

A RESOLUTION AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE OHIO TURNPIKE COMMISSION PROVIDING FOR A TAP-IN AGREEMENT WITH TURNPIKE COMMISSION AND DECLARING AN EMERGENCY

BE IT RESOLVED by the Council of the Village of Richfield, State of Ohio:

SECTION 1. That the Mayor and Finance Director be, and they hereby are, authorized and directed to enter into an agreement with the Ohio Turnpike Commission providing for a tap-in agreement with the Ohio Turnpike Commission into the Village of Richfield's sanitary sewer, a copy of which agreement is attached hereto as Exhibit "A" and incorporated herein fully as if by reference.

SECTION 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the reason that it is immediately necessary to facilitate the Turnpike's tap-in into the sewer; wherefore, provided it 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: 11-16-93

David W. Howard
President of Council

Raymond A. [Signature]
Mayor

Dated: 11/16/93

ATTEST:
Lezay Malone
Clerk of Council

TAP-IN AGREEMENT

THIS AGREEMENT made this 17th day of November, 1993, by and between the VILLAGE OF RICHFIELD, 4410 West Streetsboro Road, P. O. Box 387, Richfield, Ohio 44286-0387 ("Richfield") and the OHIO TURNPIKE COMMISSION, 682 Prospect Street, Berea, Ohio 44017 ("OTC").

WHEREAS, the Village of Richfield has constructed a sewer line; and

WHEREAS, OTC wishes to tap into the line; and

WHEREAS, Richfield is willing to allow OTC to tap into the line under the terms and conditions set forth herein.

NOW, THEREFORE, IT IS HEREBY AGREED by and between Richfield and OTC:

SECTION 1. OTC shall tap into the Richfield sewer line at the location of and in accordance with the plans and specifications for this project entitled: Ohio Turnpike Commission, Contract CIP 56-93-03, Part 2, approved by the Commission's Deputy Executive Director-Chief Engineer, G. Alan Plain on April 6, 1993, such plans and accompanying specifications are attached and incorporated by reference herein.

SECTION 2. OTC shall perform the work, at its expense, to tap into the Richfield sewer line in accordance with plans and specifications which shall be approved by the Village Engineer.

SECTION 3. The Village of Richfield shall retain the right to inspect the construction performed by OTC in connection with the construction and tapping into the sewer line. Such inspection shall be at the cost of the OTC and shall not exceed Two Thousand Dollars (\$2,000.00).

SECTION 4. OTC shall pay a tap-in fee to the Village in the amount of Thirty-Seven Thousand Dollars (\$37,000.00). Payment to be made at the completion of the tap-in construction.

SECTION 5. OTC agrees not to allow extensions of the line without the prior Village approval. Renovations, extensions and remodeling of Turnpike facilities serviced by the sewer line shall not be considered extensions and will not require prior Village approval.

SECTION 6. OTC agrees to be subject to the rules and regulations of the Northeast Ohio Regional Sewer District and the Cuyahoga County Sanitary Engineer with respect to sewage flows, strengths and treatment. OTC shall pay the standard user fees charged to all other commercial firms in the Village.

SECTION 7. After connection, OTC will maintain the tap-in line at its own expense.

SECTION 8. This Agreement shall not be modified without the prior written consent of both parties, which consent, on the part of Richfield, shall specifically require prior approval of the Council of the Village of Richfield.

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the day and year first above written.

Signed in the presence of:

Ruth Jocke

Joe B. Mansin

APPROVED:

Allen T. Johnson
General Counsel

VILLAGE OF RICHFIELD

By Ralph R. Waszak
Its Mayor Ralph R. Waszak

And Eleanor Lukovics
Its Finance Director
Eleanor Lukovics

OHIO TURNPIKE COMMISSION

By: Allen T. Johnson
Its Executive Director