

ORDINANCE NO. 4 -86

AN ORDINANCE APPROPRIATING PERMANENT AND CONSTRUCTION EASEMENTS FOR STORM SEWERS AND STREET IMPROVEMENTS ON THE EAST MAIN STREET PROJECT AND TO DECLARE AN EMERGENCY

WHEREAS, on the 26th day of February, 1986, the Council of the Village of Spencer, Ohio, adopted Resolution No. R-2-86 declaring the necessity and intent of appropriating the property described in Exhibits A through G and Notice of the Adoption of the Resolution has been served on the owners, persons in possession and having an interest of record in the premises, and

WHEREAS, the property described in Exhibits A thru G is needed for the public purposes of storm sewer and street improvements;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF SPENCER, OHIO, three-fourths of its members concurring herein, as follows:

1. Permanent and construction easements in and to the parcels of real estate described in Exhibits A through G be and the same hereby are appropriated for municipal purposes to-wit: storm sewer, surface water retention and street improvements, pursuant to and in accordance with the constitution and laws of the State of Ohio.

2. This Council finds that the appropriation of property made herein is necessary for said public purposes and that the Village has been unable

to agree with the owners of the property appropriated herein.

3. That the Spencer Village Solicitor is hereby authorized and directed to file appropriate complaints for appropriation in the Medina County Court of Common Pleas to have a jury impaneled to make inquiry into and assess the compensation to be paid for the appropriated property described in Exhibits A through G.

4. That this Ordinance is hereby declared to be an emergency measure necessary for the public peace, health, safety and welfare of the Village of Spencer, Ohio and for the particular reason that immediate passage of this Ordinance is necessary so that the necessary complaints for appropriation may be filed in the Medina County Court of Common Pleas in timely fashion so that the issues of damage assessments may be decided in such appropriation cases as soon as practical and to thus allow the construction of the project to proceed in the current calendar year, and that this Ordinance shall be in full force and effect from and after its passage.

PASSED: *April 23, 1986*

[Signature]
Mayor

ATTEST:

[Signature]
Clerk