



Legislation Text

File #: 0037X-2018, **Version:** 1

BACKGROUND:

The City's Department of Public Service (DPS) is performing the Arterial Street Rehabilitation - Hamilton Road Phase A (FRA CR103-2.56 - PID Number 99852) project. ("Public Project"). The City must acquire certain fee simple title and lesser real estate located in the vicinity of Hamilton Road between Morse Road and Menerey Lane (collectively, "Real Estate") in order for DPS to timely complete the Public Project. The City passed Ordinance Number 2939-2017 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 Arterial Street Rehabilitation - Hamilton Road Phase A Public Project. (\$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 Arterial Street Rehabilitation - Hamilton Road Phase A (FRA CR103-2.56 PID Number 99852) project ("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 Hamilton Road between Morse Road and Menerey Lane ("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 **now, therefore**,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

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 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 Arterial Street Rehabilitation - Hamilton Road Phase A (FRA CR103-2.56 PID Number 99852) project. (“Public Project”).

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

1. PARCEL 10AT (24 Month Temporary Construction Easement)
2. PARCEL 10AWD (Fee Simple Title without limitation of access)
3. PARCEL 10BT (24 Month Temporary Construction Easement)
4. PARCEL 10BWD (Fee Simple Title without limitation of access)
5. PARCEL 12T (24 Month Temporary Construction Easement)
6. PARCEL 12WD (Fee Simple Title without limitation of access)
7. PARCEL 15T1 (24 Month Temporary Construction Easement)
8. PARCEL 15T2 (24 Month Temporary Construction Easement)
9. PARCEL 15-WDV (Fee Simple Title without limitation of access)
10. PARCEL 16T (24 Month Temporary Construction Easement)
11. PARCEL 16WD1 (Fee Simple Title without limitation of access)
12. PARCEL 16WD2 (Fee Simple Title without limitation of access)
13. PARCEL 17CHV (Perpetual Channel Easement)
14. PARCEL 17-SV1 (Perpetual Sewer Easement)
15. PARCEL 17-SV2 (Perpetual Sewer Easement)
16. PARCEL 17T1 (24 Month Temporary Construction Easement)
17. PARCEL 17T2 (24 Month Temporary Construction Easement)
18. PARCEL 17WDV (Fee Simple Title without limitation of access)
19. PARCEL 18AT1 (24 Month Temporary Construction Easement)
20. PARCEL 18AT2 (24 Month Temporary Construction Easement)
21. PARCEL 18AWD (Fee Simple Title without limitation of access)
22. PARCEL 18BT (24 Month Temporary Construction Easement)
23. PARCEL 18BWD (Fee Simple Title without limitation of access)
24. PARCEL 19CHV (Perpetual Channel Easement)
25. PARCEL 19-SV1 (Perpetual Sewer Easement)
26. PARCEL 19-SV2 (Perpetual Sewer Easement)
27. PARCEL 19T (24 Month Temporary Construction Easement)
28. PARCEL 20T1 (24 Month Temporary Construction Easement)
29. PARCEL 20T2 (24 Month Temporary Construction Easement)
30. PARCEL 20WD1 (Fee Simple Title without limitation of access)
31. PARCEL 20WD2 (Fee Simple Title without limitation of access)
32. PARCEL 21T (24 Month Temporary Construction Easement)
33. PARCEL 21WD (Fee Simple Title without limitation of access)
34. PARCEL 22CHV (Perpetual Channel Easement)
35. PARCEL 22T (24 Month Temporary Construction Easement)
36. PARCEL 23CH (Perpetual Channel Easement)
37. PARCEL 23T1 (24 Month Temporary Construction Easement)
38. PARCEL 23T2 (24 Month Temporary Construction Easement)
39. PARCEL 24CHV (Perpetual Channel Easement)
40. PARCEL 25CHV (Perpetual Channel Easement)
41. PARCEL 25T (24 Month Temporary Construction Easement)
42. PARCEL 26T (24 Month Temporary Construction Easement)
43. PARCEL 26WDV (Fee Simple Title without limitation of access)

