

RESOLUTION NO. R19 -2011

A RESOLUTION AUTHORIZING JOSEPH J. DENEN, CITY MANAGER, OR HIS DESIGNEE TO APPROPRIATE CERTAIN REAL PROPERTY KNOWN AS FAY-62-11.87 LEESBURG AVENUE; DECLARING THE NECESSITY FOR THE PURPOSE OF COMPLETION OF THE LEESBURG AVENUE RECONSTRUCTION PROJECT

WHEREAS, the City of Washington Court House by virtue of the Constitution of the State of Ohio, Article XVIII, §3 and §7 and Ohio Revised Code §719.01 through §719.02, §717.01 and §715.01 has the power and authority to appropriate real property, and;

WHEREAS, the City Manager, Joseph J. Denen, has determined that a temporary construction easement and a perpetual easement is necessary for the completion the Leesburg Reconstruction Project, and;

WHEREAS, the City Manager, Joseph J. Denen, or his Designee has made several attempts to contact the owner of record, John Willis and Barbara Browning Bartling, to negotiate fair and adequate compensation for the temporary construction easement, and; See Attached.

WHEREAS, the City Manager, Joseph J. Denen, believes his only recourse is to institute a court action to appropriate the real property. Further, without the temporary easement and perpetual easement the Leesburg Avenue Reconstruction Project could not begin.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WASHINGTON COURT HOUSE, FAYETTE COUNTY, OHIO:

SECTION 1. The Council of the City of Washington Court House hereby declares the necessity and intent to appropriate certain real estate known as Fay-62-11.87 Leesburg Avenue. Further, the City Manager, Joseph J. Denen, of the City of Washington Court House is authorized to take any and all action necessary to appropriate the real property including but not limited to filing a Complaint for

Appropriation of Real Property in the Fayette County Court of Common Pleas.

SECTION 2. That this Resolution shall take effect and be in full force from and after the earliest date permitted by law.

ADOPTED: March 23, 2011

Dale Lynch
CHAIRPERSON OF COUNCIL

ATTEST:

Deena M. Keaton
CLERK OF COUNCIL

APPROVED AS TO FORM:

Mark Stitt
CITY ATTORNEY