

ORDINANCE NO. 136-2020

BY: KRISTIN SABAN
(By Request – City Engineer)

AN ORDINANCE TO ACCEPT THE PERMANENT UTILITY EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS IN CERTAIN PREMISES KNOWN AS PERMANENT PARCEL NUMBERS 445-15-001, AND 445-15-008, AND DECLARING AN EMERGENCY.

WHEREAS, this City Council passed Resolution No 156-19 on November 4, 2019 declaring the necessity and intent of the City of Parma to appropriate sanitary sewer easements in certain real properties known as Permanent Parcel No. 445-15-001, located at 1350 Old Rockside Road, and Permanent Parcel No. 445-15-008, located at 1122 Old Rockside Road.

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 rights, title and interest granted to, and all obligations and liabilities imposed upon, the City of Parma as Grantee in, to and under the terms of that certain “Temporary Construction and Permanent Utility Easement Agreement” for Permanent Parcel No. 445-15-001 dated June 18, 2020 which is attached hereto as Exhibit A and incorporated herein by reference as the “King Easement.”

Section 2. The City of Parma hereby accepts all rights, title and interest granted to, and all obligations and liabilities imposed upon, the City of Parma as Grantee in, to and under the terms of that certain “Temporary Construction and Permanent Utility Easement Agreement” for Permanent Parcel No. 445-15-008 dated June 28, 2020 which is attached hereto as Exhibit B and incorporated herein by reference as the “McCarthy Easement.”

Section 3. The City Law Director is directed to do all things necessary to file the King and McCarthy Easements for record.

Section 4. The City Treasurer is directed to issue payment in the amount of Two Thousand Seven Hundred Seventy-Five dollars (\$2,775.00) to Kristin C. King, owners of Permanent Parcel No 445-15-001, as full consideration for the grant of the King Easement to the City of Parma.

Section 5. The City Treasurer is directed to issue payment in the amount of Three Thousand dollars (\$3,000.00) to Patrick J. McCarthy and Susie M. McCarthy, owners of Permanent Parcel No 445-15-008, as full consideration for the grant of the McCarthy Easement to the City of Parma.

Section 6. That funds for said easements shall be paid from Fund No. 434-434 – Old Rockside/Broadrock Sanitary; Account No. 62255-00000 – Easements.

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, installation, use, operation, maintenance, repair and replacement of a sanitary sewer 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