44.	PARCEL 27 CH	(Perpetual Channel Easement)
45.	PARCEL 27P	(Perpetual Shared-Use Path Easement)
46.	PARCEL 27S1	(Perpetual Sewer Easement)
47.	PARCEL 27S2	(Perpetual Sewer Easement)
48.	PARCEL 27T	(24 Month Temporary Construction Easement)
49.	PARCEL 33T	(24 Month Temporary Construction Easement)
50.	PARCEL 34T	(24 Month Temporary Construction Easement)
51.	PARCEL 34WD	(Fee Simple Title without limitation of access)
52.	PARCEL 35T1 (24 Month Temporary Construction Easement)	
53.	PARCEL 35T2 (24 Month Temporary Construction Easement)	
54.	PARCEL 35WD	(Fee Simple Title without limitation of access)
55.	PARCEL 36S	(Perpetual Sewer Easement)
56.	PARCEL 36T1 (24 Month Temporary Construction Easement)	
57.	PARCEL 36T2 (24 Month Temporary Construction Easement)	
58.	PARCEL 36WD	(Fee Simple Title without limitation of access)
59.	PARCEL 37T	(24 Month Temporary Construction Easement)
60.	PARCEL 37WD	(Fee Simple Title without limitation of access)
61.	PARCEL 39AT	(24 Month Temporary Construction Easement)
62.	PARCEL 39BS	(Perpetual Sewer Easement)
63.	PARCEL 39BT	(24 Month Temporary Construction Easement)
64.	PARCEL 39BWD	(Fee Simple Title without limitation of access)
65.	PARCEL 40T1 (24 Month Temporary Construction Easement)	
66.	PARCEL 40T2 (24 Month Temporary Construction Easement)	
67.	PARCEL 40WD	(Fee Simple Title without limitation of access)
68.	PARCEL 41T	(24 Month Temporary Construction Easement)
69.	PARCEL 42AT	(24 Month Temporary Construction Easement)
70.	PARCEL 42-P	(Perpetual Shared-Use Path Easement)
71.	PARCEL 42T1 (24 Month Temporary Construction Easement)	
72.	PARCEL 42T2 (24 Month Temporary Construction Easement)	
73.	PARCEL 42T3 (24 Month Temporary Construction Easement)	
74.	PARCEL 42WD	(Fee Simple Title without limitation of access)
75.	PARCEL 43T	(24 Month Temporary Construction Easement)
76.	PARCEL 43WD	(Fee Simple Title without limitation of access)
77.	PARCEL 44T	(24 Month Temporary Construction Easement)
78.	PARCEL 44WD	(Fee Simple Title without limitation of access)
79.	PARCEL 45T1 (24 Month Temporary Construction Easement)	
80.	PARCEL 45T2 (24 Month Temporary Construction Easement)	
81.	PARCEL 45WD	(Fee Simple Title without limitation of access)
82.	PARCEL 46T	(24 Month Temporary Construction Easement)
83.	PARCEL 46WD	(Fee Simple Title without limitation of access)
84.	PARCEL 47T	(24 Month Temporary Construction Easement)
85.	PARCEL 47WD	(Fee Simple Title without limitation of access)
86.	PARCEL 48T1 (24 Month Temporary Construction Easement)	
87.	PARCEL 48T2 (24 Month Temporary Construction Easement)	
88.	PARCEL 48WD	(Fee Simple Title without limitation of access)
89.	PARCEL 49T	(24 Month Temporary Construction Easement)
90.	PARCEL 50T	(24 Month Temporary Construction Easement)
91.	PARCEL 50WD1	(Fee Simple Title without limitation of access)
92.	PARCEL 50WD2	(Fee Simple Title without limitation of access)
93.	PARCEL 51S	(Perpetual Sewer Easement)
94.	PARCEL 51T	(24 Month Temporary Construction Easement)
95.	PARCEL 51WD	(Fee Simple Title without limitation of access)

96.	PARCEL 52T	(24 Month Temporary Construction Easement)
97.	PARCEL 52WD	(Fee Simple Title without limitation of access)
98.	PARCEL 53T	(24 Month Temporary Construction Easement)
99.	PARCEL 54T	(24 Month Temporary Construction Easement)
100.	PARCEL 54WD	(Fee Simple Title without limitation of access)
101.	PARCEL 55T	(24 Month Temporary Construction Easement)
102.	PARCEL 56T	(24 Month Temporary Construction Easement)
103.	PARCEL 57T	(24 Month Temporary Construction Easement)
104.	PARCEL 58T	(24 Month Temporary Construction Easement)
105.	PARCEL 59T	(24 Month Temporary Construction Easement)
106.	PARCEL 60AT (24 Month Temporary Construction Easement)	
107.	PARCEL 60T	(24 Month Temporary Construction Easement)
108.	PARCEL 61T	(24 Month Temporary Construction Easement)
109.	PARCEL 62T	(24 Month Temporary Construction Easement)
110.	PARCEL 62WD	(Fee Simple Title without limitation of access)
111.	PARCEL 63T	(24 Month Temporary Construction Easement)
112.	PARCEL 64T	(24 Month Temporary Construction Easement)
113.	PARCEL 64WD	(Fee Simple Title without limitation of access)
114.	PARCEL 65T	(24 Month Temporary Construction Easement)
115.	PARCEL 66T	(24 Month Temporary Construction Easement)
116.	PARCEL 67T	(24 Month Temporary Construction Easement)
117.	PARCEL 68T	(24 Month Temporary Construction Easement)
118.	PARCEL 69AT (24 Month Temporary Construction Easement)	
119.	PARCEL 69T	(24 Month Temporary Construction Easement)
120.	PARCEL 70S1	(Perpetual Sewer Easement)
121.	PARCEL 70S2	(Perpetual Sewer Easement)
122.	PARCEL 70T	(Fee Simple Title without limitation of access)
123.	PARCEL 71T	(24 Month Temporary Construction Easement)
124.	PARCEL 72S1	(Perpetual Sewer Easement)
125.	PARCEL 72S2	(Perpetual Sewer Easement)
126.	PARCEL 72T1	(24 Month Temporary Construction Easement)
127.	PARCEL 72T2	(24 Month Temporary Construction Easement)
128.	PARCEL 72WD	(Fee Simple Title without limitation of access)
129.	PARCEL 73T	(24 Month Temporary Construction Easement)
130.	PARCEL 74T	(24 Month Temporary Construction Easement)
131.	PARCEL 74WD	(Fee Simple Title without limitation of access)
132.	PARCEL 75S	(Perpetual Sewer Easement)
133.	PARCEL 75T1	(24 Month Temporary Construction Easement)
134.	PARCEL 75T2	(24 Month Temporary Construction Easement)
135.	PARCEL 75WD	(Fee Simple Title without limitation of access)
136.	PARCEL 76S	(Perpetual Sewer Easement)
137.	PARCEL 76T1	(24 Month Temporary Construction Easement)
138.	PARCEL 76T2	(24 Month Temporary Construction Easement)
139.	PARCEL 76WD	(Fee Simple Title without limitation of access)
140.	PARCEL 77T	(24 Month Temporary Construction Easement)
141.	PARCEL 78T	(24 Month Temporary Construction Easement)
142.	PARCEL 83T	(24 Month Temporary Construction Easement)
143.	PARCEL 84T	(24 Month Temporary Construction 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. This resolution shall take effect and be in full force and effect from and after the earliest period allowed by law.