



Legislation Text

File #: 0565-2024, **Version:** 1

BACKGROUND: The State of Ohio, Department of Transportation (“ODOT”) is currently engaged in a bridge preservation project along State Route 257 near the Columbus Zoo as part of ODOT’s DEL-257-1.25, PID 120489 project (“Project”). ODOT is seeking a twenty-four (24) month 0.279-acre temporary easement across property owned by the City and leased to the Columbus Zoo and Aquarium (“Zoo”) to allow access to the pedestrian tunnel under State Route 257 in order to facilitate work on the pedestrian tunnel and bridge.

The City’s Department of Finance and Management and the Zoo reviewed the request and determined that the Real Estate requested by ODOT to complete the Project should, in the interest of inter-governmental cooperation, be granted at no cost. The following legislation authorizes the City’s Director of the Department of Finance and Management to execute any right of entries and a temporary easement, as approved by the Columbus City Attorney, Real Estate Division, in order for ODOT to complete the Project.

CONTRACT COMPLIANCE: Not applicable.

FISCAL IMPACT: Not applicable.

EMERGENCY JUSTIFICATION: Emergency action is requested in order to meet ODOT’s March 25, 2024 right-of-way clear date so as not delay the benefit to the City and the Zoo 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 right of entries and a temporary easement, approved by the City Attorney Real Estate Division, to the State of Ohio, Department of Transportation, for work associated with ODOT’s bridge preservation project along State Route 257; and to declare an emergency.

WHEREAS, the City is the owner of real property near and around State Route 257 commonly known as the Columbus Zoo and Aquarium (“Zoo”), Delaware County Parcel Number 319-33-101-003-000; and

WHEREAS, The State of Ohio, Department of Transportation (“ODOT”) has requested, and the City and Zoo desire to grant, a temporary easement and rights of entries (“Real Estate”) for the bridge preservation project along State Route 257 as part of ODOT’s DEL-257-1.25, PID 120489 project (“Project”); and

WHEREAS, the Real Estate to be granted to ODOT consists of parcel 10-T which is an approximately 0.279-acre twenty-four (24) month temporary easement which will be used for ODOT’s access to the Zoo’s pedestrian walkway under the State Route 257 bridge for construction of the Project; and

WHEREAS, the City’s Department of Finance and Management and the Zoo determined that, in the interest of inter-governmental cooperation, the Real Estate should be granted at no cost; and

WHEREAS, an emergency exists in the usual daily operations of the City in that it is immediately necessary to grant ODOT right of entries and a temporary construction easement in order to meet ODOT’s March 25, 2024 clear date and prevent unnecessary delay in completing the Project, which will preserve the public peace, property, health, welfare, and safety; and **now, therefore:**

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

SECTION 1. That the Director of the Department of Finance and Management be, and hereby is, authorized to grant right of entries and a temporary construction easement to the State of Ohio, Department of Transportation including parcel 10-T, which is fully described in the attached exhibit and incorporated into this ordinance for reference, which is part of the bridge preservation project along State Route 257 as part of ODOT's DEL-257-1.25, PID 120489 project ("Project").

SECTION 2. That the Columbus City Attorney, Real Estate Division, is required to approve all instruments associated with this ordinance.

SECTION 3. That this ordinance, for the reasons stated in the preamble, which are made a part of this ordinance and fully incorporated for reference as if rewritten, is 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 (10) days after passage if the Mayor neither approves nor vetoes the same.