

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2016-25**

APPROPRIATING CERTAIN REAL PROPERTY INTERESTS OWNED BY JEFFREY KINGSLEY, MELODY KINGSLEY, AND JP MORGAN CHASE BANK NATIONAL ASSOCIATION FOR THE SAFE ROUTES TO SCHOOL PROJECT IN THE VILLAGE OF YELLOW SPRINGS, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, Council for the Village of Yellow Springs, by Resolution Number 2016-55, declared its intention and the necessity of appropriating certain real property interests described in said Resolution; and

WHEREAS, it is necessary to appropriate the said certain real property interests for the purpose of sidewalk construction and improvement in connection with the Safe Routes to School Project and for the preservation of the public peace, health, safety, and welfare,

NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO HEREBY ORDAINS THAT:

Section 1. The real property interests, namely a temporary easement, described in Exhibit "A" attached hereto and incorporated herein, for sidewalk purposes for the Safe Routes to School Project shall be and the same is hereby appropriated for the construction of said Project.

Section 2. The names of those either having, claiming, or that may have any estate, title or interest in the above-described real property, parcels of land, or real property interest to be appropriated by this Ordinance are: Jeffrey Kingsley, Melody Kingsley, JP Morgan Chase Bank National Association and any other lien holders, persons or entities declaring an interest pursuant to law, the Treasurer of Greene County, Ohio, and the Auditor of Greene County, Ohio.

Section 3. The above-described real property interests have a fair market value of \$300.00, as determined by an independent, certified appraiser.

Section 4. This Council finds that the appropriation is necessary for the stated public purposes.

Section 5. The Village Solicitor is hereby authorized and directed to deposit the aforesaid valued amount with the Clerk of Court of Greene County, Ohio, or other depository, file, as necessary, a petition for appropriation, apply to a court of competent jurisdiction to make inquiry into and assess the compensation to be paid for the real property, parcel of land, or real property interests to be appropriated, and to do all things necessary or proper in connection therewith.

Section 6. All actions taken by or on behalf of the Village of Yellow Springs in connection with the appropriation of the afore-described real property interests and prior to the time of adoption of this Ordinance are hereby ratified.

Section 7. It is found and determined that all of the actions of this Council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any committees that resulted in such formal action, were

in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 8. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the Village; and further for the reason to expedite a project to create safe walking routes throughout the Village. This Ordinance shall take effect immediately upon passage.

Karen Wintrow, President of Council

Passed:10-17-2016

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL

Karen Wintrow __Y__ Brian Housh _Y____ Gerald Simms __Y__
Marianne MacQueen __Y__ Judith Hempfling __Y__