

EMERGENCY

1871

City of Cincinnati

CHM

An Ordinance No. 251

- 2020

TO APPROPRIATE to public use property required for the Western Hills Viaduct Replacement Project.

WHEREAS, on February 5, 2020, Council for the City of Cincinnati passed Resolution No. 7-2020 captioned as follows:

DECLARING the intent to appropriate to public use property required for the construction of the eastern approach of the Western Hills Viaduct Replacement 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 Western Hills Viaduct Replacement Project (ODOT project HAM-WHV Eastern Approach; PID 105315), which project includes the relocation, installation, construction, reconstruction, and improvement of public utility facilities for the construction, reconstruction, maintenance, and improvement of a bridge open to the public without charge, fee simple and leasehold interests in the real property described in Exhibit A attached hereto (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 No.</u>
26	Differential Holding Co. LLC	187-0009-0105 (0106 through 0114 consolidated)
27	Differential Holding Co. LLC	187-0009-0104

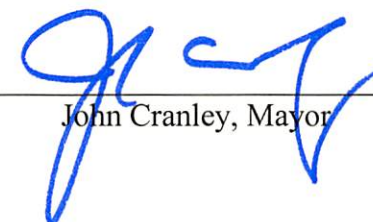
Section 2. That the City Solicitor is hereby authorized to commence proceedings in a proper court by filing a complaint for appropriation of the Property at such time as the City has met the requirements of Section 163.04 of the Ohio Revised Code.

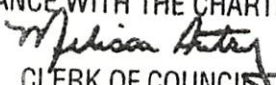
Section 3. That at any time prior or subsequent to the filing of a complaint or complaints for appropriation, the City Manager is hereby authorized, with the approval of the City Solicitor, to acquire by purchase the real property interests described in Section 1 hereof, and in connection with such acquisition, 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 complaints for appropriation in order that the City may commence the Western Hills Viaduct Replacement Project, in accordance with the schedules set forth in the contracts being entered into for this project.

Passed: August 5, 2020

Attest: 
Clerk


John Cranley, Mayor

I HEREBY CERTIFY THAT ORDINANCE NO 251-2020
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 8-18-2020

CLERK OF COUNCIL