

ORDINANCE NO. 34-2016

Offered by: All of Council

AN ORDINANCE ACCEPTING THE VACATION OF A SANITARY SEWER EASEMENT AND ACCEPTING A NEW SANITARY SEWER EASEMENT FROM NATIONAL INTERSTATE INSURANCE COMPANY AT KINROSS LAKES AND DECLARING AN EMERGENCY

WHEREAS, pursuant to the original Kinross Lakes plat recorded on September 5, 1995 at Cabinet L, Slide Numbers 593-596 of the Summit County records, the Village was granted a sanitary sewer easement of varying width, a portion being fifteen (15) feet wide and a portion being twenty (20) feet wide, from the original owner and developer, Kinross Lakes, Inc.; and

WHEREAS, the fifteen (15) feet wide portion of the sanitary sewer easement exists on Parcel No. 5002231 and the twenty (20) feet wide portion of the sanitary sewer easement exists on the boundary line between Parcel No. 5002231 and Parcel No. 5002588; and

WHEREAS, National Interstate Insurance Company is the record owner of Parcel No. 5002231 and Parcel No. 5002588; and

WHEREAS, National Interstate Insurance Company filed an application with the Planning and Zoning Commission to consolidate its two parcels for the construction of a new building and to abandon the existing sanitary sewer easement and to grant a new twenty (20) foot sanitary sewer easement to the Village along the southern and western boundary lines of Parcel No. 5002231; and

WHEREAS, the Planning and Zoning Commission approved National Interstate's lot consolidation plat, subject to National Interstate Insurance Company vacating the existing sanitary sewer easement and granting a new twenty (20) foot sanitary sewer easement to the Village; and

WHEREAS, Village Council desires to accept the vacation of the existing sanitary sewer easement and to accept a new twenty (20) foot sanitary sewer easement from National Interstate Insurance Company; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, Summit County, State of Ohio:

SECTION 1. That this Council hereby accepts the vacation of the existing sanitary sewer easement on National Interstate Insurance Company's Parcel No. 5002231 and Parcel No. 5002588 and accepts a new twenty (20) foot sanitary sewer easement from National Interstate Insurance Company on the southern and western boundary of Parcel No. 5002231 in the Kinross Lakes development, as illustrated in Exhibit A, attached and incorporated herein by reference.

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that it is immediately necessary in order to permit National Interstate Insurance Company to record a re-plat of its property to consolidate its parcels, vacate the existing easement, and grant the new easement all of which is necessary so that it may commence with construction of its new building at the earliest time possible; wherefore, provided this Ordinance receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 6-7-16



President of Council



Mayor

Dated: 6/7/16

ATTEST:



Clerk of Council