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3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 RESOLUTION NO. 4 - 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
14 DECLARING 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 intention
28 to appropriate, for public purposes, certain temporary and permanent interests in
29 real property necessary for the improvement of State Road between Graham Road
30 and Steels Corners Road, namely, the property described in the Exhibits numbered
31 A(013-T) and A(014-WD), which are on file with the Clerk of Council in Council File
32 No. _____ and incorporated as if fully rewritten herein.

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

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

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44 Section 4. It is found and determined that all formal actions of this Council
45 concerning and relating to the adoption of this resolution were adopted in an open
46 meeting of this Council and that all deliberations of this Council and of any of its
47 committees that resulted in such formal action were in meetings open to the
48 public, in compliance with all legal requirements, to the extent applicable,
49 including Chapter 107 of the Codified Ordinances.

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Section 5. This resolution 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: 1-23-12 Mark Hanz
President of Council

Constance J. Measham
Clerk of Council

Approved: 1/24/12 D. Robert
Mayor

1/9/12
O:\2012ords\appropriation reso-State Road