

RESOLUTION NO. 10 -2003

A RESOLUTION DECLARING IT NECESSARY AND DECLARING COUNCIL'S INTENT TO APPROPRIATE CERTAIN PROPERTY FOR THE ESTABLISHMENT OF A PARK, PARK GROUNDS AND PARKWAYS FROM JAMES R. HOFFMAN, BISHOP OF TOLEDO AND THE MOST REVEREND ROBERT DONNELLY, DIOCESAN ADMINISTRATOR; AUTHORIZING THE MAYOR TO CAUSE WRITTEN NOTICE TO BE GIVEN; AND DECLARING AN EMERGENCY.

WHEREAS, City Council has previously passed Resolution No. 28-2001 on November 5, 2001, supporting the preservation of the Lathrop House; and,

WHEREAS, City Council has passed Ordinance No. 23-2002, on March 4, 2002, authorizing the expenditure of up to \$50,000 to assist in the total cost of moving or relocating the Lathrop House as a historic landmark, under certain conditions; and,

WHEREAS, Resolution No. 8-2002, passed March 18, 2002, supported the preservation of the Lathrop House on its present site at 5362 S. Main St., Sylvania, Ohio; and,

WHEREAS, Resolution No. 16-2002, passed August 5, 2002, declared the City's intent to enter into an Operating Agreement with The Metropolitan Park District to relocate, renovate and operate programs at the Lathrop House; and,

WHEREAS, the City of Sylvania has agreed that the preservation of the Lathrop House located at 5362 S. Main St., Sylvania, Ohio would be beneficial to the citizens of the City of Sylvania; and,

WHEREAS, in addition to establishing a park, the City is also in need of establishing a park entrance and parkway for Harroun Park pursuant to Ohio Revised Code Section 719.01; and,

WHEREAS, the City has need to obtain a fee simple interest in and to real estate owned by James R. Hoffman, Bishop of Toledo and the Most Reverend Robert Donnelly, Diocesan

Administrator in his representative capacity, whose legal description is attached hereto as “Exhibit A,” which is designated by the City as necessary for the establishment of a park, park grounds and parkway; and,

WHEREAS, the City of Sylvania has made a good faith effort to agree with the owner, but negotiations for the acquisition of said property between the City of Sylvania and the property owner have reached an impasse and cannot be resolved by negotiations within the near future; and,

WHEREAS, it is necessary to immediately acquire the property set forth on “Exhibit A” for the establishment of a park, park grounds and parkways.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Sylvania, Lucas County, Ohio, 6 members elected thereto concurring:

SECTION 1. That this Council considers it necessary and declares its intention to appropriate certain property from James R. Hoffman, Bishop of Toledo and the Most Reverend Robert Donnelly, Diocesan Administrator, for the purpose of establishing a park, park grounds and parkway the fee simple interest in and to the property described on the attached “Exhibit A.”

SECTION 2. That the Mayor is hereby authorized to cause written notice of the passage of this Resolution to be given to the owners and persons in possession or having an interest of record in said property, which notice shall be served or given and returned according to law.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted 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 in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. That the Clerk of Council is hereby directed to post a copy of this Resolution in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 5. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the reason that a park, park ground and parkway should be established at the site. Provided this Resolution receives the affirmative vote of five (5) or more members elected to

Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote dispensing with the second and third readings: Yeas 6 Nays 0

Passed, MARCH 26, 2003, as an emergency measure.

[Signature]
President of Council

ATTEST:

APPROVED AS TO FORM:

[Signature]
Clerk of Council

[Signature]
City Director of Law

APPROVED:
[Signature]
Mayor

3/26/2003
Date

I hereby certify that the foregoing is a true and exact copy of Ordinance/Resolution No. 10-2003 duly passed by the Council of the City of Jennings, Ohio, at its meeting on 3/26/03 Clerk of Council [Signature]

All that part of the Northwest quarter (1/4) of the Southwest quarter (1/4) of Section ten (10), Town nine (9) South, Range six (6) East, in Sylvania Village (Now City of Sylvania), Lucas County, Ohio, bounded and described as follows:

Beginning at a monument marking the intersection of the East and West center line of said Section ten (10) with the center line of the Holland-Sylvania Road, also known as Main Street in said Village; thence East along the East and West center line of said section, a distance of seven hundred four (704) feet; thence South at right angles to said East and West center line to the point of intersection with the North line of Lot one (1) Rothfuss Subdivision extended Easterly; thence Southwesterly along said extended line and along the North line of said Lot one (1) in said Subdivision to the center of the Holland-Sylvania Road or Main Street, thence Northwesterly along the center line of the Holland-Sylvania Road or Main Street to the place of beginning, subject to legal highways.

“Exhibit A”