

EMERGENCY

**Legislative Resolution**

DMZ

RESOLUTION NO. \_\_\_\_\_ - 2024

**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.

WHEREAS, the City, through its Department of Transportation and Engineering and Greater Cincinnati Water Works and its Stormwater Management Utility division, desires 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, Council deems it necessary at this time to proceed with acquisition of certain real-property interests for the described Yoast Avenue and Saffer Street improvements.

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

Section 1. That it is hereby declared to be the intent of Council to appropriate to public use 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”), which interests in the Property are hereby deemed necessary to ensure

the completion of the Project and continued maintenance, repair and reconstruction of any of the Project improvements. The current owners 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 at any time after the effective date of this Resolution and before the passage of an ordinance to appropriate, the City Manager is hereby authorized, with the advice and assistance of the City Solicitor, to acquire by purchase any and all interests in the Property necessary to carry out the Project and, in accordance with such acquisition, to enter into special contracts for necessary services, expert or otherwise, as the City Manager deems necessary or appropriate.

Section 3. That this Resolution 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