

ORDINANCE NO. 99-194

APPROPRIATION OF PROPERTY, AUTHORIZING THE DEPOSIT OF FUNDS WITH THE COURT OF COMMON PLEAS, AUTHORIZING THE LAW DIRECTOR TO FILE A PETITION FOR APPROPRIATION AND DECLARING AN EMERGENCY (TYLERSVILLE ROAD WIDENING - BROOKSTONE HOMEOWNERS ASSOCIATION)

BE IT ORDAINED by the Council of the City of Mason, Ohio, **six (6)** members thereto concurring:

Section 1. That title and interests to the property described in Exhibit "A", attached hereto and by this reference fully incorporated herein, are hereby appropriated for the making and repairing of roads open to the public, pursuant to and in accordance with the Charter of the City of Mason and the Constitution and laws of the State of Ohio.

Section 2. That the Council of the City of Mason hereby fixes the value of such property appropriated to be \$8,025.00, based on the appraisal undertaken and provided by the State of Ohio.

Section 3. That the sum of \$8,025.00, being the amount set forth in Section 2 herein, be deposited with the Court of Common Pleas, Warren County, Ohio, for the use and benefit of the owners of the property appropriated and upon such deposit with said Court, the City of Mason shall take possession of and enter upon such property pursuant to and in accordance with the Charter of the City of Mason, and the Constitution and laws of the State of Ohio.

Section 4. That the Council of the City of Mason finds that the appropriation of property herein is necessary for the making and repairing of roads open to the public; that the City has been unable to agree with the owner of the property appropriated herein, and that the City intends to obtain immediate possession of the property described in Exhibit "A", which immediate possession is necessary for said highway purposes.

Section 5. That the City Law Director be and he is hereby authorized and directed to file a petition for appropriation in a Court of competent jurisdiction and to have a jury impaneled to make inquiry into and assess the compensation to be paid for the real estate described in Exhibit "A".

Section 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare and shall be effective immediately upon its passage. The reason for said declaration of emergency is the need to appropriate the property described in Exhibit "A" prior to the planned initiation of the construction work.

Passed this 22nd day of November, 1999.



Mayor

Attest:



Clerk of Council