

RESOLUTION NO.: 2008-R49 (Amended September 9, 2008)
SPONSOR: MAYOR NORTON
INTRODUCED: AUGUST 26, 2008 **ASSIGNED TO:** _____

A RESOLUTION AUTHORIZING THE INSTITUTION OF APPROPRIATION PROCEEDINGS AGAINST THE OWNERS OF REAL PROPERTY LOCATED ON ARLINGTON ROAD FOR THE STATE ROUTE 619/ARLINGTON ROAD INTERSECTION PROJECT, ~~AND DECLARING AN EMERGENCY~~

m.s.

WHEREAS, the City of Green has undertaken a plan to improve the intersection of State Route 619 and Arlington Road; and

WHEREAS, the Project will commence in 2009; and

WHEREAS, as part of the Project, the City has undertaken efforts to acquire property, both permanently and temporarily, from numerous property owners in order to properly complete the Project; and

WHEREAS, the City of Green has been unable to reach an agreement with the owners of parcels of property necessary for the Project, specifically **LIBERTY GREEN, LTD., 3430 SOUTH ARLINGTON ROAD**; James E. Patterson and Carolyn J. Patterson, 3498 South Arlington Road; and, Luks, Inc., 3421 South Arlington Road, for the purchase and/or use of the portion of their property necessary for the commencement and completion of the Project; and

WHEREAS, it is critically important that the City of Green obtain possession of the property immediately so there are no delays in the commencement and completion of the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO THAT:

SECTION ONE:

Green City Council authorizes the Law Director to take all legal actions necessary, including filing a lawsuit, to appropriate and obtain possession of the necessary portions of real property owned by **LIBERTY GREEN, LTD., 3430 SOUTH ARLINGTON ROAD**, James E. Patterson and Carolyn J. Patterson, 3498 South Arlington Road; and, Luks, Inc., 3421 South Arlington Road, to insure that the Project is started and completed as scheduled.

SECTION TWO:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION THREE:

~~Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green. Provided that this legislation receives the affirmative vote of three-fourths 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 time allowed by law.~~ *MS.*

ADOPTED: Sept. 23, 2008

Molly Stevens
Molly Stevens, Clerk

Christine Croce
Christine Croce, Council
President

APPROVED: Sept. 23, 2008

Richard G. Norton
Richard G. Norton, Mayor

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LAW FIN MAY PLAN FIRE

ENACTED EFFECTIVE: Oct. 23, 2008

ON ROLL CALL: Colopy -*yea* Croce -*yea* France -*yea* Manwaring -*yea*
Reed -*yea* Ridgeway -*NAY* Smole -*NAY* Adopted 5-2

Suburbanite publication on Sept. 28 and Oct. 5, 2008

Molly Stevens
Molly Stevens, Clerk

SP 9/9/08