

ORDINANCE NO. 61-2018

Determining to Proceed with the Acquisition of Real Estate Interests for the Northeast Gateway Intersection Improvement Project, Authorizing the City Manager to Acquire Certain Parcels Without Further Council Action, and Requiring Adoption of a Resolution to Authorize Acquisition of Other Parcels. (Project No. 602-14)

WHEREAS, the Northeast Gateway Project (Project No. 602-14) will reconstruct Worthington Galena Road starting 600 feet north of the CSX railroad to Lakeview Plaza Boulevard, Wilson Bridge Road from the CSX Railroad to Worthington Galena Road, and Huntley Road starting 400 feet south of Wilson Bridge Road to Wilson Bridge Road (the "Project"); and,

WHEREAS, the Project requires the City of Worthington to acquire the various parcels as described in the attached Exhibit A; and,

WHEREAS, Council previously passed Ordinance No. 12-2014 determining to proceed with the Project and Ordinance No. 33-2018 appropriating the funds for the acquisition of the various real estate interests; and,

WHEREAS, the Ohio Department of Transportation's Real Estate Manual provides the federally mandated appraisal and acquisition process to acquire Right-of Way parcels with federal grant funding; and,

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. For purposes of Section 2.21 of the Charter of the City, this ordinance shall be considered an "Ordinance Determining to Proceed" with the purchase of the specific parcels as described in Exhibit A and any additional parcels that the Director of Service and Engineering determines are necessary for the Project.

SECTION 2. That Council hereby authorizes the City Manager to purchase any of the parcels described in Exhibit A without the necessity of further Council action provided that the negotiated purchase price for the parcel does not exceed \$30,000 and is within \$3,000 of the fair market valuation as determined in accordance with the Ohio Department of Transportation's Real Estate Manual.

SECTION 3. That Council adoption of a resolution shall be required to authorize the acquisition of any parcels described in Exhibit A if the negotiated purchase price exceeds \$30,000 or is more than \$3,000 over the fair market valuation as determined in accordance with the Ohio Department of Transportation's Real Estate Manual.

ORDINANCE NO. 61-2018

SECTION 4. That Council adoption of a resolution shall be required to authorize the acquisition of any additional parcels not described in Exhibit A that the Director of Service and Engineering determines are necessary for the Project.

SECTION 5. That the City Manager, Finance Director, and Law Director are each hereby authorized, acting singly or jointly, to take all actions, including the execution of the purchase contract, any escrow agreements and instructions, closing statements, affidavits, approvals, payments, or other documents, necessary to effectuate the purchase of parcels authorized pursuant to Section 2 of this Ordinance.

SECTION 6. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed January 7, 2019

/s/ Bonnie D. Michael  
President of Council

Attest:

/s/ D. Kay Thress  
Clerk of Council

Introduced December 10, 2018  
P.H. January 7, 2019  
Effective January 30, 2019

Exhibit A  
 (Ordinance No. 61-2018)  
 Northeast Gateway Project Parcel List

| <u>Parcel</u>                         | <u>Address</u>            | <u>Owner</u>                        | <u>FMVE</u>            |
|---------------------------------------|---------------------------|-------------------------------------|------------------------|
| 1-WD, -T                              | Wilson Bridge Rd          | City of Worthington                 | n/a                    |
| 3-SH1, -SH2, -T1, -T2                 | Wilson Bridge Rd          | Norfolk Southern Railway Company    | \$7,278                |
| 4-SH1, -SH2, -T1, -T2                 | Wilson Bridge Rd          | CSX Transportation                  | \$12,248               |
| 5-WD, -U1, -U2, -T1, -T2              | 400 E Wilson Bridge Rd    | 400-406 E Wilson Bridge             | \$93,237               |
| 6-WD, -T                              | 387 Wilson Bridge Rd      | State of Ohio                       | n/a                    |
| 7-WD1, -WD2, -S, -T1, -T2, -T3<br>w/E | 401 E Wilson Bridge Rd    | RSFI Partners, LLC                  | \$160,188<br>\$161,738 |
| 7-BS1                                 | 401 E Wilson Bridge Rd    | Chiller, LLC                        | \$1,943                |
| 8-WD1, -WD2, -S, -T1, -T2             | 421 E Wilson Bridge Rd    | Franca Adams, Trustee               | \$19,865               |
| 9-WD, -S, -SL, -U1, -U2, -T1, -T2     | 438 E Wilson Bridge Rd    | Rush Creek Investors LLC            | \$135,723              |
| 10-WD                                 | 431 E Wilson Bridge Rd    | Robert Morris Montgomery            | \$190,000              |
| 11-WD1, -WD2, -S, -T1, -T2            | 439 E Wilson Bridge Rd    | Sheeren Hashmi                      | \$14,364               |
| 12-WD, -T                             | 445 E Wilson Bridge Rd    | Mary Ann Ondecko                    | \$11,892               |
| 13-T                                  | 451 Worthington-Galena Rd | Capital Enterprises                 | \$1,275                |
| 14-WD, -T1, -T2, -T3                  | 7099 Huntley Rd           | Gledhill Family Limited Partnership | \$15,660               |

