



## Legislation Text

File #: 2882-2019, Version: 1

**Background:** The City desires to grant to the State of Ohio, Department of Transportation (“ODOT”), three (3) highway easements, 1-LA, 2-LA, and 6-LA of City-owned real property, grant two (2) utility easements 2-UV and 6-UV, and grant four (4) eighteen month Temporary Easements, 1-T, 2-T, 6-T, and 28-T (“Real Estate”). All of the Real Estate is located in the vicinity of the Scioto River and Interstate 70. The City and ODOT are currently engaged in a joint project to transform the I70/71 corridor through downtown Columbus. The construction will encompass several individual projects and phases. As a part of ODOT’s [FRA-70-12.68] project (“Project”), the City will be granting the following parcels to ODOT: 1-LA a 1.5293 acre tract and 1-T a 1.4216 acre temporary easement that are a part of Franklin County Tax Parcel 010-023620; 2-LA a 0.6323 acre tract, 2-UV, a 0.0759 acre easement, and, 2-T a 1.2393 acre temporary easement that are part of Franklin County Tax Parcel 010-207321; 6-LA a 0.1874 acre tract, 6-UV a 0.2106 acre easement, and, 6-T a 0.2359 acre easement that are part of Franklin County Tax Parcel 010-066817; and 28-T a 0.7369 acre temporary easement that is part of Franklin County Tax Parcel 010-066781.

The City’s Departments of Finance and Management, Recreation and Parks, Public Service and Public Utilities reviewed the requests and determined that the Real Estate requested by ODOT to complete the Project should be granted and that the City should accept the appraised fair market value for the property, as determined by ODOT, in the amount of Two Hundred Eighty Thousand Two Hundred and Forty and 00/100 U.S. Dollars (\$280,240.00). 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, Department of Public Service 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, subject to the reservation of easements for existing utilities, bike trail(s) and certain ODOT maintenance obligations.

**Fiscal Impact:** The City’s receipt of the Two Hundred Eighty Thousand Two Hundred and Forty and 00/100 U.S. Dollars (\$280,240.00) from ODOT will be deposited within the General Permanent Improvement Fund.

**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 City Attorney, Real Estate Division, to grant quit claim highway easements, utility easements and temporary easements to the State of Ohio, Department of Transportation as part of ODOT’s FRA-70-12.68 project; and to declare an emergency. (\$0.00)

**WHEREAS,** the City desires to grant to the State of Ohio, Department of Transportation (“ODOT”), three (3) Highway Easements, 1-LA, 2-LA, and 6-LA of City-owned real property, grant two (2) utility easements 2-UV and 6-UV, and to grant four (4) eighteen month Temporary Easements 1-T, 2-T, 6-T, and 28-T (“Real Estate”). All of the Real Estate is located in the vicinity of the Scioto River and Interstate 70.

**WHEREAS,** the Real Estate to be granted to ODOT consists of the following:

1-LA a 1.5293 acre tract and 1-T a 1.4216 acre temporary easement that are a part of Franklin County Tax Parcel 010-023620;  
2-LA a 0.6323 acre tract, 2-UV, a 0.0759 acre easement, and, 2-T a 1.2393 acre temporary easement that are part of

Franklin County Tax Parcel 010-207321;  
6-LA a 0.1874 acre tract, 6-UV a 0.2106 acre easement, and, 6-T a 0.2359 acre easement that are part of Franklin County Tax Parcel 010-066817; and  
28-T a 0.7369 acre temporary easement that is part of Franklin County Tax Parcel 010-066781, (“Real Estate”); and

**WHEREAS**, the City will reserve easement rights for the existing bike trail(s), utilities, and certain ODOT maintenance obligations; and

**WHEREAS**, ODOT will use the Real Estate for construction of ODOT’s [FRA-70-12.68] project (“Project”); and

**WHEREAS**, the City’s Department of Finance and Management determined that the Real Estate requested by ODOT to complete the Project should be granted at a price of Two Hundred Eighty Thousand Two Hundred and Forty and 00/100 U.S. Dollars (\$280,240.00); and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Finance and Management in that it is immediately necessary to authorize the Director to execute those documents necessary for transferring the Real Estate so as not to delay the benefit to the City resulting from ODOT’S Project, which will preserve the public peace, health, property, safety, and welfare; **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, Department of Public Service and the Department of Public Utilities, is authorized to execute those documents necessary to convey to the State of Ohio, Department of Transportation (“ODOT”) the following listed real estate (“Real Estate”), which are fully described in their associated exhibits and incorporated into this ordinance for reference.

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

- |    |      |  |
|----|------|--|
| 1) | 1-LA | (Highway Easement With Limitation of Access) |
| 2) | 1-T  | (18 Month Temporary Easement)                |
| 3) | 2-LA | (Highway Easement With Limitation of Access) |
| 4) | 2-UV | (Permanent Easement)                         |
| 5) | 2-T  | (18 Month Temporary Easement)                |
| 6) | 6-LA | (Highway Easement With Limitation of Access) |
| 7) | 6-UV | (Permanent Easement)                         |
| 8) | 6-T  | (18 Month Temporary Easement)                |
| 9) | 28-T | (18 Month Temporary Easement)                |

**SECTION 2.** That the City Attorney’s Office, Real Estate Division is required to approve all instrument(s), associated with this ordinance.

**SECTION 3.** That the City will grant parcels 1-LA, 1-T, 2-LA, 2-UV, 2-T, 6-LA, 6-UV, 6-T, and 28-T to ODOT for Two Hundred Eighty Thousand Two Hundred and Forty and 00/100 U.S. Dollars (\$280,240.00).

**SECTION 4.** That the funds from the property grants shall be deposited in three separate General Permanent Improvement Funds: \$74,349.00 in Fund 6301, \$158,767.00 in Fund 7747 and \$47,124.00 in Fund 7748.

**SECTION 5.** That the grants will be subject to the reservation of easements for utilities, existing bike trail(s) and certain ODOT maintenance obligations.

**SECTION 6.** That upon notification and verification of the relocation of all utilities located within the retained general utility easements, the Director of the Department of Public Utilities is hereby authorized to execute those documents

necessary to release the retained general utility easement with no additional compensation due to the City and with no further legislative action required by the City.

**SECTION 7.** 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.