

RESOLUTION 2024-090

A RESOLUTION DECLARING THE INTENT TO APPROPRIATE PROPERTY INTERESTS FOR THE EAST MAIN STREET IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary and advisable for the public health, safety and welfare that the City of Kent acquire certain property within the City of Kent for public road improvements, specifically for the East Main Street Improvement Project; and

WHEREAS, Ohio Revised Code Section 719.01 authorizes the appropriation of property by a municipal corporation for such purposes; and

WHEREAS, Ohio Revised Code Section 719.04 requires that a municipal Council adopt a resolution of intent to appropriate property in order to exercise the authority granted to municipal corporations under Section 719.01.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Kent, State of Ohio that:

SECTION 1. It is necessary and it is hereby declared to be the intent of this Council to appropriate certain interests in the following real properties (designated by Portage County Permanent Tax Parcel Number) for the purpose of public right-of-way improvements as part of the Project set forth in the recitals to this Resolution and which properties are hereinafter described and further identified, and the specific interests therein described, in the various Exhibits "A" for each property attached hereto and fully incorporated into this Resolution.

Item Number	Project Parcel Number	Auditor Parcel Number	Appraised Value
1	7T	17-024-33-00-125-000	\$11,300
2	9-WD, T	17-024-33-00-077-001	\$48,170
3	15-T	17-023-10-00-199-000	\$2,475

SECTION 2. The City Manager, or his designee, 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 above-listed properties; and the notice shall be served by Federal Express, requiring a signed receipt showing to whom it was delivered, date of delivery and the address where delivered.

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 of 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 to clear the right of way for construction as soon as possible; 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: August 21, 2024
Date

EFFECTIVE: August 21, 2024
Date

ATTEST: Amy Wilkens
Amy Wilkens, CMC
Clerk of Council

Jerry T. Fiala
Jerry T. Fiala
Mayor and President of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF RESOLUTION No. 2024-090, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON August 21, 20 24.

(SEAL)

