



Legislation Details (With Text)

**File #:** R-369-18      **Version:** 1      **Name:**

**Type:** Resolution      **Status:** Approved

**File created:** 8/30/2018      **In control:** Public Utilities Department

**On agenda:** 9/11/2018      **Final action:** 9/11/2018

**Title:** Declaring the necessity and intention of appropriating, in fee, a portion of the property located 2510 Perrysburg-Holland Road, required for the Perrysburg-Holland, Manley & Heatherdowns Intersection Safety Improvement Project; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A

Date	Ver.	Action By	Action	Result
9/11/2018	1	City Council		
9/11/2018	1	City Council		
9/11/2018	1	City Council		

DPU091118APPROPRIATE2510PBURGHOLL

DPU Admin for Engineering Services

Jamie Miller (x1409)

Revised

**Declaring the necessity and intention of appropriating, in fee, a portion of the property located 2510 Perrysburg-Holland Road, required for the Perrysburg-Holland, Manley & Heatherdowns Intersection Safety Improvement Project; and declaring an emergency.**

**SUMMARY & BACKGROUND:**

The city is proceeding with the reconstruction of the Perrysburg-Holland, Manley & Heatherdowns Intersection Safety Improvement Project. This public improvement project will include the construction of new turn-lane improvements, construction of new center median islands and new roadway pavement at this intersection, as well as certain sidewalk, curb, drainage and utility improvements, which will improve the traffic flow and safety for both vehicular and pedestrian traffic at and near this intersection. The project will require the acquisition of .0039 acre of land, more or less, in fee, across a portion of the property located at 2510 Perrysburg-Holland Road (TD 26-80501). Negotiations to purchase the property interests have been unsuccessful to date and it is now necessary to begin appropriation proceedings to protect the City's interest in the right-of-way to be acquired and keep the project on schedule.

NOW, THEREFORE, Be it resolved by the Council of the City of Toledo:

SECTION 1. That this Council declares its intention to appropriate, in fee, a portion of the real estate located at and known as 2510 Perrysburg-Holland Road (TD 26-80501), as more fully described below:

PARCEL 11-WD  
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE  
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS

Being a parcel of land situated in the Northerly corner of Lot Number 1 of a Plat in the name of "The Amended Plat of High Point Plaza" Recorded in Lucas County Plat Record Volume 97 on pages 47 & 48, all within the City of Toledo, State of Ohio and more fully described as follows:

Commencing at an Iron Rod Monument Found, referencing the intersection of the centerlines of Heatherdowns Road (having a varying right-of-way width) with the centerline of Perrysburg-Holland Road (having a varying right-of-way width) said intersection having a Plan Station of 30+00.05 at 0.00 feet Right, Thence SOUTH 43°-49'-31" EAST for a distance of 31.09 feet to a point on said centerline of Perrysburg-Holland Road, and having a Plan Station of 30+31.14 at 0.00 feet Right, Thence SOUTH 46°-10'-29" WEST for a distance of 50.00 feet to the northerly corner of Lot Number 1 of a Plat in the name of "The Amended Plat of High Point Plaza" Recorded in Lucas County Plat Record Volume 97 on pages 47 & 48, having a Plan Station of 30+31.14 at 50.00 feet Right and being referenced by a 6 Inch Concrete Monument with Iron Rod Found to be North 0.02 feet and East 0.03 feet, said northerly corner being the POINT OF BEGINNING for this description;

1. Thence SOUTH 43°-49'-31" EAST for a distance of 35.01 feet to an Iron Bar Set with Plastic Cap, said iron bar having a Plan Station of 30+66.15 at 50.00 feet Right;
2. Thence SOUTH 44°-55'-42" WEST for a distance of 2.00 feet to an Iron Bar Set with Plastic Cap, said iron bar having a Plan Station of 30+66.20 at 52.00 feet Right;
3. Thence NORTH 43°-49'-31" WEST for a distance of 15.00 feet to an Iron Bar Set with Plastic Cap, said iron bar having a Plan Station of 30+51.19 at 52.00 feet Right;
4. Thence SOUTH 44°-55'-42" WEST for a distance of 5.00 feet to an Iron Bar Set with Plastic Cap, said iron bar having a Plan Station of 30+51.30 at 57.00 feet Right;
5. Thence NORTH 43°-49'-31" WEST for a distance of 20.00 feet to an Iron Bar Set with Plastic Cap, said iron bar having a Plan Station of 30+31.30 at 57.00 feet Right and being on the northwesterly lot line of Lot Number 1;
6. Thence NORTH 44°-55'-42" EAST for a distance of 7.00 feet on said northwesterly lot line of Lot Number 1 to the POINT OF BEGINNING.

Containing 170.0639 Square Feet or 0.0039 Acre of land more or less of which 0.0000 acres lies within legal Right-of-Way of Perrysburg-Holland Road, and subject to all legal highways, leases, easements and restrictions of record.

The land in the above description is contained all within Lucas County Permanent Parcel Number 26-80501.

SECTION 2. That negotiations for the acquisition of the above described property has been unsuccessful to date and that the acquisition of the property described in Section 1 is necessary for the Perrysburg-Holland, Manley & Heatherdowns Intersection Safety Improvement Project.

SECTION 3. That it is ordered and directed that once adopted, the Clerk of Council shall serve this Resolution as required by law, via certified mail, upon the representatives of the owner of the described real estate.

SECTION 4. That this Resolution is declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that this Resolution is necessary for the immediate preservation of the public peace, health, safety and property, and for the further reason that the acquisition of the property interests from a portion of the property located at 2510 Perrysburg-Holland Road is necessary for the timely construction of the Perrysburg-Holland, Manley & Heatherdowns Intersection Safety Improvement Project.

Vote on emergency clause: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Adopted: \_\_\_\_\_, as an emergency measure: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

I hereby certify that the above is a true and correct copy of a Resolution adopted by Council

\_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council