

**RESOLUTION NO.:** 2008-R74 (Amended December 9, 2008)  
**SPONSOR:** MAYOR NORTON  
**INTRODUCED:** NOVEMBER 25, 2008      **ASSIGNED TO:** PLANNING

**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.**

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 identified in **AMENDED Exhibit "A"**, 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 the property owners identified in **AMENDED Exhibit "A"**, 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: Dec 9, 2008

Molly Stevens  
Molly Stevens, Clerk

Christine Croce  
Christine Croce, Council  
President

APPROVED: Dec 9, 2008, 2008

Richard G. Norton  
Richard G. Norton, Mayor

COPIED \_\_\_\_\_  
SVCE ZONE PARK ROAD ENG  
LAW FIN MAY PLAN FIRE

ENACTED EFFECTIVE: Dec 9, 2008

ON ROLL CALL: Colopy-yea Croce -yea France-yea Manwaring -yea  
Reed -yea Ridgeway-yea Smole-yea Adopted 7-6as Amended

Suburbanite publication on Dec 14 and Dec 21, 2008

Molly Stevens  
Molly Stevens, Clerk

8 12/2/08

**AMENDED Exhibit "A"**  
**Resolution 2008-R74**

Owner	Address	Parcel #	Appraised Value of the Taking
J.P. Sevenshagen Company 3602 ARLINGTON ROAD, LLC	3602 Arlington Road	28-11486	\$219,900.00
Jeffrey Evans and William D. Evans II	3637 Arlington Road	28-06088	\$30,240.00
National City Bank	3557 Arlington Road	28-02066 28-02067 28-02068 28-02069 28-02070 28-02528 28-02529	\$116,360.00
Speedway Superamerica, LLC	3540 Arlington Road	28-04041 28-04042 28-04043	\$320,126.00
Ashland, Inc.	3440 Arlington Road	28-12291	\$75,750.00
Kohn Properties, Ltd.	3453 Arlington Road	28-10052	\$37,000.00
World Real Estate Services, Ltd.	3388 Arlington Road	28-14359	\$23,600.00
Rosario Musarra, Trustee Margaret Musarra, Trustee Gary L. Baker, Trustee Rose Marie Baker, Trustee	3332 Arlington Road	28-11714	\$66,140.00
Clarac, Inc.	3332 Arlington Road (Tenant)	28-11714	\$6,700.00
Rose Marie Baker	3332 Arlington Road (Tenant)	28-11714	\$6,700.00
Toth Buick, Pontiac, GMC Truck, Inc.	3300 Arlington Road	28-11715	\$36,620.00
Toth Realty of Akron, Inc.	3300 Arlington Road	28-05425	\$435,060.00
GM-DI Leasing	3300 Arlington Road (Sign for business)	28-05425	\$122,000.00
Edwin Zaniewski	3239 South Arlington	28-07443	\$32,140.00
Akwen, Ltd.	3239 South Arlington (Sign for business)	28-07443	\$17,300.00
McDonald's Real Estate Company	3225 South Arlington	28-08696	\$40,340.00
N.H. Hospitality, Inc.	3150 South Arlington	28-13394	\$111,750.00