

City of Willoughby Hills

ORDINANCE NO. 2014 – 72

AN ORDINANCE ACCEPTING A PERMANENT FLOATING RIGHT-OF-WAY EASEMENT FOR THE PURPOSES OF INGRESS AND EGRESS TO THE PERMANENT RIGHT OF WAY EASEMENT AREA AND THE ASSOCIATED APPURTENANCES AS DESCRIBED IN THE ATTACHED EXHIBIT.

WHEREAS, Niyati Enterprises LLC (Bhavesh D. Patel, Authorized Agent) whose tax mailing address is 7825 Mentor Avenue, Mentor, Ohio, 44060, (hereinafter referred to as the “GRANTOR”), their heirs and assigns, in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, has agreed to convey a permanent floating right-of-way easement to the City of Willoughby Hills, an Ohio Municipal Corporation, (hereinafter referred to as the “CITY”), its successors and assigns, Permanent Right-of-Way Easement upon and through lands of the said GRANTOR thereto, located in part on the following described premises as shown by **Exhibit A**, consisting of four (4) pages and which is attached hereto and made a part hereof; and

WHEREAS, said easement is granted subject to the following covenants, terms and conditions that are so stated within the *Niyati Enterprises LLC Permanent Floating Right-of-Way Easement for the City of Willoughby Hills*, attached hereto as the “**Exhibit A**”, consisting of four (4) pages and referenced herein; and

WHEREAS, this Council deems it to be in the best interest of the public health, safety and welfare of the inhabitants of the City of Willoughby Hills to accept said easement for said easement will provide for the following: (1) promote safety by stimulating greater access to restricted parcels, including access by safety and service vehicles; (2) limit the access points and traffic congestion resulting from narrow parcels to promote shared parking and cross access drives between similar uses; and (3) stimulate comprehensive planning to provide for various economic development options that will strengthen the diversity of uses found in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. Niyati Enterprises LLC (Bhavesh D. Patel, Authorized Agent) whose tax mailing address is 7825 Mentor Avenue, Mentor, Ohio, 44060, their heirs and assigns, in consideration for the sum of One Dollar (\$1.00) and other valuable considerations, does hereby give, grant, bargain and convey to the City of Willoughby Hills, an Ohio Municipal Corporation, 35405 Chardon Road, Willoughby Hills, Ohio, 44094, its successors and assigns, a Permanent Floating Right-of-Way Easement upon and through lands of the Grantor thereto, located in part on the following described premises, and as shown by the “Exhibit A”, consisting of four (4) pages attached hereto and made a part hereof.

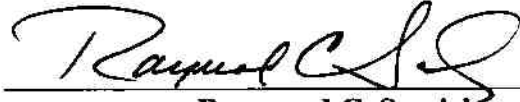
SECTION 2. The aforementioned easement(s) received from Niyati Enterprises LLC, further identified as being Lake County Auditor’s Permanent Parcel No. 31-A-008-D-00-026-0, legally described and depicted in the “Exhibit A”, consisting of four (4) pages and incorporated herein by reference, conveys to the City the right to enter from time to time upon the easement land, and if necessary, upon the adjoining lands of the Grantor for the purposes of ingress and egress to the permanent right-of-way easement area and the associated appurtenances thereto; a copy of the easement is on file in the office of the Clerk of Council.

SECTION 3. The Mayor is hereby authorized to remit the amount of One Dollar (\$1.00) so stated within the *Niyati Enterprises LLC Permanent Floating Right-of-Way Easement for the City of Willoughby Hills*, and in consideration of said easement identified in the "Exhibit A".

SECTION 4. The Clerk of Council be, and hereby is, directed to file such easement for record in the Office of the Recorder of Lake County, Ohio.

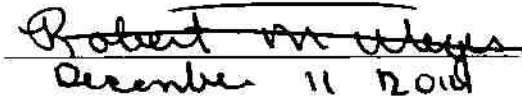
SECTION 5. This Ordinance shall be in full force and effect at the earliest time permitted by law.

PASSED: December 11, 2014


Raymond C. Somich
President of Council

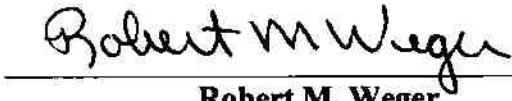
Submitted to the Mayor for his approval
on this 11 day of December, 2014

Approved by the Mayor

 2014
December 11 2014

ATTEST:


Victoria Ann Savage, CMC
Clerk of Council


Robert M. Weger
Mayor