

EMERGENCY

DMZ

- 2024

APPROPRIATING to public use certain real property interests necessary to secure, stabilize, repair, improve, and protect a portion of the public roadway known as Harrison Avenue, and the sidewalk and retaining wall adjacent thereto.

WHEREAS, on _____, 2024, City Council of the City of Cincinnati passed Resolution No. _____, captioned, “**DECLARING** the intent to appropriate to public use certain real-property interests necessary to secure, stabilize, repair, improve, and protect a portion of the public roadway known as Harrison Avenue, and the sidewalk and retaining wall adjacent thereto.”; and

WHEREAS, notice of the passage of said Resolution No. _____ 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 the Council hereby appropriates the following real property interests for the public purpose of securing, stabilizing, repairing, improving, and protecting a portion of the public roadway known as Harrison Avenue, and the sidewalk and retaining wall adjacent thereto (“Project”), fee simple interest and temporary easement interests in portions of the real property described in Attachment A attached hereto, whereas such interests to be appropriated are more particularly described and depicted on Attachment B, attached hereto and incorporated herein by reference (collectively, “Property”):

<u>Owner</u>	<u>Hamilton Co. Auditor Parcel No.</u>
Casey Kinane	203-0027-0138-00
Casey Kinane	203-0027-0140-00
Casey Kinane	203-0027-0141-00
Casey Kinane	203-0027-0142-00
Westside Blue Jay, LLC	203-0027-0139-00
Martin Media, et al	203-0029-0104-00

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

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 acquire all real property interests necessary to construct the Project without delay to ensure the safe, dependable, and uninterrupted provision and protection of the public right-of-way and ancillary structures.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk