

City of Willoughby Hills

ORDINANCE NO. 2015-6

AN ORDINANCE ACCEPTING A PERMANENT DRAINAGE EASEMENT AND TEMPORARY WORK AGREEMENT AT 29329 EDDY ROAD FOR THE PURPOSES OF INGRESS AND EGRESS TO THE PERMANENT DRAINAGE EASEMENT AREA AND THE ASSOCIATED APPURTENANCES AS DESCRIBED IN THE ATTACHED EXHIBIT.

WHEREAS, William T. O'Brien Trust (William O'Brien and Linda Cappelli, as individuals, husband and wife, and trustee(s)) whose tax mailing address is 29941 Chardon Road, Willoughby Hills, Ohio, 44060, have agreed to convey to the City of Willoughby Hills, an Ohio Municipal Corporation, 35405 Chardon Road, Willoughby Hills, Ohio, its successors and assigns, a Permanent Drainage Easement and Temporary Work Agreement to install, construct, reconstruct, maintain, repair, replace, rebuild, operate, improve, use, inspect, and remove a drainage swale and necessary appurtenances thereto; and

WHEREAS, said easement is granted subject to the following covenants, terms and conditions that are so stated within the *Permanent Drainage Easement and Temporary Work Agreement at 29329 Eddy Road for The City of Willoughby Hills*, attached hereto as the "EXHIBIT A", consisting of seven (7) pages and referenced herein; and

WHEREAS, this Council deems it to be in the best interest of the public health, safety and welfare to accept said Permanent Drainage Easement.

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

SECTION 1. William T. O'Brien Trust (William O'Brien and Linda Cappelli, as individuals, husband and wife, and trustee(s)) whose tax mailing address is 29941 Chardon Road, Willoughby Hills, Ohio 44094, their heirs and assigns, in consideration for the sum of One Dollar (\$1.00) and other valuable considerations, including additional work performed by the City in conjunction with the intent of the easement, do 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 Drainage Easement and Temporary Work Agreement upon and through lands of the Grantor thereto, located in part on the following described premises, and as shown by the exhibits contained herein and marked as "EXHIBIT A", consisting of seven (7) pages attached hereto and made a part hereof.


SECTION 2. The aforementioned easement(s) received from **William T. O'Brien Trust**, further identified as being Lake County Auditor's Permanent Parcel No. 31-A-025-0-00-053-0, legally described and depicted in the attached "EXHIBIT A", consisting of seven (7) pages and incorporated herein by reference, conveys to the City the right to install, construct, reconstruct, maintain, repair, replace, rebuild, operate, improve, use, inspect, and remove a drainage swale and necessary appurtenances thereto, and the same is hereby accepted by the City of Willoughby Hills for the purpose therein stated; a copy of the Permanent Drainage Easement and Temporary Work Agreement 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 *Permanent Drainage Easement and Temporary Work Agreement at 29329 Eddy Road for The City of Willoughby Hills*, and in consideration of said easement indentified in the attached "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: , 2015



Raymond C. Somich
President of Council

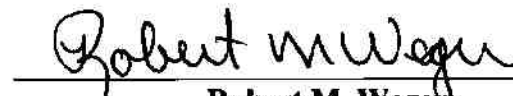
Submitted to the Mayor for his approval
on this 28 day of January, 2015

Approved by the Mayor

January 28, 2015

ATTEST:


Victoria Ann Savage, CMC
Clerk of Council


Robert M. Weger
Mayor