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Vice President of Council

VICTORIA ANN SAVAGE, CMC
Clerk of Council

City of Willoughby Hills

Council
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ORDINANCE NO. 2009-73

AN ORDINANCE ACCEPTING A PERMANENT SANITARY SEWER EASEMENT TO INSTALL, CONSTRUCT, RECONSTRUCT, MAINTAIN, REPAIR, REPLACE, REBUILD, OPERATE, IMPROVE, USE, INSPECT, AND REMOVE SAID SANITARY SEWER AND ALL NECESSARY APPURTENANCES THERETO AS DESCRIBED IN EXHIBIT "A" FOR THE EUCLID CREEK TRIBUTARY WATERSHED AREA "C" SANITARY SEWER IMPROVEMENTS AND DECLARING AN EMERGENCY.

WHEREAS, the property owner **Joseph M. Udovic**, whose tax mailing address is **2978 Lynn Drive, Willoughby Hills, Ohio 44092** (hereinafter referred to as the "GRANTOR"), his/her heirs and assigns, in consideration of the sum of Three Thousand Two Hundred and no/100 Dollars (\$3,200.00) and other valuable considerations, do hereby give, grant, bargain and convey to "GRANTEE" the City of Willoughby Hills (hereinafter referred to as the "CITY"), its successors and assigns, Permanent Sanitary Sewer Easement upon and through lands of the said GRANTOR thereto, located in part on the following describe premises, as shown by "**Exhibit A**", consisting of seven (7) pages attached hereto and made a part hereof; and

WHEREAS, the Council of the City of Willoughby Hills deems it to be in the best interest of the public health, safety and welfare to accept said easement.

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

SECTION 1. The aforementioned easement further identified as being Lake County Auditor's **Permanent Parcel No. 31-A-007-F-00-015-0** described in "**Exhibit A**" consisting of seven (7) pages and incorporated herein by reference, to the City of Willoughby Hills, conveying to the City the right to install, construct, reconstruct, maintain, repair, replace, rebuild, operate, improve, use, inspect and remove said sanitary sewer and all necessary appurtenances thereto, and the same is hereby accepted by the City of Willoughby Hills for the purpose therein stated; a copy of the easement is on file in the Office of the Clerk of Council.

SECTION 2. Said easement as identified in "**Exhibit A**" consisting of seven (7) pages and incorporated herein by reference, authorizes the Mayor to remit the amount as stated for the easement in the attached Exhibit; and in consideration of said easement.

SECTION 3. 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 4. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 5. This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills insofar as it provides for the usual daily operation of a municipal department; to wit: specifically for the acceptance of sanitary sewer easement in order to proceed with the construction of the Euclid Creek Tributary Watershed Area "C" Sanitary Sewer Improvements; wherefore, this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED: September 24, 2009

Submitted to the Mayor for his approval
on this 24 day of September, 2009

ATTEST:

Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council

Kevin D. Malecek
Kevin D. Malecek
President of Council

Approved by the Mayor
September 24, 2009

Robert M. Weger
Robert M. Weger
Mayor

ORDINANCE NO. 2009-73

I, Victoria Ann Savage, Clerk of Council for the City of Willoughby Hills, Lake County, Ohio do hereby certify that the foregoing **Ordinance No. 2009-73** was duly and regularly passed by the Council of the City of Willoughby Hills, Lake County, Ohio at a meeting held on **September 24, 2009**.

That this legislation was posted according to law and duly advertised pursuant to Ordinance No. 2003-19 in the Lake County News-Herald on **September 30, 2009**. Effective date of Legislation: **September 24, 2009**.

Victoria Ann Savage, CMC
Clerk of Council