



Legislation Details (With Text)

File #: O-505-18 **Version:** 1 **Name:**
Type: Ordinance **Status:** Mayor's Office
File created: 11/16/2018 **In control:** Law Department
On agenda: 12/4/2018 **Final action:** 12/4/2018

Title: Authorizing the Mayor to execute and deliver needed instruments for the granting of an easement and right of access to TLC Properties, Inc., on a portion of city-owned real property located underneath the I-75 bridge on the northern bank of the Maumee River, Toledo, Ohio 43609; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Audio: O-505-18 Agenda Review 11/27/2018

Date	Ver.	Action By	Action	Result
12/4/2018	1	City Council	Dispense with the rules of council requiring	Pass
12/4/2018	1	City Council	declare emergency	Pass
12/4/2018	1	City Council	passage	Pass

TLC Properties
Department of Law
J. McNamara (x1088)
Revised

Authorizing the Mayor to execute and deliver needed instruments for the granting of an easement and right of access to TLC Properties, Inc., on a portion of city-owned real property located underneath the I-75 bridge on the northern bank of the Maumee River, Toledo, Ohio 43609; and declaring an emergency.

SUMMARY & BACKGROUND:

This Ordinance authorizes the city's granting of an easement and right of access to TLC Properties, Inc., a Louisiana corporation, for a potential new billboard on city-owned property located underneath the I-75 bridge on the northern bank of the Maumee River.

This easement is part of a proposed settlement agreement negotiated with TLC Properties, Inc. for the eminent domain case filed by the city on November 18, 2016 to acquire property generally known as 116 Erie Street, Toledo, Ohio needed for the Anthony Wayne Gateway Project. By granting this easement, TLC Properties is willing to settle this matter without necessitating a jury trial on the merits.

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

SECTION 1. That the mayor, the Law Department and the Real Estate Division of the Department of Neighborhood & Business Development are authorized to execute and deliver needed or appropriate

instruments for the conveyance of an easement and right of access to TLC Properties, Inc. over a portion of city-owned property located underneath the I-75 bridge on the northern bank of the Maumee River, more fully described in EXHIBIT "A."

SECTION 2. That it is found and determined that the rights being granted within this easement and right of access area are not needed by the city for any municipal purposes and that it is in the best interest of the city to grant this easement and right of access to resolve pending litigation.

SECTION 3. That it is found and determined that all formal actions of Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council, and that all deliberations of Council and any of its committees that resulted 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 4. 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 the 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 grant an easement to timely resolve a lawsuit.

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