

RESOLUTION NO. 101-2014

Offered by All of Council

A RESOLUTION DECLARING THE VILLAGE'S INTENT TO APPROPRIATE THE PARCEL OF REAL PROPERTY KNOWN AS 4034 WHEATLEY ROAD, PERMANENT PARCEL NUMBER 50-01486, FOR THE MAKING OF ROADS OPEN TO THE PUBLIC WITHOUT CHARGE, AND DECLARING AN EMERGENCY

WHEREAS, the Village of Richfield has identified a parcel of real property commonly known as 4034 Wheatley Road in the Village of Richfield, Summit County Permanent Parcel No 50-01486 (the "Property"), as being necessary for the making of a road open to the public without charge; and

WHEREAS, it is necessary and advisable for the public health, safety and general welfare of the Village to acquire the Property for said public road purposes.

NOW THEREFORE, BE IT RESOLVED, by the Council of the Village of Richfield, County of Summit, State of Ohio, that:

- SECTION 1. It is deemed necessary and it is hereby declared to be the intent of the Village of Richfield to appropriate the fee simple interest in the real property commonly known as 4034 Wheatley Road, Richfield, Ohio, Summit County Permanent Parcel Number 50-01486, and more specifically described in the legal description attached hereto as "Exhibit A" and fully incorporated herein by reference (the "Property"), for the making of a road open to the public without charge.
- SECTION 2. The Mayor be and hereby is, authorized and directed, to cause written notice of the Passage of this Resolution, in accordance with Section 719.05 of the Ohio Revised Code, to be given to each owner of the Property. Said notice shall be served by personal service or by certified mail with return of said service in the manner prescribed by law.
- 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 of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.
- SECTION 4. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare, and for the further reason that it is immediately necessary in order for the appropriation process to commence at the earliest possible time so that the public improvement contemplated herein can be constructed on the Property at the earliest possible time; wherefore, provided this Resolution receives the affirmative vote of two-

thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1/6/15

Rick ...
President of Council

Bohler ...
Mayor

Dated: 1/6/15

ATTEST:

Louise ...
Clerk of Council

"EXHIBIT A"

Legal Description of the Property

Situated in the Village of Richfield, County of Summit and State of Ohio; And known as being part of Original Lot 3, in Tract 3, in said Township and further bounded and described as follows: Beginning at the intersection of the centerline of the Original Cleveland-Massillon Road, which line is also the Westerly line of Original Lot 3 and the Original Wheatley Road; Thence North 89 deg. 36' 00" East, 1613.08 feet along the centerline of Wheatley Road to the true place of beginning for the following described parcel of land; Thence continue North 89 deg. 36' 00" East 180.00 feet along the centerline of Wheatley Road to a point; Thence South 00 deg. 26' 30" West 643.00 feet to an iron pin set and passing over an iron pin set 30.00 feet from the centerline of Wheatley Road; Thence South 80 deg. 36' 00" West 180.00 feet to an iron pin set; Thence North 00 deg. 26' 30" East 643.00 feet to the centerline of Wheatley Road and passing over an iron pin found 30.00 feet from the centerline of Wheatley Road, said place is the true place of beginning for this parcel, containing 2.66 acres of land more or less, but subject to all legal highways.