

EMERGENCY

City of Cincinnati

CHM *AWB*

An Ordinance No. _____

- 2021

TO APPROPRIATE to public use property required for the construction of a retaining wall, tiebacks, and drainage system as part of the Riverside Drive Hillside Stabilization Project.

WHEREAS, on June 13, 2018, Council for the City of Cincinnati passed Resolution No. 35-2018 captioned as follows:

DECLARING the intent to appropriate to public use property required for the construction of a retaining wall, tiebacks, and drainage system as part of the Riverside Drive Hillside Stabilization Project.

WHEREAS, notice of the passage of the Resolution has been served according to law; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That it is hereby deemed necessary and hereby declared to be the intent of this Council to appropriate to public use for the purpose of the Riverside Drive Hillside Stabilization Project, which project includes the construction of a retaining wall, tiebacks, and drainage system to benefit the infrastructure and utilities of the City of Cincinnati located in, on, and under Riverside Drive, permanent easement interests in the real property described on Exhibit A attached to this ordinance and incorporated herein by reference, and temporary construction easements in the real property described on Exhibit B attached to this ordinance and incorporated herein by reference (collectively, the "Property"), with the owners of record of the Property being as follows:

<u>Project Parcel</u>	<u>Owner</u>	<u>Hamilton Co. Auditor Parcel Nos.</u>
05	The I.T. Verdin Co	032-0002-0106 thru 0113; 032-0001-0016

Section 2. That the City Solicitor is hereby authorized to commence proceedings in a proper court by filing a complaint for appropriation of the Property at such time as the City has met the requirements of Section 163.04 of the Ohio Revised Code.

Section 3. That at any time prior or subsequent to the filing of a complaint or complaints for appropriation, the City Manager is hereby authorized, with the approval of the City Solicitor, to acquire by purchase the real property interests described in Section 1 hereof, and in connection with such acquisition, or for the preparation of court proceedings, to enter into special contracts for necessary services, expert or otherwise, as the same may be required.

Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to file one or more complaints for appropriation in order that the City may complete the Riverside Drive Hillside Stabilization Project, in accordance with the schedules set forth in the contracts being entered into for this project.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk