

DAVID A. REICHELT
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Clerk of Council

City of Willoughby Hills

Council
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ORDINANCE NO. 2012 – 19

AN ORDINANCE ACCEPTING A PERMANENT RIGHT-OF-WAY EASEMENT FOR THE CONSTRUCTION OF A ROADWAY GUARDRAIL ACROSS THE LANDS OF JANE E. REINKER AS DESCRIBED IN THE ATTACHED EXHIBIT AND DECLARING AN EMERGENCY

WHEREAS, the property owner **Jane E. Reinker**, whose tax mailing address is 37200 Rogers Road , Willoughby Ohio, 44094 and as identified in Exhibit “A” has agreed to convey a permanent right-of-way easement to the City of Willoughby Hills, Lake County, Ohio, its successors and assigns, the right to install, repair, replace, relay, maintain, operate and inspect a roadway guardrail and necessary appurtenances thereto; and

WHEREAS, said easement is granted subject to the following covenants, terms and conditions that are so stated within the ***Rogers Road Slope Stabilization Permanent Right-of-Way Easement for the City of Willoughby Hills***, attached hereto as “Exhibit “A”, consisting of five (5) 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 easement.

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

SECTION 1. **Jane E. Reinker** whose tax mailing address is 37200 Rogers Road, Willoughby, Ohio, 44094, their heirs and assigns, in consideration for the sum of Five Hundred Dollars (\$500.00) and other valuable considerations, including additional work performed by the City in conjunction with the intent of the easement, 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 Right-of-Way Easement upon and through lands of the Grantor thereto, located in part on the following described premises, and as shown by those exhibits contained herein and marked as Exhibit “A”, consisting of five (5) pages attached hereto and made a part hereof.

SECTION 2. The aforementioned easement(s) received from Jane E. Reinker, further identified as being Lake County Auditor’s Permanent Parcel No. 31-A-001-E-00-019-0, legally described and depicted in Exhibit “A”, consisting of five (5) pages and incorporated herein by reference, conveys to the City the right to install, repair, replace, relay, maintain, operate and inspect a roadway guardrail and with 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 3. the Mayor is hereby authorized to remit the amount of Five Hundred Dollars (\$500.00) so stated within the ***Rogers Road Slope Stabilization Permanent Right-of-Way Easement for the City of Willoughby Hills***, and in consideration of said easement indentified in 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 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; specifically to complete the Rogers Road Slope Stabilization Improvement whose construction is being expedited to avoid further damage and road closures; wherefore, this Ordinance shall be in full force and effect from and after its approval by the Mayor.

PASSED: _____, 2012

David A. Reichelt
President of Council

Submitted to the Mayor for his approval
on this ____ day of _____, 2012

Approved by the Mayor

ATTEST:

_____, 2012

Victoria Ann Savage, CMC
Clerk of Council

Robert M. Weger
Mayor