

RESOLUTION NO. 2000-17

DECLARING THE NECESSITY AND INTENTION TO APPROPRIATE PROPERTY FOR THE MASON-MONTGOMERY ROAD WIDENING PROJECT AND THE ENTRANCE/EXIT ROAD TO THE MUNICIPAL BUILDING AND RECREATION CENTER AND DECLARING AN EMERGENCY (CHACE)

WHEREAS, the Council of the City of Mason, Ohio has determined the necessity for the improvement of Mason-Montgomery Road from Tylersville Road to Main Street, which improvement includes the widening of the road and the necessary relocation of utility easements, and known as the Mason-Montgomery Road Widening Project and the need for a new road to provide the entrance/exit to the Municipal Building and Recreation Center; and

WHEREAS, Council has determined that it is necessary to acquire certain rights-of-way and easements in order to make the improvements identified as the Mason-Montgomery Road Widening Project; and

WHEREAS, Council deems it necessary at this time to proceed with the acquisition of the necessary real estate interests in the real property hereinafter described in order to widen and repair Mason-Montgomery Road between Tylersville Road and Main Street and provide an entrance/exit to the Municipal Building and Recreation Center, which is a road to be 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.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Mason, Ohio, **seven (7)** members thereto concurring:

Section 1. That it is the intent of the City of Mason to appropriate for public use the real property, listed and identified on Exhibit "A" and incorporated herein by reference, appropriating such fee simple interests and various easements described which are necessary in the public interest to accomplish the goals of the Mason-Montgomery Road Widening Project, a road which shall be open to the public without charge.

Section 2. That the purpose of said taking of interests in the real estate described hereinabove is for the public use, to wit: For the improvement identified as Mason-Montgomery Road Widening Project, which includes the widening of the road and necessary relocation of utility easements.

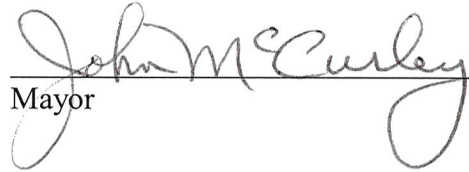
Section 3. That the City Manager is hereby authorized and directed to cause written notices of the adoption of this Resolution to be given to the owners, persons in possession, or persons having an interest of record in the above-described premises. Said notice shall be served according to law by persons so designated and such persons shall make return of service in a manner provided by law.

Section 4. That it is necessary and desirable and in the public interest that the City take immediate possession of the property and any structures thereon in order to accomplish the goals for construction of said Mason-Montgomery Road Widening Project.

Section 5. That at any time subsequent to the effective date of this Resolution and prior to the passage of an ordinance to appropriate, the City Manager is hereby authorized to acquire by purchase the real property interests herein described in this Resolution.

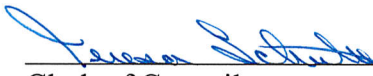
Section 6. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare and shall be effective immediately upon its passage. The reason for said declaration of emergency is the need to acquire the property and proceed with the project at the earliest possible date.

Passed this 11th day of September, 2000.



Mayor

Attest:



Clerk of Council

9/11/2000

Situated in Deerfield Township, Warren County, Ohio, and being a part of Section 29, Town 4, Range 2, M.R.S., and bounded and described as follows:

Beginning at a point in County Road #21, and the Northwest corner of Section #29, witness an iron rod bears S. $86^{\circ} 57'$ E. 30 feet, running thence with the North line of said Section S. $86^{\circ} 57'$ E. 325 feet to an iron rod; thence S. $4^{\circ} 09'$ W. 64.2 feet to an iron rod; thence N. $87^{\circ} 14'$ W. 325 feet to a point in County Road #21; thence with said Road N. $4^{\circ} 09'$ E. 66.3 feet to the place of beginning, containing Forty-eight hundred (0.48) of an acre, subject to all legal highways.

