



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 0181X-2022, **Version:** 1

BACKGROUND: The City's Department of Public Utilities ("DPU") is performing the Blueprint Miller-Kelton-Kent-Fairwood Permeable Pavers (CIP 650870-162002) project ("Public Project"). The City must acquire certain fee simple title and lesser real estate located in the vicinity of Lilley Avenue and Bulen Avenue (collectively, "Real Estate") in order for DPU to timely complete the Public Project. The City passed Ordinance Number 1751-2021 authorizing the City Attorney to acquire the Real Estate. Furthermore, the City also adopted Resolution 0141X-2022 establishing the City's intent to appropriate the Real Estate. The City must now acquire additional Real Estate that was not included in the prior Resolution. 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 Blueprint Miller-Kelton-Kent-Fairwood Permeable Pavers project. (\$0.00)

WHEREAS, the City intends to improve certain public (sewer or water) infrastructure by allowing the Department of Public Utilities ("DPU") to engage in the Blueprint Miller-Kelton-Kent-Fairwood Permeable Pavers (CIP 650870-162002) 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 Lilley Avenue and Bulen Avenue ("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 sewer infrastructure and associated appurtenances; 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. That 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 Utilities ("DPU") to complete the Blueprint Miller-Kelton-Kent-Fairwood Permeable Pavers (CIP 650870-162002) project ("Public Project").

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

- | | | |
|-----|------|-------------------------------|
| 1) | 2-T | (24-Month Temporary Easement) |
| 2) | 9-T | (24-Month Temporary Easement) |
| 3) | 13-T | (24-Month Temporary Easement) |
| 4) | 14T | (24-Month Temporary Easement) |
| 5) | 16T | (24-Month Temporary Easement) |
| 6) | 17T | (24-Month Temporary Easement) |
| 7) | 19T | (24-Month Temporary Easement) |
| 8) | 23T | (24-Month Temporary Easement) |
| 9) | 24T | (24-Month Temporary Easement) |
| 10) | 25T | (24-Month Temporary Easement) |
| 11) | 26T | (24-Month Temporary Easement) |
| 12) | 27T | (24-Month Temporary Easement) |
| 13) | 32T | (24-Month Temporary Easement) |
| 14) | 39T | (24-Month Temporary Easement) |
| 15) | 40T | (24-Month Temporary Easement) |
| 16) | 43T | (24-Month Temporary Easement) |
| 17) | 49T | (24-Month Temporary Easement) |
| 18) | 50T | (24-Month Temporary Easement) |

SECTION 2. That 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. That this resolution shall take effect and be in full force and effect from and after the earliest period allowed by law.