

RECORD OF ORDINANCES

Ordinance No. 2021-56

Passed OCTOBER 20, 2021

SPONSOR: UTILITIES COMMITTEE

AN ORDINANCE AUTHORIZING MAYOR RICK TO EXECUTE THE DEED OF PERMANENT UTILITY EASEMENT AND DECLARING AN EMERGENCY

WHEREAS, Council vacated the right-of-way known as Herbert Street and returned the real property to the respective former owners, including the Mogadore Local School District; and,

WHEREAS, the Village of Mogadore is in the process of installing new water mains throughout the Village; and,

WHEREAS, the new water main is expected to travel through, under or within the real property or a portion thereof that was previously dedicated as Herbert Street; and,

WHEREAS, before vacating Herbert Street and returning the real property to the respective former owners, the Village entered into negotiations with the Mogadore Local School District to secure a Permanent Utility Easement for purposes of allowing the Village to proceed with its plan to install new water mains at some future date; and,

WHEREAS, Mogadore Local School District agreed to grant the Village of Mogadore a Permanent Utility Easement under the conditions memorialized in the Deed of Permanent Utility Easement, which is attached as Exhibit A and fully incorporated herein; and,

WHEREAS, no property owner shall be hurt by the Village executing the Deed of Permanent Utility Easement; and,

WHEREAS, Council has determined that it is in the best interest of the Village of Mogadore to execute the attached and incorporated Deed of Permanent Utility Easement.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Mogadore, Counties of Portage and Summit, State of Ohio:

SECTION 1: That Council hereby orders Mayor Mike Rick to take all actions necessary to effect and execute the Deed of Permanent Utility Easement, which is attached hereto as Exhibit A and fully incorporated herein.

SECTION 2: That the factual findings and statements set forth in the recitals above are hereby adopted and incorporated herein.

SECTION 3: That it is found and determined that all formal actions of the Council relating to the adoption of this Ordinance were taken in a duly noticed virtual, open meeting of this Council and that all deliberations which resulted in formal action were taken in meetings open to the public, in full compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

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SECTION 4: That this Ordinance is an emergency measure necessary for the preservation of the public peace, health, safety, and welfare of the Village of Mogadore and the inhabitants thereof, and provided it receives the approval of two-thirds of the members of Council, shall be in full force and effect from and after its passage and approval by the Mayor, or otherwise take effect and be in full force from and after the earliest period allowed by law.

Michael Raddish 10-20-21

President of Council

Date

Michael

10-20-21

Mayor

Date

Attest:

[Signature]
Clerk-Treasurer