



Introduced: 7/17/2023

## CITY OF PATASKALA

### RESOLUTION 2023-059

Passed July 17, 2023

**A RESOLUTION AUTHORIZING THE CITY OF PATASKALA TO PAY BROAD STREET INVESTMENT, LTD. FOR TWO EASEMENTS WHICH ARE NEEDED TO COMPLETE THE PATASKALA SAFE TRAVEL PLAN, PHASE III PROJECT AND EXECUTE ALL DOCUMENTS NECESSARY TO MAKE THIS PURCHASE**

*WHEREAS*, Broad Street Investment, Ltd. owns 1.10 acres of property located at 63 E. Broad Street, Pataskala, Ohio (Parcel No. 064-307818-00.001) (“the Property”); and

*WHEREAS*, the City of Pataskala is completing plans for traffic signal and pedestrian mobility improvements at the intersection of SR 16, SR 310, and Township Road, known as the Pataskala Safe Travel Plan, Phase III (PSTP III); and

*WHEREAS*, the City of Pataskala has traffic signal equipment which currently is located on the Property. The area where this equipment is located is approximately 0.002 acres, but not within a dedicated public right-of-way; and

*WHEREAS*, the City of Pataskala was awarded Federal Earmark Funds for PSTP III, and this funding requires all public infrastructure related to the project to be in public right-of-way; and

*WHEREAS*, Broad Street Investment, Ltd. agreed to sell the City of Pataskala a 0.002-acre exclusive right-of-way easement needed for the PSTP III and a 0.007-acre temporary construction easement for a total of \$10,000.00. The location of these easements is more particularly described on the drawing attached hereto as Exhibit A; and

*WHEREAS*, Council for the City of Pataskala recognizes the need to purchase the right-of-way. Rather than initiate a constitutional taking, Council for the City of Pataskala would like to purchase the exclusive right-of-way easement and temporary construction easement; and

*WHEREAS*, funding for this purchase is available within the 2023 Public Service Department budget.

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF MEMBERS PRESENT CONCURRING THAT:**

Section 1: Council for the City of Pataskala hereby authorizes the City of Pataskala, by and through the City Administrator, or his designee, to pay Broad Street Investment, Ltd. a total of Ten Thousand Dollars and No Cents (\$10,000.00) to purchase a 0.002-acre exclusive right-of-way easement and a 0.007-acre temporary construction easement as more particularly described on the drawing attached hereto as Exhibit A.

Section 2: Council for the City of Pataskala hereby authorizes the City Administrator, or his designee, to execute all documents necessary to make the purchase authorized in Section 1.

Section 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision-making bodies of the City of Pataskala which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

Section 4: This Resolution shall take effect at the earliest time allowed by the Charter of the City of Pataskala.

ATTEST:

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Kathy M. Hoskinson, Clerk

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Michael W. Compton, Mayor

APPROVED AS TO FORM:

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Brian M. Zets, Law Director