015, authorizing the City Attorney to acquire the Real Estate. Furthermore, the City intends to appropriate the Real Estate in the event the City Attorney is unable to perform either of the following: (i) locate the owners of the Real Estate, or (ii) agree with the owners of the Real Estate regarding the amount of just compensation for the Real Estate. Accordingly, this resolution declares the City's immediate necessity and intent to appropriate the Real Estate in order for the Department of Public Service to timely complete the Public Project.

CONTRACT COMPLIANCE No : Not applicable.

FISCAL IMPACT : Not applicable.

EMERGENCY JUSTIFICATION : Emergency action is requested in order to acquire the Real Estate and allowing the Public Project to be completed without unnecessary delay, which will preserve the public peace, health, property, safety, and welfare.

To declare the City's immediate necessity and intent to appropriate the fee simple title and lesser real property interests necessary for the Department of Public Service to timely complete the Pedestrian Safety Improvements - Fairwood Avenue Sidewalks (PID 590105-100072) Public Project; and to declare an emergency. (\$0.00)

WHEREAS , it is in the City's best interest to declare the City's necessity and intent to appropriate the fee simple title and lesser property interests (*i.e.* Real Estate) being acquired by the City Attorney in order for the Department of Public Service to timely complete the Pedestrian Safety Improvements - Fairwood Avenue Sidewalks (PID 590105-100072) Public Project (*i.e.* Public Project);

WHEREAS , an emergency exists in the usual daily operations of the Department of Public Service in that it is immediately 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 ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:

SECTION 1. 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, the City declares the immediate necessity and intent to appropriate the fee simple title and lesser real property interests to the following listed parcels of real property (collectively, "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 to timely complete the Pedestrian Safety Improvements - Fairwood Avenue Sidewalks (PID 590105-100072) Public Project:

(EXHIBIT) ... (PUBLIC PROJECT PARCEL IDENTIFICATION) ... (TYPE OF REAL ESTATE)

- 1) 1-WD (Fee title without limitation of access)
- 2) 3-WD (Fee title without limitation of access)
- 3) 3-T1 (Temporary Construction & Access Easement)
- 4) 3-T2 (Temporary Construction & Access Easement)
- 5) 4-WD (Fee title without limitation of access)
- 6) 4-T (Temporary Construction & Access Easement)
- 7) 5-WD (Fee title without limitation of access)
- 8) 5-T (Temporary Construction & Access Easement)
- 9) 6-T (Temporary Construction & Access Easement)
- 10) 7-T (Temporary Construction & Access Easement)
- 11) 8-WD (Fee title without limitation of access)
- 12) 9-WD (Fee title without limitation of access)
- 13) 10-WD (Fee title without limitation of access)
- 14) 11-WD (Fee title without limitation of access)
- 15) 11-T (Temporary Construction & Access Easement)
- 16) 12-WD (Fee title without limitation of access)
- 17) 12-T (Temporary Construction & Access Easement)
- 18) 13-WD (Fee title without limitation of access)
- 19) 13-T (Temporary Construction & Access Easement)
- 20) 14-WD (Fee title without limitation of access)
- 21) 14-T (Temporary Construction & Access Easement)
- 22) 15-WD (Fee title without limitation of access)
- 23) 15-T (Temporary Construction & Access Easement)
- 24) 16-WD (Fee title without limitation of access)
- 25) 16-T (Temporary Construction & Access Easement)

26) 17-T (Temporary Construction & Access Easement)

SECTION 2. 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. For the reasons stated in the preamble of this resolution, which are fully incorporated into this resolution as if rewritten, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the mayor or ten (10) days after its adoption if the mayor neither approves nor vetoes this resolution.