

**EMERGENCY**

**DMZ**

**- 2024**

**APPROPRIATING** to public use certain real property interests necessary to restructure a portion of Yoast Avenue and Saffer Street with a new horizontal and vertical alignment, to construct a mechanically stabilized earth retaining wall along said roadways, and replace portions of the water main and storm sewer system in order to alleviate periodic flooding and erosion concerns in or near said roadways, and to replace and upgrade resident access to the roadway and upgrade traffic control signage in conjunction with the aforementioned flooding and erosion control work.

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 restructure a portion of Yoast Avenue and Saffer Street with a new horizontal and vertical alignment, to construct a mechanically stabilized earth retaining wall along said roadways, and replace portions of the water main and storm sewer system in order to alleviate periodic flooding and erosion concerns in or near said roadways, and to replace and upgrade resident access to the roadway and upgrade traffic control signage in conjunction with the aforementioned flooding and erosion control work; 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 a fee simple interest and a temporary easement interest in the real estate as described in Attachment A and depicted on Attachment B (the “Property”) for the purpose of restructuring a portion of Yoast Avenue and Saffer Street with a new horizontal and vertical alignment, to construct a mechanically stabilized earth retaining wall along said roadways, and replace portions of the water main and storm sewer system in order to alleviate periodic flooding and erosion concerns in or near said roadways, and to replace and upgrade resident access to the roadway and upgrade traffic control signage in conjunction with the aforementioned flooding and erosion control work (the “Project”). The owner(s) of record of the Property are as follows:

<u>Owner</u>	<u>Hamilton Co. Auditor Parcel No.</u>
Carl W. Keller	0206-0011-0015

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