Exhibit A  
 (Ordinance No. 61-2018)  
 Northeast Gateway Project Parcel List

| <b>Parcel</b>              | <b>Address</b>          | <b>Owner</b>                        | <b>FMVE</b>            |
|----------------------------|-------------------------|-------------------------------------|------------------------|
| 15-WD, -S, -T, -U<br>w/E   | 7200 Huntley Rd         | 7200 Huntley Road, LLC              | \$699,108<br>\$733,793 |
| 15-BS1                     | 7200 Huntley Rd         | REM Motors, LLC                     | \$1,207                |
| 16-WD, -S1, -S2, -U, -T    | Worthington-Galena Rd   | Anheuser-Busch Commercial Strategy  | \$387,814              |
| 17-T                       | 6767 Huntley Rd         | Atlas Industrial Contractors, LLC   | \$300                  |
| 18-WD, -U1, -U2, -T        | 6800 Huntley Rd         | Nucon International Inc.            | \$10,340               |
| 19-WD1, -WD2, -U, -T1, -T2 | 7029 Huntley Rd         | Huntley Corporate Center, LLC       | \$34,774               |
| 20-WD, -U, -T              | 7020 Huntley Rd         | 7020 Huntley Road, LLC              | \$16,739               |
| 21-WD, -U, -T              | 7057 - 7079 Huntley Rd  | Worthington Galena, LLC             | \$24,976               |
| 21-BS1                     | 7079 Huntley Rd         | Dream Baths, LLC                    | \$1,347                |
| 22-WD, -U, -T              | 7060 Huntley Rd         | Huntley Road Holdings, LLC          | \$16,387               |
| 23-WD, -U1, -U2, -T        | 7086 Huntley Rd         | Werstler Holdings, LLC              | \$12,780               |
| 24-WD, -U, -T              | 7100 Huntley Rd         | MayFam Realty                       | \$69,133               |
| 25-WD, -T                  | 733 Lakeview Plaza Blvd | Lakeview Commercial Properties, LLC | \$26,968               |
| 28-SH1, -SH2, -U, -T1, -T2 | Huntley Rd              | CSX Transportation, Inc.            | \$4,863                |

Exhibit A  
 (Ordinance No. 61-2018)  
 Northeast Gateway Project Parcel List

| <u>Parcel</u>                           | <u>Address</u>             | <u>Owner</u>                             | <u>FMVE</u>          |
|---|----------------------------|--|----------------------|
| 29-T                                    | 7000 Huntley Rd            | Nucon International Inc.                 | \$300                |
| 30-WD                                   | Worthington-Galena Rd      | Estate of Hester Dysert                  | \$300                |
| 33-WD, -T                               | 6969 Worthington-Galena Rd | 6969 Worth-Galena, LLC                   | \$26,904             |
| 34-WD, -U, -T1, -T2                     | 7036 Worthington-Galena Rd | Eastwood Properties, Ltd                 | \$10,746             |
| 35-WD1, -WD2, -S1, -S2, -T1, -T2<br>w/E | 7045 Worthington-Galena Rd | Top World Legacy, LLC                    | \$55,058<br>\$55,493 |
| 36-WD, -S, -T1, -T2<br>w/E              | 7059 Worthington-Galena Rd | Pia Truman                               | \$65,008<br>\$65,490 |
| 37-WD, -S, -T1, -T2<br>w/E              | 7069 Worthington-Galena Rd | Carlo Cautela                            | \$65,256<br>\$65,735 |
| 38-WD, -T                               | 7044 Worthington-Galena Rd | Black Building, LLC                      | \$386                |
| 39-WD                                   | E Wilson Bridge Rd         | Estates of RichardM. & Evelyn C. Gilbert | \$300                |
| 40-WD                                   | 760 Lakeview Plaza Blvd    | Stonehenge Professional Park             | \$980                |

Exhibit A  
(Ordinance No. 61-2018)  
Northeast Gateway Project Parcel List

**Legend**

WD = a fee simple interest

SH = a perpetual easement for highway purposes

T = a temporary easement for construction purposes

U = a utility or railroad easement

E = a fee simple interest for excess land

BS = a bill of sale

S = a sewer easement