

Date: February 18, 2021

To: Mayor and Members of City Council

From: Paula Boggs Muething, City Manager *CB to PBM*

202100675

Subject: EMERGENCY ORDINANCE - BRENT SPENCE PROJECT PARCEL 9 EASEMENTS
(CROSSETT LOT)

Attached is an emergency ordinance captioned as follows:

AUTHORIZING the City Manager to execute a *Permanent Aerial Easement* and *Temporary Easement* pursuant to which the City of Cincinnati will grant easements to the State of Ohio, Department of Transportation, for the construction and maintenance of elevated highway structures on and over the City-owned Crossett parking lots located between West Third Street and West Pete Rose Way in downtown Cincinnati.

The City of Cincinnati owns the Crossett parking lots located between West Third Street and West Pete Rose Way in Cincinnati ("Property"), which are under the management and control of the City's Department of Community and Economic Development ("DCED").

The Ohio Department of Transportation ("ODOT") is conducting a transportation improvement project related to the Brent Spence Bridge and has requested a permanent aerial easement and temporary construction easement over portions of the Property, as described in the *Permanent Aerial Easement* and *Temporary Easement* attached to this ordinance as Attachment A and Attachment B, respectively, for the construction and maintenance of elevated highway structures.

The City Manager, in consultation with DCED, has determined that granting the easements will not be adverse to the City's retained interest in the Property or the abutting public rights-of-way.

The fair market value of the permanent aerial easement is approximately \$349,573 and the fair market value of the temporary construction easement is approximately \$1,677,064 for a total of \$2,026,637, which ODOT has agreed to pay.

The City Planning Commission approved the easements at its meeting on November 12, 2018.

The reason for the emergency is the immediate need for ODOT to obtain control of the property without delay in order to keep its transportation improvement project on schedule.

The Administration recommends passage of the attached emergency ordinance.

Attachment I – Attachment A, Permanent Aerial Easement, Crossett Lot

Attachment II – Attachment B, Crossett Temporary Easement

cc: John S. Brazina, Director, Transportation and Engineering

John B