

EMERGENCY

City of Cincinnati

CHM

BWL

An Ordinance No. 55

- 2021

TO APPROPRIATE to public use property required for the Auburn Avenue Improvement Project.

WHEREAS, on September 16, 2020, Council for the City of Cincinnati passed Resolution No. 51-2020 captioned as follows:

DECLARING the intent to appropriate to public use property required for the Auburn Avenue Improvement 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 Auburn Avenue Improvement Project, which project includes the relocation, construction, reconstruction, widening, maintenance, resurfacing, repair, and improvement of a road open to the public without charge, fee simple interests in the real property described on Attachment A attached to this ordinance and incorporated herein by reference, and temporary construction easements in the real property described on Attachment 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 No.</u>
1-T-1	The Christ Hospital f/k/a The Elizabeth Gamble Deaconess Home Association	088-0008-0128-00 (088-0008-0128-00 through -135; -185; -186 cons.), 088-0008-0136-00, 088-0008-0137-00 (088-0008-0137-00 through -140; -143 through -146; -155 through -183; -187 through -190; -192 through -200; -208; -217; -221; -226; -227 cons.; -217; -221; -226; -227 cons.), & 088-0008-0141-00 (088-0008-141; -142 cons.)
1-WD-1	The Christ Hospital f/k/a The Elizabeth Gamble Deaconess Home Association	088-0008-0128-00 (088-0008-0128-00 through -135; -185; -186 cons.), 088-0008-0136-00, 088-0008-0137-00 (088-0008-0137-00 through -140; -143 through -146; -155 through -183; -187 through -190; -192 through -200; -208; -217; -221; -226; -227 cons.; -217; -221; -226; -227 cons.), & 088-0008-0141-00 (088-0008-141; -142 cons.)
1-WD-2	The Christ Hospital f/k/a The Elizabeth Gamble Deaconess Home Association	088-0008-0128-00 (088-0008-0128-00 through -135; -185; -186 cons.), 088-0008-0136-00, 088-0008-0137-00 (088-0008-0137-00 through -140; -143 through -146; -155 through -183; -187 through -190; -192 through -200; -208; -217; -221; -226; -227 cons.; -217; -221; -226; -227 cons.), & 088-0008-0141-00 (088-0008-141; -142 cons.)
1-T-3	The Christ Hospital	088-0008-0235-00 (088-0008-0235-00; -237 cons.)
1-T-4	The Christ Hospital	088-0008-0018-00

1-T-5	The Christ Hospital	088-0007-0069-00; -70; -71; -72; -73
1-WD-3	The Christ Hospital	088-0008-0235-00 (088-0008-0235-00; -237 cons.)
1-WD-4	The Christ Hospital	088-0008-0018-00
1-WD-5	The Christ Hospital	088-0007-0069-00; -70; -71; -72; -73
2-WD	Shabbat Shalom, LLC	088-0007-0035-00
2-T	Shabbat Shalom, LLC	088-0007-0035-00
3-WD	Cilo Properties, LLC	088-0008-0124-00 (088-0008-0124-00; -125 cons.)
3-T	Cilo Properties, LLC	088-0008-0124-00 (088-0008-0124-00; -125 cons.)
4-T	Medulla Oblongata Property Holdings, LLC	088-0008-0249-00
5-WD	Board of County Commissioners of Hamilton County, Ohio	088-0007-0020-90 (088-0007-0020-00; -21; -22; -109; -125; -126 cons.)
5-T	Board of County Commissioners of Hamilton County, Ohio	088-0007-0020-90 (088-0007-0020-00; -21; -22; -109; -125; -126 cons.)
6-WD	Arrow Investment Company, successor by merger to Hidy Transportation Company	088-0007-0001-00
7-WD	ORI Associates, LLC	088-0007-0002-00
7-T	ORI Associates, LLC	088-0007-0002-00
8-WD	James Gill	088-0007-0003-00
8-T	James Gill	088-0007-0003-00
9-T-1	NHC – Flat Iron, LLC	094-0006-0224-00 (094-0006-0224-00 through -0227)
9-T-2	NHC – Flat Iron, LLC	094-0006-0224-00 (094-0006-0224-00 through -0227)

10-T	Donald Blaire Frodge, Jr.	088-0007-0004-00
11-T	Merk Holdings OH 1, LLC	088-0007-0097-00; -132
12-T	2112 Ave Mt Auburn Holdings, LLC	088-0007-0104-00 (088-0007-0104-00; -107 cons.)
13-T-1; 13-T-2	Five Points Acquisition, LLC	094-0006-0220-00; 094-0006-0221-00; 094-0006-0222-00; & 094-0006-0223-00

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

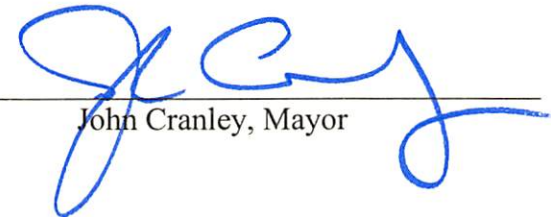
Section 3. That at any time prior or subsequent to the filing of a complaint or complaints for appropriation, the City Manager is hereby authorized, with the approval of the City Solicitor, to acquire by purchase the real property interests described in Section 1 hereof, and in connection with such acquisition,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

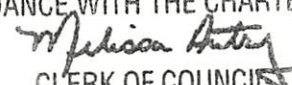
Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to file complaints for appropriation in order that the City may

commence the Auburn Avenue Improvement Project, in accordance with the schedules set forth in the contracts being entered into for this project.

Passed: February 18, 2021

Attest: 
Clerk


John Cranley, Mayor

I HEREBY CERTIFY THAT ORDINANCE NO 55-2021
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 3-2-2021

CLERK OF COUNCIL