

RESOLUTION NO. R2015-12

**AN EMERGENCY RESOLUTION DECLARING THE AMOUNT OF JUST
COMPENSATION FOR REAL PROPERTY KNOWN AS 75 CEDAR STREET
PURSUANT TO O.R.C. 719.04, O.R.C. 163.04, AND O.R.C. 163.59**

WHEREAS, the Code Enforcement Officer and City Manager have, upon due consultation and investigation, determined that the real property commonly known as 75 Cedar Street, Gallipolis, Ohio, is a blighted property as defined in the Ohio Revised Code; and

WHEREAS, the City Commission desires to keep the City free from such hazards in order to maintain the health and safety of the Citizenry; and

WHEREAS, all reasonable attempts to effectuate rehabilitation of the said property by the owners and other persons who may have an interest in said property have failed; and

WHEREAS, the property has been appraised pursuant to previous resolution of this Commission, the result of which is a value of \$2,750.00, which does not take into account the existing liens; and

WHEREAS, there exist on the property several liens, mortgages, and other encumbrances, all of which exceed the appraised value; and

WHEREAS, the property's appraised value is not enough to pay for the existing liens, mortgages, and other encumbrances, and therefore the just compensation for the property is \$0.00; and

WHEREAS, the Ohio Revised Code requires that the Municipality enter into good faith negotiations to acquire the property from the owner and to deliver to the owner a copy of the appraisal described herein; and

WHEREAS, the description of said property is the same as that contained in the most recent deed transfer in Volume 354 Page 627 of the Records of the Gallia County Recorder, and also described as Parcel No. 00701501800 in the records of the Gallia County Auditor; and

WHEREAS, the City Manager has recommended in writing the passage of this Resolution as an emergency measure as it is necessary for the immediate preservation of the public peace, health, safety and property and in order to provide for the usual operations of the municipal departments.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Gallipolis, Ohio:

SECTION 1: That the City Manager shall make a good faith attempt to acquire the above described real property from the owner taking into account the appraised value and the amount of the liens, mortgages and other encumbrances, and to deliver to the owner a copy of the appraisal.

SECTION 2: That the City Manager, Code Enforcement Officer, and City Solicitor shall take whatever actions are necessary to effectuate the appropriation of the above described property for the purposes of rehabilitation and any other purpose as allowed by law.

SECTION 3: This Resolution shall take effect and be in full force and effect immediately upon passage as an emergency measure.

PASSED: October 6, 2015

ATTEST:

| | | |
|------------|---|---|
| <i>asc</i> | <u>Michelle L. Clorch</u> | <u>Steven E. Waller</u> |
| | Clerk of the Gallipolis City Commission | President of the Gallipolis City Commission |

The foregoing Resolution is hereby approved as to form.



 Gallipolis City Solicitor