

RESOLUTION NO.: 2008-R20
SPONSOR: MAYOR NORTON
INTRODUCED: APRIL 22, 2008

ASSIGNED TO: FINANCE

A RESOLUTION AUTHORIZING THE INSTITUTION OF APPROPRIATION PROCEEDINGS AGAINST THE OWNERS OF REAL PROPERTY LOCATED AT OR NEAR EAST TURKEYFOOT LAKE ROAD (S.R. 619) AND FORTUNA DRIVE TO OBTAIN PROPERTY NECESSARY FOR THE FORTUNA DRIVE EXTENSION PROJECT ("PROJECT"), AND DECLARING AN EMERGENCY.

WHEREAS, the City of Green has undertaken a plan to extend Fortuna Drive south of East Turkeyfoot Lake Road to the City's new soccer complex; and

WHEREAS, the Project will commence in early 2008 and take approximately four (4) months to complete; and

WHEREAS, the Project will provide permanent access to the new soccer complex and additional means of ingress and egress to the Spring Hill property; and

WHEREAS, as part of the Project the City of Green has undertaken efforts to acquire property, both permanently and temporarily, from several property owners in order to properly extend Fortuna Drive; 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 Linda Beltz and Liberty Village Ministries 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 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 Linda Beltz and Liberty Green Ministries 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.

ADOPTED: April 22, 2008

Molly Stevens
Molly Stevens, Clerk

Christine Croce
Christine Croce, Council
President

APPROVED: April 22, 2008

Richard G. Norton
Richard G. Norton, Mayor

COPIED _____
SVCE ZONE PARK ROAD ENG
LAW FIN MAY PLAN FIRE

ENACTED EFFECTIVE: April 22, 2008

ON ROLL CALL: Colopy -YEA Croce -YEA France -YEA Manwaring -YEA
Reed -YEA Ridgeway -NAY Smole -YEA Adopted 6-1

Suburbanite publication on April 27 and May 4, 2008

Molly Stevens
Molly Stevens, Clerk