

10/17/16

L-205-16 Ist

RESOLUTION NO. 205-16

BY: **BRIAN BROCHETTI**
(By Request - City Engineer)

A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF PARMA TO APPROPRIATE A SANITARY SEWER EASEMENT IN CERTAIN REAL PROPERTY KNOWN AS PERMANENT PARCEL NUMBER 455-25-017, LOCATED AT 7530 RIDGE ROAD, IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

WHEREAS, by virtue of the Constitution of the State of Ohio and Chapters 163 and 719 of the Ohio Revised Code, the City of Parma has the power and authority to appropriate real property for the purpose of installing, using, maintaining and keeping in repair a sanitary sewer that the City of Parma deems conducive to the general welfare; and,

WHEREAS, the City wishes to acquire an easement across certain property known as Permanent Parcel Number 455-25-017, located at 7530 Ridge Road, in the City of Parma, and further described in Exhibit "A" attached hereto for such purposes.

NOW, THEREFORE; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That the Council and the Administration of the City of Parma consider it necessary and declares its intention to appropriate an easement across the property known as Permanent Parcel Number 455-25-017, located at 7530 Ridge Road in the City of Parma, and as further described in Exhibit "A", for the public purpose of installing, using, maintaining and keeping in repair a sanitary sewer that the City of Parma deems conducive to the general welfare.

Section 2. That the Mayor is hereby authorized and directed to cause written notice of the adoption of this Resolution to be given to the property owner, person in possession, or person having an interest of record in the property. The notice shall be served and returned according to law.

Section 3. That it is found and determined 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 and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Res. to declare the necessity and intent of the City of Parma to appropriate a sanitary sewer easement in certain real property known as Permanent Parcel Number 455-25-017, located at 7530 Ridge Road in the City of Parma, and declaring an emergency

Section 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the City of Parma, and for further reason that this measure is necessary in order to initiate the process of acquiring the aforesaid easement in the Property for the above stated purposes, and this Resolution shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____
PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED: _____

FILED WITH
THE MAYOR: _____
MAYOR, CITY OF PARMA, OHIO

EXHIBIT A

LEGAL DESCRIPTION
P.P.N. 455-25-017
7530 RIDGE ROAD, PARMA, OHIO 44129

Situated in the City of Parma, County of Cuyahoga and State of Ohio and known as being part of the land conveyed to Janet M. Smith by deed recorded in AFN 200411191142 of Cuyahoga County Records, of part of Original Parma Township Lot No. 33, Ely Tract, and being further bounded and described as follows:

Beginning at a point in the present Northwesterly line of Ridge Road, 80 feet wide at its intersection with the Northeasterly of aforesaid Smith's lands, also being the Northeasterly corner of Sublot No. 5 in the Resubdivision of Blocks F, G, H and I and Sublot No. 1 in the Dogwood Subdivision No. 10 as shown by the recorded plat in Volume 258 of Maps, Page 63 of Cuyahoga County Records;

Thence Southwesterly, along said Northwesterly line of Ridge Road, along a curved line deflecting to the right a distance of 104.36 feet to a point, said curved line having a radius of 479.99 and a chord which bears South 37°06'05" West, 104.16 feet;

Thence South 43°19'49" West, continuing along said Northwesterly line a distance of 71.31 feet to the Northeasterly corner of a storm and sanitary sewer easement as shown on aforesaid Resubdivision Plat;

Thence North 46°40'11" West, along the Northeasterly line of said easement a distance of 20.00 feet to a point;

Thence North 43°19'49" East, a distance of 71.31 feet to a point;

Thence Northeasterly, along a curved line deflecting to the left a distance of 86.86 feet to a point in the Northerly line of aforesaid Smith's lands, said curved line having a radius of 459.99 and a chord which bears North 37°55'14" East, 86.73 feet;

Thence North 87°47'15" East, along said Northerly line, also being the Northerly line of aforesaid Sublot No. 5 a distance of 24.09 feet to the place of beginning and containing 0.0766 acres (3,339 square feet) of land as described by Stephen Hovancsek & Associates, Inc. in January, 2016 under the direction of Robert Smoltz, P.S. No. 6763, State of Ohio, be the same more or less but subject to all legal highways.

Basis of bearings for this description being Ohio State Plane, North Zone, NAD 83 and intended to describe angles only.