

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

RESOLUTION NO. 12-97

INTRODUCED BY: Mayor Stefanik, Marnecheck, Kasaris

A RESOLUTION DECLARING THE NECESSITY OF APPROPRIATION OF REAL PROPERTY FOR THE PUBLIC PURPOSE OF STORMWATER IMPROVEMENTS, CONSTRUCTION AND MAINTENANCE OF A REGIONAL RETENTION BASIN, PERMANENT PARCEL NUMBERS 481-12-001, 481-12-002 AND 481-09-025, AND DECLARING AN EMERGENCY

WHEREAS: The city is working to improve the stormwater system in the northwestern section of the city; and

WHEREAS: The city has identified the need to acquire the property for the public purpose of improvement, construction, and maintenance of the stormwater system including a regional retention basin; and

WHEREAS: It is necessary for the city to appropriate the real property located on York Road, Permanent Parcel Numbers 481-12-001, 481-12-002 and 481-09-025 presently owned by Gregory N. Pappas in order to improve, construct and maintain a regional retention basin and stormwater system on the real property at or near York Road in the City of North Royalton in accordance with the United States Constitution, the Ohio Constitution and R.C. Chapter 163 and 719; and

WHEREAS: This appropriation of the above described parcels is necessary in order to improve, construct, and maintain a regional retention basin and stormwater system.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. This Council hereby deems it necessary and declares its intention to appropriate a fee simple interest in Permanent Parcel Numbers 481-12-001, 481-12-002 and 481-09-025 amounting to approximately seven (7) acres as more fully described in Exhibit A attached hereto and made a part hereof by reference for the public purpose of improving, constructing, and maintaining a regional retention basin and stormwater system.

Section 2. The Mayor be and hereby is authorized to cause written notice of the passage of this Resolution to be given to the owner(s), person(s) in possession of, or person(s) having an interest in of record in or their authorized agent, requiring a notice by law, in the above-described premises and said notice shall be served according to law by certified mail, signature required, and with return of service of notice or signed receipt of certified mail in the manner provided by law. When the owner(s) or his/her authorized agent cannot be located and/or the resident or his/her agent is unknown and cannot be determined by reasonable diligence, notice shall be by publication at least once a week for two (2) successive weeks in a newspaper of general circulation in the county.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary in order to obtain the property to improve, construct and maintain a regional retention basin and stormwater system.

THEREFORE, provided this Resolution receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Larry Antoskiewicz
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik
MAYOR

DATE PASSED: June 5, 2012

DATE APPROVED: June 6, 2012

ATTEST: /s/ Laura J. Haller
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading June 5, 2012

YEAS: Antoskiewicz, Nickell, Petrusky, Willey
Marnecheck, Muller, Kasaris

NAYS: none