## VILLAGE OF YELLOW SPRINGS RESOLUTION 2016-55

DECLARING THE NECESSITY OF AND INTENTION TO ACQUIRE PROPERTY INTERESTS OWNED BY JEFFREY KINGSLEY, MELODY KINGSLEY, AND JP MORGAN CHASE BANK NATIONAL ASSOCIATION, WITH INTEREST BY OTHERS, FOR THE SAFE ROUTES TO SCHOOL PROJECT IN THE VILLAGE OF YELLOW SPRINGS, OHIO

**WHEREAS**, the Village of Yellow Springs is engaged in the acquisition of property interests for the Safe Routes to School Project in the Village of Yellow Springs, Ohio; and

WHEREAS, the acquisition of property interests hereinafter described is necessary for the public purpose of sidewalk construction in connection with said project; and

WHEREAS, Village Council has determined that the property interests hereinafter described are necessary for sidewalk construction in connection with such project.

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

- **Section 1.** Village Council hereby declares the necessity and intention to appropriate property interests, namely a temporary easement, in accordance with Chapter 163 of the Ohio Revised Code.
- **Section 2.** Village Council considers it necessary and declares its intention to appropriate a temporary easement in real estate as described in Exhibit õAö attached hereto and incorporated herein; the owners, persons or entities in possession and person or entities having an interest of record and others who may have an interest include Jeffrey Kingsley, Melody Kingsley, and JP Morgan Chase Bank National Association, and any other lien holders, persons, or entities declaring a lawful interest in said same real estate.
- **Section 3.** The Village Manager or her designee is hereby authorized to cause written notice of the adoption of this Resolution to be given to the owners, person in possession of, or having an interest of record or other interest in the above-described premises, and said notice shall be served according to law by a person to be designated for that purpose by said Village Manager or her designee and to make return of said service of notice in the manner provided by law.

**Section 4.** This Resolution shall become effective immediately upon its adoption.

| Karen Wintrow, Council President   |               |
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| Passed: 10-17-2016   |               |
| Attest: Judy Kintner, Clerk of Council                                   |               |
| Roll Call:   |               |
| Karen Wintrow _Y Judith HempflingY<br>Marianne MacQueen Y Gerald Simms Y | Brian HoushY_ |