Amy Wilkens
AMY WILKENS, CMC
CLERK OF COUNCIL

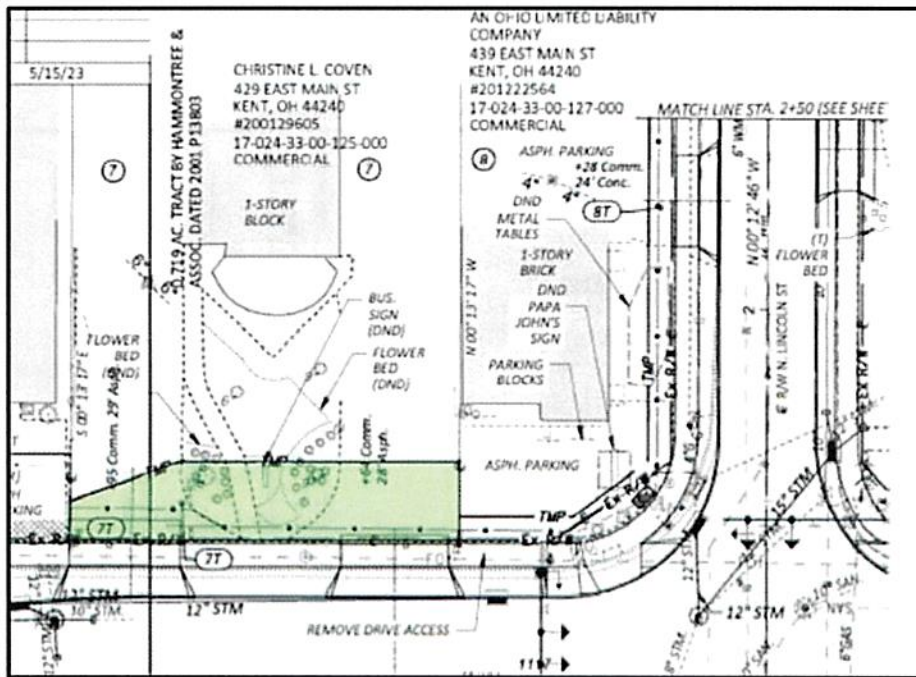


Figure 1 – Temporary (green) Right-of-Way from Parcel 7-T

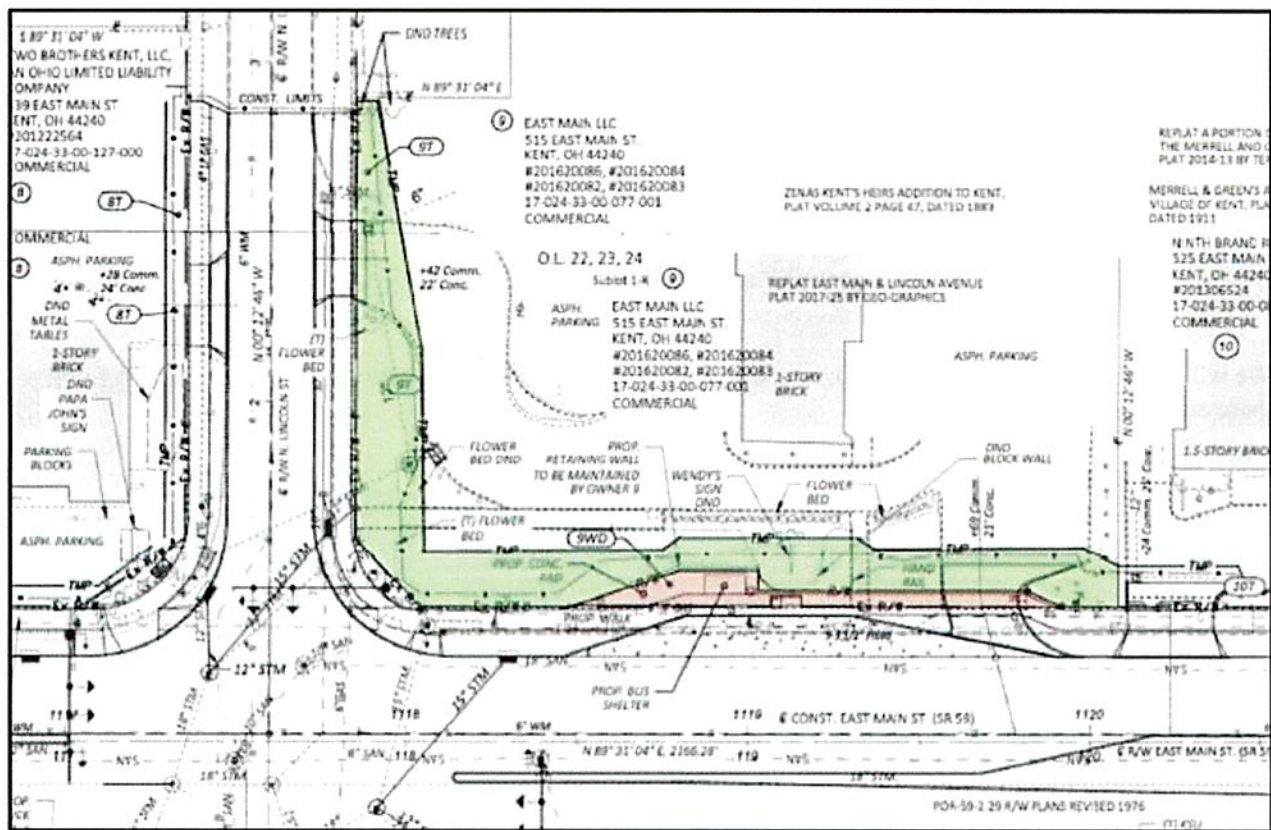


Figure 2 – Permanent (pink) & Temporary (green) Right-of-Way from Parcel 9-WD, T

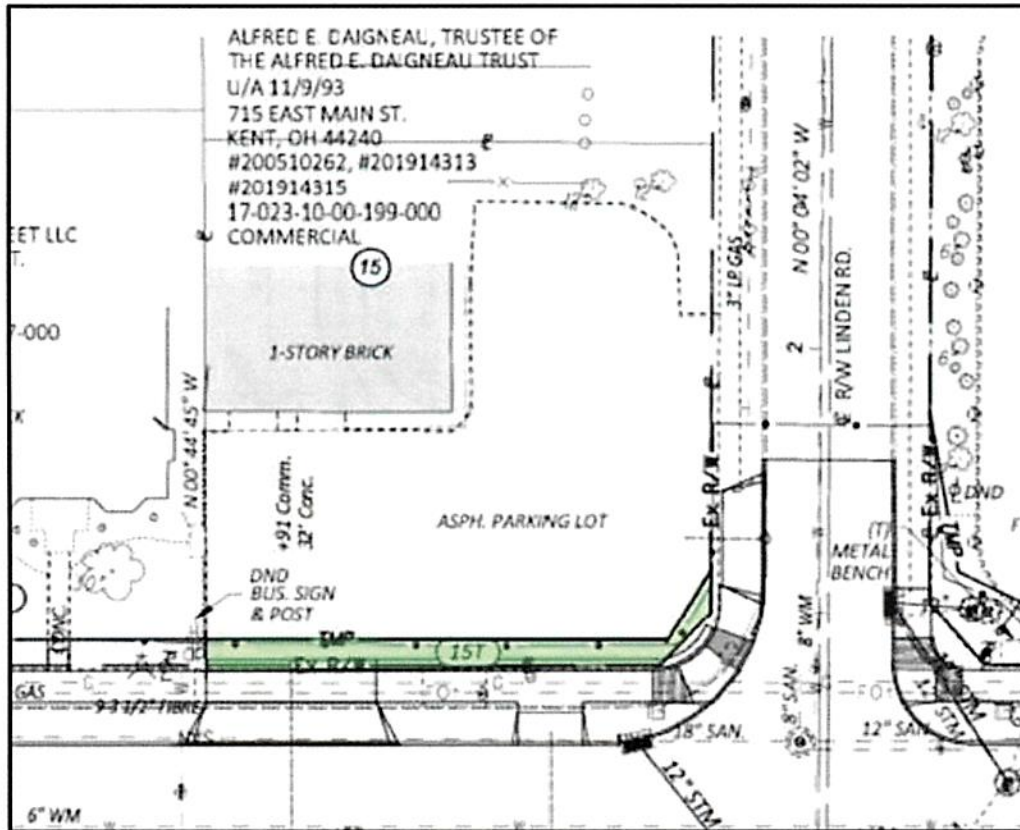


Figure 3 –Temporary (green) Right-of-Way from Parcel 15- T

We will continue to negotiate with both new owners in hopes of coming to a mutual agreement prior to filing these actions in court.

- c: Melanie Baker, Service Director
- Jon Giaquinto, Senior Engineer
- Patti Long, Executive Assistant
- Hope Jones, Law Director
- Rhonda Hall, Budget and Finance Director
- Sandy Lance