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3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 RESOLUTION NO. 10 - 2012

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9 A RESOLUTION DECLARING THE NECESSITY OF AND
10 INTENTION TO APPROPRIATE CERTAIN INTERESTS IN
11 REAL PROPERTY NECESSARY FOR THE
12 IMPROVEMENT OF STATE ROAD BETWEEN GRAHAM
13 ROAD AND STEELS CORNERS ROAD, AND DECLARING
14 AN EMERGENCY.

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16 WHEREAS, the City wishes to repair, improve and widen State Road between
17 Graham Road and Steels Corners Road, a road which shall be open to the public
18 without charge, and

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20 WHEREAS, this Council finds and determines that the acquisition of fee simple
21 title and temporary construction easements is a proper public use associated with
22 the improvement, as contemplated in Art. I, §19 of the Ohio Constitution,

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

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27 Section 1. This Council considers it necessary and hereby declares its
28 intention to appropriate, for public purposes, certain temporary and permanent
29 interests in real property necessary for the improvement of State Road between
30 Graham Road and Steels Corners Road, namely, the property described in the
31 Exhibits numbered A(004 WD&T), A(007 T), A(015 WD, T1 & T2), A(25 SH, T1, T2, &
32 U), A(045 S), A(48WD, T1 &T2), A(054 S, T1 & T2), A(058 WD & T), A(071 T), A(073
33 WD & T), A(073 BS), A(075 WD, 75T1 & T2), A(076 WD & T), A(078 WD & T), A(081
34 WD & T), A(084 T1 & T2), A(90T) and A(092 T) which are on file with the Clerk of
35 Council in Council File No. _____ and incorporated as if fully rewritten herein.

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37 Section 2. This Council finds and determines that the acquisition of the
38 interests in real property as necessary to establish the mentioned public
39 improvement is a proper public use as contemplated in Art. I, §19 of the Ohio
40 Constitution.

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42 Section 3. The Mayor is hereby authorized to cause written notice of the
43 adoption of this resolution to be given to the owners, persons in possession, or
44 others having an interest of record in one or more of the properties described in the
45 Exhibits hereto. The notice shall be served and returned according to law.

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47 Section 4. It is found and determined that all formal actions of this Council
48 concerning and relating to the adoption of this resolution were adopted in an open

49 meeting of this Council and that all deliberations of this Council and of any of its
50 committees that resulted in such formal action were in meetings open to the public,
51 in compliance with all legal requirements, to the extent applicable, including Chapter
52 107 of the Codified Ordinances.

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54 Section 5. This resolution is hereby declared to be an emergency measure
55 necessary for the preservation of the public peace, health, safety, convenience and
56 welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it
57 received the affirmative vote of two-thirds of the members elected or appointed to
58 Council, it shall take effect and be in force immediately upon its passage and approval
59 by the Mayor; otherwise it shall take effect and be in force at the earliest period
60 allowed by law.

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Passed: 3-26-12

Mark Shary
President of Council

Catherine J. Meacham
Clerk of Council

Approved: 3/27/12

A. Robert
Mayor

3/12/12

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