



Legislation Text

File #: 0063X-2023, **Version:** 1

BACKGROUND: The City’s Department of Public Service (“DPS”) is performing Operation Sidewalks - School Sidewalks Program - Refugee Road (Noe Bixby Road to Blue Moon Drive), Project Number 590955-920059 project (“Public Project”). The City must acquire certain fee simple title and lesser real estate located in the vicinity of Refugee Road from Noe Bixby Road to Blue Moon Drive to improve safety for those that walk to and from school, (collectively, “Real Estate”), in order for DPS to timely complete the Public Project. The City passed Ordinance numbers 0134-2020, 0217-2021, and 2196-2021 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.

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 Operation Sidewalks - School Sidewalks Program - Refugee Road. (\$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 Operation Sidewalks - School Sidewalks Program - Refugee Road (“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 Refugee Road from Noe Bixby Road to Blue Moon Drive to improve safety for those that walk to and from school, (“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. 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 Service (“DPS”) to complete the Operation Sidewalks - School Sidewalks Program - Refugee Road (“Public Project”).

(Exhibit)	(Public Project Parcel Identification)	(Real Estate)
1)	1-S	(Sewer Easement)
2)	1-T	(18 Month Temporary Construction Easement)

3)	2-CH	(Channel Easement)
4)	2-T	(18 Month Temporary Construction Easement)
5)	3-CH	(Channel Easement)
6)	3-P	(Permanent Easement)
7)	3-T	(18 Month Temporary Construction Easement)
8)	4-CH	(Channel Easement)
9)	4-P	(Permanent Easement)
10)	4-T1	(18 Month Temporary Construction Easement)
11)	4-T2	(18 Month Temporary Construction Easement)
12)	5-P	(Permanent Easement)
13)	26-T	(18 Month Temporary Construction Easement)
14)	28-T	(18 Month Temporary Construction Easement)
15)	31-T	(18 Month Temporary Construction Easement)
16)	31-WD	(Warranty Deed)
17)	33-T	(18 Month Temporary Construction Easement)
18)	33-WD	(Warranty Deed)
19)	36-T	(18 Month Temporary Construction Easement)
20)	36-WD	(Warranty Deed)
21)	49-P	(Permanent Easement)
22)	51-T	(18 Month Temporary Construction Easement)
23)	55-S	(Sewer Easement)
24)	57-S1	(Sewer Easement)
25)	57-S2	(Sewer Easement)
26)	57-SH	(Standard Highway Easement)
27)	57-T1	(18 Month Temporary Construction Easement)
28)	57-T2	(18 Month Temporary Construction Easement)
29)	57-T3	(18 Month Temporary Construction Easement)
30)	71-S1	(Sewer Easement)
31)	71-S2	(Sewer Easement)
32)	71-S3	(Sewer Easement)
33)	71-SH	(Standard Highway Easement)
34)	71-T1	(18 Month Temporary Construction Easement)
35)	71-T2	(18 Month Temporary Construction Easement)
36)	83-T	(18 Month Temporary Construction Easement)
37)	105-T	(18 Month Temporary Construction Easement)
38)	107-T	(18 Month Temporary Construction Easement)
39)	118-T	(18 Month Temporary Construction Easement)
40)	121-T	(18 Month Temporary Construction Easement)
41)	122-T	(18 Month Temporary Construction Easement)
42)	122-WD	(Warranty Deed)
43)	124-P	(Permanent Easement)
44)	125-T	(18 Month Temporary Construction Easement)
45)	129-SH	(Standard Highway Easement)
46)	129-T	(18 Month Temporary Construction Easement)
47)	137-SH	(Standard Highway Easement)
48)	137-T	(18 Month Temporary Construction 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 the Real Estate’s acquisition will help make, improve, or repair certain portions of public right-of-

way and associated appurtenances which will be open to the public without charge.

SECTION 4. That this resolution shall take effect and be in full force and effect from and after the earliest period allowed by law.