

ORDINANCE NO. 79-18

BY: **LARRY NAPOLI, BRIAN BROCHETTI**
(By Request – City Engineer)

AN ORDINANCE TO ACCEPT EASEMENTS FOR THE CONSTRUCTION, RECONSTRUCTION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT OF STORM DRAINAGE FACILITIES AND APPURTENANCES IN CERTAIN PREMISES KNOWN AS PERMANENT PARCEL NUMBERS 451-11-064, 451-11-065 AND 455-27-003, AND DECLARING AN EMERGENCY.

WHEREAS, this City Council passed Resolution No 219-17 on November 20, 2017 declaring the necessity and intent of the City of Parma to appropriate storm drainage easements in certain real properties known as Permanent Parcel No. 451-11-064, located at 6999 W. Parkview Drive, 451-11-065, located at 6993 W. Parkview Drive, and Permanent Parcel No. 455-27-003, located at 8106 Sierra Oval.

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

Section 1. The City of Parma hereby accepts all of the rights, title and interest granted to, and all of the obligations imposed upon, the City of Parma as Grantee in, to and under the terms of that certain “Easement for Construction, Reconstruction, Operating, Maintaining, Repairing and Replacing Storm Drainage Facilities and Appurtenances Thereto In, Under, Across and Through Certain Lands Owned By Kevin J. Bowen and Jennifer L. Bowen – Permanent Parcel No. 451-11-065” dated December 12, 2017 as recorded on December 20, 2017 in Document #201712200353 of Cuyahoga County Deed Records attached hereto as Exhibit “A” and incorporated herein by reference (the “Bowen Easement”);

Section 2. The City of Parma hereby accepts all of the rights, title and interest granted to, and all of the obligations imposed upon, the City of Parma as Grantee in, to and under the terms of that certain “Easement for Construction, Reconstruction, Operating, Maintaining, Repairing and Replacing Storm Drainage Facilities and Appurtenances Thereto In, Under, Across and Through Certain Lands Owned By Thomas M. Doycich and Michael Ann Doycich – Permanent Parcel No. 455-27-003” dated December 8, 2017 as recorded on December 20, 2017 in Document #201712200354 of Cuyahoga County Deed Records attached hereto as Exhibit “B” and incorporated herein by reference (the “Doycich Easement”);

Section 3. The City of Parma hereby accepts all of the rights, title and interest granted to, and all of the obligations imposed upon, the City of Parma as Grantee in, to and under the terms of that certain “Easement for Construction, Reconstruction, Operating, Maintaining, Repairing and Replacing Storm Drainage Facilities and Appurtenances Thereto In, Under, Across and Through Certain Lands Owned By Steve R. Marusa and Denise R. Marusa – Permanent Parcel No. 451-11-064” dated February 5, 2018 as recorded on February 14, 2018 in Document #201802140526 of Cuyahoga County Deed Records attached hereto as Exhibit “C” and incorporated herein by reference (the “Marusa Easement”);

Section 4. The City Treasurer is hereby directed to issue payment in the amount of Two Thousand Two Hundred Seventy dollars (\$2,270) to Kevin J. Bowen and Jennifer L. Bowen, property owners of Permanent Parcel No 451-11-065, as full consideration for the grant of the Bowen Easement to the City of Parma;

Section 5. The City Treasurer is hereby directed to issue payment in the amount of One Thousand One Hundred Thirty dollars (\$1,130) to Thomas M. Doycich and Michael Ann Doycich, property owners of Permanent Parcel No 455-27-003, as full consideration for the grant of the Doycich Easement to the City of Parma;

Section 6. The City Treasurer is hereby directed to issue payment in the amount of Six Thousand Five Hundred Forty-Five dollars (\$6,545) to Steve R. Marusa and Denise R. Marusa, property owners of Permanent Parcel No 451-11-064, as full consideration for the grant of the Marusa Easement to the City of Parma;

Section 7. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance 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;

Section 8. That this Ordinance 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 the further reason that this measure is necessary for the construction, reconstruction, operation, maintenance, repair and replacement of storm drainage facilities and appurtenances in the City of Parma, and this Ordinance 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: _____
CLERK OF COUNCIL

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