



## Legislation Text

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**File #:** 0046X-2017, **Version:** 1

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### **BACKGROUND:**

The City's Department of Public Utilities (DPU) is engaged in the Big Run/Hellbranch Sewer Extension (CIP 650604-100001) Public Improvement Project ("Public Project"). The City must acquire in good faith and accept certain fee simple title and lesser real property interests located in the vicinity of Sullivant Avenue and Galloway Road, Galloway, OH 43119 (collectively, "Real Estate") in order for DPU to complete the Public Project. The City passed Ordinance Number 1066-2016 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 for the Real Estate.

### **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 Run/Hellbranch Sewer Extension (CIP 650604-100001) Public Improvement Project ("Public Project").

**WHEREAS**, the City intends to improve certain public sewer infrastructure by allowing the Department of Public Utilities (DPU) to engage in the Big Run/Hellbranch Sewer Extension (CIP 650604-100001) Public Improvement Project ("Public Project");

**WHEREAS**, the City intends for the City Attorney to acquire the necessary fee simple title and lesser real estate located in the vicinity of the public right-of-way of Sullivant Avenue and Galloway Road, Galloway, OH 43119 ("Real Estate") in order to complete the Public Project;

**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 for the Real Estate; and **now, therefore**,

### **BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:**

**SECTION 1.** 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 additional or modified 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 Run/Hellbranch Sewer Extension (CIP 650604-100001) Public Improvement Project ("Public Project").

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

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| <b>1)</b> | <b>1-P</b> | <b>(permanent sewer easement)</b>  |
| <b>2)</b> | <b>1-T</b> | <b>(twenty-four (24) month temporary construction &amp; access easement)</b> |

**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.** This ordinance shall take effect and be in full force and effect from and after the earliest period allowed by law.