



Legislation Text

File #: O-257-20, **Version:** 1

DPU071420ACCEPTDEDICATEI475DORRINTRCHG2

DPU Administration
Jamie Miller (x1409)
(Revised)

Authorizing the mayor to accept certain rights-of-way from the Ohio Department of Transportation (ODOT), located within the City of Toledo, related to the development, construction and improvement of the new I-475 at Dorr Street interchange, and dedicating the same as city right of way; and declaring an emergency.

SUMMARY & BACKGROUND:

On June 19, 2018, City Council passed Ordinance Number 227-18, which authorized the mayor to enter into cooperative agreements with the Ohio Department of Transportation (ODOT) for the construction of a new interchange and related improvements along Interstate 475 (I-475) at Dorr Street, a portion of which shall be within the City of Toledo. This project will improve the safety and operation of I-475 within and near the City of Toledo.

ODOT has acquired certain rights-of-way, on behalf of and in the name of the City of Toledo, required for the construction of the aforementioned interstate interchange improvements, as well as certain improvements to nearby and/or adjacent local streets or roadways located within the City of Toledo.

In order to accomplish the directives of this project, ensure that public transportation needs are met, and ensure the safety and well-being of the general public, these rights-of-way need to be accepted by the City of Toledo and dedicated for public highway and road purposes, as well as utilities and other public purposes as deemed necessary and appropriate by the City of Toledo.

The City of Toledo and ODOT have cooperated in the past and continue to cooperate extensively with one another in connection with numerous and extensive transportation improvement projects in, around and throughout the City of Toledo. On May 14, 2019, the City of Toledo passed Ordinance 209-19 accepting and dedicating a portion of the rights-of-way acquired by ODOT on behalf of the City of Toledo for this project.

This ordinance will accept and dedicate the remainder of the rights-of-way acquired by ODOT on behalf of the City of Toledo for the Dorr Street Interchange Project. It is in the best interest of the city, as well as the public welfare, to accept, and dedicate for public use, all of the newly acquired rights-of-way from, ODOT.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That the mayor is authorized to accept certain rights-of-way from the Ohio Department of Transportation (ODOT) related to the I-475/Dorr Street Interchange Project, by good and sufficient deed or other instrument regularly and ordinarily used to transfer such property rights, which are more fully described as follows:

The legal description(s) for the proposed permanent public rights-of-way to be accepted are attached hereto, collectively labeled as EXHIBIT "A", and made a part hereof.

SECTION 2. That the parcels of land described in Section 1 are dedicated for and as public right-of-way, highway and road purposes, as well as utilities and other public purposes as deemed necessary and appropriate by the City of Toledo.

SECTION 3. That the Department of Public Utilities, Real Estate Section, is directed to cause a copy of this Ordinance to be recorded in the records of the Lucas County Recorder.

SECTION 4. That it is found and determined that all formal actions of City Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of City Council, and that all deliberations of City Council and any of its committees that result in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 5. That this Ordinance is declared to be an emergency measure, and shall take effect and be in force immediately from and after its passage. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of the public peace, health, safety and property, and for the further reason that this Ordinance must be immediately effective in order to satisfy present and future requirements for roadway and utility improvements, and in accordance with ODOT's timetable for completing construction activities associated with the I-475/Dorr Street Interchange Project and related local roadways within the City of Toledo.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

_____.

Attest: _____
Clerk of Council