

ORDINANCE NO. 107-2017

**TITLE: DONATION OF PROPERTY
ELMWOOD AVENUE & CENTRAL AVENUE**

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A DONATION AGREEMENT WITH ODOT FOR THE CITY OWNED PARCELS 0111439 AND 0115836 IN ORDER TO ASSIST WITH THE I-76 INTERCHANGE PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the State of Ohio Department of Transportation (ODOT) is undertaking a reconstruction/reconfiguration of the I-76 interchange which requires ODOT to acquire numerous parcels with the project for interchange use; and

WHEREAS, vacant City owned parcels (Elmwood Avenue parcel 0111439 and Central Avenue parcel 0115836) are located within the project scope; and

WHEREAS, the State has forwarded to the City a request for donation of the parcels a good faith offer in absence of a donation and an appraisal for the requested property; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Barberton, State of Ohio:

SECTION 1. That the Mayor is hereby authorized to donate parcels 0111439 (partial) and 0115836 to the Ohio Department of Transportation.

SECTION 2. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, in order to facilitate timeliness, and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed _____ 2017

Clerk of Council

President of Council

Approved _____ 2017

Mayor