



Legislation Details (With Text)

**File #:** R-372-21      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Agenda Ready

**File created:** 7/2/2021      **In control:** Public Utilities Department

**On agenda:** 7/20/2021      **Final action:** 7/20/2021

**Title:** Declaring the necessity and intention of appropriating a highway easement across a portion of the property owned by American 1st Title Agency, Inc., Trustee, located at 4576 River Road for the Anthony Wayne Trail Improvement Project (Detroit to Glendale); and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Bullet Points, 2. Exhibit A

Date	Ver.	Action By	Action	Result
7/20/2021	1	City Council	Dispense with the rules of Council requiring...	Pass
7/20/2021	1	City Council	declare emergency	Pass
7/20/2021	1	City Council	adopted	Pass

DPU072021APPROPRIATE4576RIVERRD  
 DPU/Administrative Services  
 Jamie Miller (x1409)  
 Revised

**Declaring the necessity and intention of appropriating a highway easement across a portion of the property owned by American 1<sup>st</sup> Title Agency, Inc., Trustee, located at 4576 River Road for the Anthony Wayne Trail Improvement Project (Detroit to Glendale); and declaring an emergency.**

**SUMMARY & BACKGROUND:**

The city is proceeding with the Anthony Wayne Trail Improvement Project, which will include a complete reconstruction and lane reduction of the Anthony Wayne Trail (Lucas County Route 25) roadway from Detroit Avenue to Glendale Avenue, as well as the construction of multi-use path and utility improvements, which will better meet the current needs of the public and enhance the aesthetic appearance in this area. The project will require the purchase of a highway easement, of 3.3245 acres, more or less, across a portion of the property located at 4576 River Road, from American 1<sup>st</sup> Title Agency, Inc., Trustee. Negotiations with American 1<sup>st</sup> Title Agency, Inc., Trustee 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.

The fiscal impact of this resolution is as follows:

- The amount of funds requested: n/a
- The expenditure budget line item:
- New revenue generated (operational revenue, grants, if any):
- Revenue budget line item (if any): ??
- Are funds budgeted in the current fiscal year (yes/no)?: n/a

- Is this a capital project (yes/no)? n/a
- If yes, is it new or existing (new/existing)
- What section of the City’s Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) no
  - o Environment (yes/no) no

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

SECTION 1. That this City Council declares its intention to appropriate a highway easement from American 1<sup>st</sup> Title Agency, Inc., Trustee, across a portion of the real estate located at 4576 River Road (TD 18-70132), as more fully described on **Exhibit “A”** attached hereto and incorporated herein by reference.

SECTION 2. That negotiations for the acquisition of the described property interests have been unsuccessful to date and that the acquisition of the property interests described in Section 1 is necessary for the Anthony Wane Trail Improvement Project (Detroit to Glendale).

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 representative(s) 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 the same 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 American 1<sup>st</sup> Title Agency, Inc., Trustee is necessary for the timely construction of the Anthony Wayne Trail Improvement Project (Detroit to Glendale).

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