



Legislation Text

File #: 1303-2018, **Version:** 1

Background: The City desires to grant to the State of Ohio, Department of Transportation ("ODOT"), two (2) perpetual Slope Easements and three (3) twelve month Temporary Easements in, on, over, under, across, and through a portion of City-owned real property located along the Scioto River in the vicinity of Riverside Drive between Nottingham Road and Fishinger Road, Columbus, Ohio 43221 [Franklin County Tax Parcel 580-198700] ("Easement Area"). ODOT will use the Easement Area, which is more fully described within the ten page attachment to this legislation, for construction and grading associated with ODOT's [FRA-33-8.78] project ("Project"). The City's Departments of Finance and Management, Recreation and Parks, and Public Utilities reviewed the easement request and determined that the Easement Area requested by ODOT to complete its Project should be granted and that the City should charge ODOT One Hundred and Two Thousand Seven Hundred and Ninety-two and 00/100 U.S. Dollars (\$102,792.00). Therefore, the following legislation authorizes the City's Director of the Department of Finance and Management, with approval from the Directors of the Recreation and Parks Department and the Department of Public Utilities, to execute those documents as approved by the Columbus City Attorney, Real Estate Division, to grant the easements to ODOT to complete the Project.

Fiscal Impact: The City's receipt of the One Hundred and Two Thousand Seven Hundred and Ninety-two Dollars and 00/100 U.S. Dollars (\$102,792) from ODOT will be deposited within three separate funds consisting of the Water Operating Fund, Fund 6000, the Permanent Improvement Fund, Fund 7748, and the Tree Fund, Fund 2234.

Emergency Justification: Emergency action is requested to not delay the benefit to the City resulting from ODOT'S Project, which will preserve the public peace, health, property, safety, and welfare.

To authorize the Director of the Department of Finance and Management to execute documents approved by the Columbus City Attorney, Real Estate Division, to grant perpetual Slope and Temporary Easements to the State of Ohio, Department of Transportation; and to declare an emergency. (\$0.00)

WHEREAS, the City desires to grant ODOT two (2) perpetual Slope Easements and three (3) twelve month Temporary Easements in, on, over, under, across, and through a portion of City-owned real property located along the Scioto River in the vicinity of Riverside Drive between Nottingham Road and Fishinger Road, Columbus, Ohio 43221 [Franklin County Tax Parcel 580-198700] ("Easement Area"); and

WHEREAS, ODOT will use the Easement Area, which is more fully described and depicted in the Ten (10) page attachment, which is fully incorporated for reference as if rewritten, for construction and grading to secure public right-of-way adjacent to the Easement Area for ODOT's [FRA-33-8.78] project ("Project"); and

WHEREAS, the City's Department of Finance and Management determined that the Easement Areas requested by ODOT to complete the Project should be granted at a price of One Hundred and Two Thousand Seven Hundred and Ninety-two and 00/100 U.S. Dollars (\$102,792.00); and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to authorize the Director of Finance and Management to execute those documents necessary for the granting of these easements to not delay the benefit to the City resulting from ODOT'S Project, which will preserve the public peace, health, property, safety, and welfare; and now, therefore:

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

SECTION 1. That the Director of Finance and Management, with approval from the Directors of the Recreation and Parks Department and the Department of Public Utilities, is authorized to execute those documents, as approved by the City Attorney's Office, Real Estate Division, necessary to grant ODOT two (2) perpetual Slope Easements and three (3) twelve month Temporary Easements in, on, over, under, across, and through a portion of City-owned real property located along the Scioto River in the vicinity of Riverside Drive between Nottingham Road and Fishinger Road, Columbus, Ohio 43221 [Franklin County Tax Parcel 580-198700] ("Easement Area") described and depicted in the Ten (10) page attachment, which is fully incorporated for reference as if rewritten, for construction and grading to secure public right-of-way adjacent to the Easement Area for ODOT's [FRA-33-8.78] project ("Project").

SECTION 2. The City Attorney's Office, Real Estate Division is required to approve all instrument(s), associated with this ordinance.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.