

**ORDINANCE RECORD**  
**COUNCIL OF THE CITY OF BRECKSVILLE**

Ordinance No. 5470

**AN ORDINANCE AUTHORIZING THE MAYOR TO ESTABLISH THE TOTAL FAIR MARKET VALUE ESTIMATE AMOUNT OF \$768,200.00 FOR ACQUISITION OF NECESSARY RIGHT-OF-WAY PROPERTY FOR THE I-77 AND MILLER ROAD INTERCHANGE PROJECT; AND DECLARING AN EMERGENCY**

**WHEREAS**, on October 20, 2020, the Council adopted Ordinance No. 5369 giving consent to the development and construction of an Interstate highway improvement project and agreeing to cooperate with ODOT in funding and performance of such project; and

**WHEREAS**, on November 4, 2020, the City and ODOT signed an LPA Federal ODOT Let Project Agreement, detailing the cooperation, responsibilities and actions to be handled by each party; and

**WHEREAS**, on September 21, 2021, the City authorized Real Estate Agreement No. 36693 to append said LPA Agreement; and

**WHEREAS**, in accordance with the Ohio Revised Code, the Federal ODOT Let Project Agreement and the Real Estate Agreement No. 36693, the City's Design Consultant has prepared property appraisals following Federal and State laws, regulations, policies and guidelines with the resulting property valuations having been reviewed and approved by an independent ODOT-approved appraiser hired by the City; and

**WHEREAS**, the City desires to establish the Fair Market Value Estimate amount as just compensation for the necessary right-of-way property acquisitions for the I-77 and Miller Road Project.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

**SECTION 1.** The Mayor be and is hereby authorized to approve the total Fair Market Value Estimate amount of seven hundred sixty-eight thousand, two hundred dollars (\$768,200.00), for acquisition of necessary right-of-way property for the I-77 and Miller Road Interchange Project.

**SECTION 2.** The City's Design Consultant is hereby authorized to present offers for the necessary right-of-way property acquisitions to the effected property owners.

**SECTION 3.** The Mayor, Law Director and Design Consultant are hereby authorized to negotiate with said property owners.

**SECTION 4.** Upon final settlement with each property owner, such settlement will be presented to City Council for acceptance.

**SECTION 5.** The Council hereby appropriates sufficient funds to effectuate the provisions contained in Section 1 hereof, and the Director of Finance is hereby authorized to transfer the funds necessary to complete this expenditure from the available, non-tax revenue, funds of the City. The

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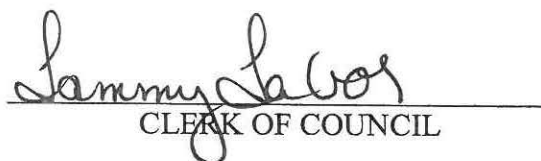
Director of Finance be and is hereby further authorized to issue the fiscal officer's certificate necessary to make the expenditures as described in Section 1 hereof and is further directed to issue vouchers of this City in the amounts and for the purposes as expressed in Section 1 hereof, said amounts to be charged to the appropriately designated Fund.

**SECTION 6.** The Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is the need to approve the total Fair Market Value Estimate amount, therefore, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

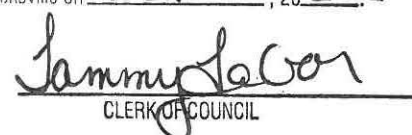
PASSED: January 18, 2022

APPROVED: January 18, 2022

  
MAYOR

  
CLERK OF COUNCIL

I do hereby certify that the foregoing is a true and correct copy of Ordinance No. 5470 passed by the Council of the City of Brecksville Ohio on 1-18, 2022 and that same was duly adopted in accordance with the existing Charter of the City of Brecksville on 1-21, 2022.

  
CLERK OF COUNCIL