

CITY OF BROOK PARK, OHIO

RESOLUTION NO. 19-20216

INTRODUCED BY: MAYOR ORCUTT

P/L
CA Prior 10/16/24
1st R 10/16/24 Sp. Cou
2nd R 10/13/24 Sp. Cou
3rd R

A RESOLUTION DECLARING THE INTENT TO APPROPRIATE CERTAIN REAL PROPERTY FOR THE PUBLIC PURPOSE OF MAKING OR REPAIRING ROADS AND RELATED APPURTENANCES AND DECLARING AN EMERGENCY

WHEREAS, the Council of the City of Brook Park, Ohio possesses authority under R.C. Chapters 719 and 163 to appropriate certain real property necessary for the making or repairing of roads open to the public without charge and related appurtenances; and

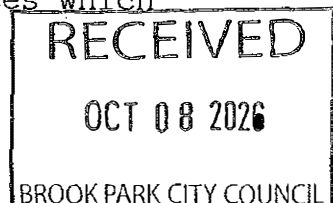
WHEREAS, the City of Brook Park, Ohio is undertaking the construction and improvement of public roads and related appurtenances as part of a larger project known more commonly as the new Huntington Bank Field (the "Project"); and

WHEREAS, the Project will require the City to obtain fee simple interest in certain real property owned by Cuyahoga Concrete Company, Cuyahoga County Auditor Parcel Number 343-03-001, and more commonly known as 17251 Hummel Road, Brook Park, Ohio, 44142, ("the Property") in order to facilitate the construction of the Project, which will include the construction of a pedestrian bridge; and

WHEREAS, the Property is more accurately described in the legal description attached to this Resolution as Exhibit A; and

WHEREAS, the City must acquire the Property in order to move forward with the Project; and

WHEREAS, the City deems it necessary to exercise its eminent domain authority, in accordance with R.C. Chapters 719 and 163, in order to appropriate the Property for the purposes of making and repairing roads and related appurtenances which shall be open to the public without charge.



NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Brook Park, Cuyahoga County, Ohio that:

SECTION 1: The City Council, pursuant to R.C. 719.04, hereby declares the necessity to appropriate the Property in furtherance of the public Project, and declares its intent to appropriate a fee-simple interest in the Property as more accurately described in Exhibit A to this Resolution, for the public purpose of making and repairing roads and related appurtenances and completing the Project.

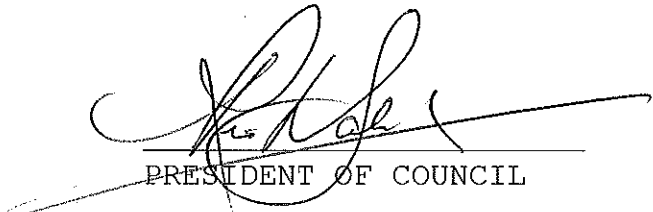
SECTION 2: The Mayor is hereby authorized, as required by R.C. 719.05, to immediately upon the passage of this Resolution cause written notice to be given to the owner of, person in possession of, or person having an interest of record in, the Property, or to the authorized agent of the owner or other such person. Such notice shall be served by a person designated for the purpose and return made in the manner provided for the service and return of summons in civil actions. If such owner, person, or agent cannot be found, notice shall be given by publication once a week for three consecutive weeks in a newspaper of general circulation in the municipal corporation or as provided in section 7.16 of the Revised Code.

SECTION 3: It is found that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

SECTION 4: This Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and welfare of the City. The reason for the emergency is to timely ensure the City's submission for funding of a complex infrastructure project to the Ohio Department of Transportation and to timely satisfy requirements for appropriation proceedings necessary for a public project. This Resolution shall go into effect immediately upon its passage.

PASSED:

October 13, 2026


PRESIDENT OF COUNCIL

ATTEST:

Carol Johnson
CLERK OF COUNCIL

APPROVED:

Ed B. Trent
MAYOR

10/14/26
DATE

CERTIFICATE

Carol Johnson, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance Resolution

No. 19-2026
passed on the 13 day of October
20 26 by said council.

Carol Johnson
Clerk of Council

	Yea	Nay
Gonzalez	☒	☐
Mencini	☒	☐
Roberts	☒	☐
Scott	☒	☐
McCorkle	☒	☐
~~Poindexter~~	<u>Resigned</u>	☐
Dufour	☒	☐

I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS.


DIRECTOR OF LAW



Parcel No. 2:

Situated in the City of Brook Park, County of Cuyahoga, State of Ohio, and known as being part of Original Middleburg Township Lot No. 4, Section No. 10, and further described as follows: Beginning at the northwest corner of the parcel, said point being on the centerline of Hummel Road (40 feet wide) South $87^{\circ} 36' 43''$ East a distance of 45.00 feet from the intersection of said centerline of Hummel Road with the centerline of Engle Road, State Route 291 (90 feet wide); thence continuing South $87^{\circ} 36' 43''$ East with said centerline of Hummel Road a distance of 150.01 feet to the northeast corner of this parcel; thence South $2^{\circ} 23' 17''$ East a distance of 154.98 feet to the southeast corner of this parcel; thence North $87^{\circ} 36' 43''$ West a distance of 147.54 feet; thence North $77^{\circ} 54' 01''$ West a distance of 16.90 feet to the easterly right-of-way line of Engle Road, and the southwest corner of this parcel; thence on the arc of a curve to the left a distance of 152.16 feet, said curve having a radius of 999.93 feet and a chord bearing North $7^{\circ} 44' 25''$ East a distance of 152.01 feet to the point of beginning on the centerline of Hummel Road.

This description by Robert L. Furniss registered surveyor No. 4436 from a survey by Warren J. Root and Associates, Civil Engineers and Surveyors, dated January, 1969.

