



Legislation Text

File #: ORD-0010-2001, **Version:** 1

TO DECLARE THE NECESSITY AND INTENT TO APPROPRIATE CERTAIN REAL ESTATE, CONSISTING OF 0.141 ACRE OF LAND, MORE OR LESS, OUT OF 2.45 ACRES, MORE OR LESS, OWNED BY JACK & SUE WILLIAMS, AND KNOWN AS 5061 SHAGBARK ROAD; FOR SANITARY SEWER EASEMENT FOR THE TRIANGLE WEST SUBTRUNK SEWER, IMPROVEMENT NO. 740, AS DESCRIBED IN PLANS ON FILE IN THE CITY ENGINEER'S OFFICE AND AS LISTED IN EXHIBIT A, HERETO; AND TO DECLARE AN EMERGENCY.

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WHEREAS, on the 4th day of December, 2000, this Council adopted Statutory Resolution SR-0008-2001, declaring the necessity and intention of appropriating real estate described in EXHIBIT A, hereto, and made a part herein, and notice of the adoption of said Resolution has been served on the owner/s/, person/s/ in possession and having an interest of record in the premises; and

WHEREAS, the property described in EXHIBIT A hereto is needed for the public purpose of reconstruction of the Triangle West Subtrunk Sewer, Improvement No. 740; and

WHEREAS, it is imperative to move forward with this appropriation of real estate in order to begin the construction work in a timely manner, all for the preservation of the public peace, health, safety, and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA, STATE OF OHIO:

Section 1. That a right of way on the parcel of real estate owned by JACK A. AND SUE WILLIAMS, and as described in EXHIBIT A, attached to this ordinance and made a part herein, is hereby appropriated for municipal purposes, to-wit: construction of the Traignle West Subtrunk Sewer, Improvement No. 740, pursuant to and in accordance with the Constitution and laws of the State of Ohio.

Section 2. That this Council finds that the appropriation of the right of way on this property made herein is necessary for said public purpose and that the city has been unable to agree with the owners of the property appropriated herein.

Section 3. That the City Attorney is hereby authorized and directed to file a Complaint for Appropriation of Right of Way in a court of competent jurisdiction to have a jury impaneled to make inquiry into and assess the compensation to be paid for the property as described in EXHIBIT A herein.

Section 4. That, for the reasons set forth in the preamble herein above, this ordinance is declared emergency legislation and shall be in full force and effect immediately upon passage by this Council and approval by the Mayor.