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3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. 54 - 2012

7
8 AN ORDINANCE AUTHORIZING AND DIRECTING THE
9 APPROPRIATION OF CERTAIN INTERESTS IN REAL
10 PROPERTY NECESSARY FOR THE IMPROVEMENT OF STATE
11 ROAD BETWEEN GRAHAM ROAD AND STEELS CORNERS
12 ROAD, AND DECLARING AN EMERGENCY.

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14 WHEREAS, on April 9, 2012, this Council adopted Resolution No. 11-2012, declaring the
15 intention of the City to appropriate certain interests in real property necessary for the
16 improvement of State Road between Graham Road and Steels Corners Road, and caused
17 notice thereof to be served on the owners thereof as required by law, and

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19 WHEREAS, despite diligent efforts, the City and property owners have been unable to
20 agree to the terms by which the necessary land will be transferred to the City, and

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22 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga Falls,
23 County of Summit and State of Ohio, that:

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25 Section 1. This Council authorizes and directs the appropriation of certain interests in
26 real property necessary for the improvement of State Road between Graham Road and Steels
27 Corners Road as more fully described in the exhibits numbered A(004 WD&T), A(007 T),
28 A(015 WD, T1 & T2), A(25 SH, T1, T2, & U), A(045 S), A(054 S, T1 & T2), A(058 WD &
29 T), A(073 WD & T), A(073 BS), A(075 WD, T1 & T2), and A(081 WD & T), which are on
30 file with the Clerk of Council in Council File No. _____ and incorporated as if fully rewritten
31 herein.

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33 Section 2. The Director of Law is hereby authorized to file any necessary civil actions in
34 the Summit County Probate Court, or any other court of competent jurisdiction, to provide
35 for the appropriation of the real property interests mentioned in Section 1 hereof by eminent
36 domain and the assessment of the compensation to be paid for the interests hereby
37 appropriated.

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39 Section 3. The Director of Finance is hereby authorized to deposit with the Court the
40 amount of the appraised value of each of the real property interests mentioned in Section 1
41 hereof, which is on file with the Clerk of Council in Council File No. _____ and
42 incorporated as if fully rewritten herein, to permit the immediate appropriation of the
43 property. The Director of Finance is hereby authorized to make payment for the same out of
44 the Capital Projects Fund, line item Capital Outlay.

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46 Section 4. Any other ordinances and resolutions or portions of ordinances and resolutions
47 inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of
48 ordinances and resolutions not inconsistent herewith and which have not previously been
49 repealed are hereby ratified and confirmed.

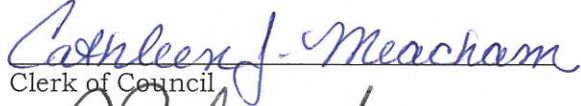
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51 Section 5. It is found and determined that all formal actions of this Council concerning
52 and relating to the adoption of this ordinance were adopted in an open meeting of this
53 Council and that all deliberations of this Council and of any of its committees that resulted
54 in such formal action were in meetings open to the public, in compliance with all legal
55 requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.

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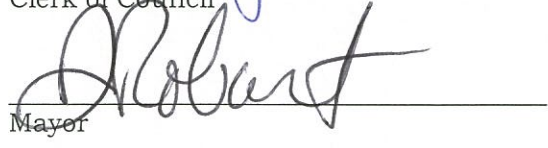
Section 6. This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it received the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

Passed: 5-29-12


Diane D'Amico - PEO TEM
President of Council


Cathleen J. Meacham
Clerk of Council

Approved: 5/30/12


Robert
Mayor