

RESOLUTION NO.: 2008-R32 (Amended June 10, 2008)
(Amended June 24, 2008)

SPONSOR: MAYOR NORTON
INTRODUCED: MAY 27, 2008

PLANNING

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, PROPERTY LOCATED ON MASSILLON ROAD FOR THE MASSILLON ROAD RECONSTRUCTION SOUTH PROJECT, AND DECLARING AN EMERGENCY.

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

WHEREAS, the City of Green has also undertaken a plan to widen and improve Massillon Road south of Graybill Road; and

WHEREAS, both projects will commence in 2008; and

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

WHEREAS, the City of Green has been unable to reach an agreement with the owners of parcels of property necessary for the projects, specifically Geraldine Gentzler; Crunch Inc.; **FIRST MERIT BANK, NA; JEFFREY S. EVANS, WELLS FARGO BANK**, Leo Haley, and Michael Baker for the purchase and/or use of the portion of their property necessary for the commencement and completion of the projects; 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 projects.

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 Geraldine Gentzler; Crunch Inc.; **FIRST MERIT BANK, NA; JEFFREY S. EVANS, WELLS FARGO BANK**, Leo Haley, and Michael Baker to insure that the project are 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.

ADOPTED: June 24, 2008

Molly Stevens
Molly Stevens, Clerk

Christine Croce
Christine Croce, Council
President

APPROVED: June 24, 2008

Richard G. Norton
Richard G. Norton, Mayor

ENACTED EFFECTIVE: June 24, 2008

ON ROLL CALL: Colopy-yea Croce-yea France-yea Manwaring-yea
Reed-yea Ridgeway-yea Smole-yea Adopted 7-0

Suburbanite publication on June 29 and July 6, 2008

Molly Stevens
Molly Stevens, Clerk

6/17/2008 11:33 AM Approved as to form and content by Stephen J. Pruneski, Law Director
As amended

SP 6/17/08

I hereby certify that the foregoing 2008-R32
No. consisting of pages is a true and accurate
copy of the original document.

Deputy Michelle Keller
Clerk of Council