

ORDINANCE 16 -1989

Offered by Mayor Waszak

AN ORDINANCE TO APPROPRIATE A TEMPORARY EASEMENT FOR SANITARY SEWER PURPOSES IN REAL ESTATE LOCATED ON BRECKSVILLE ROAD (FORMERLY CLEVELAND-MASSILLON ROAD) (PERMANENT PARCEL NO. 603-21-011) AND DECLARING AN EMERGENCY

WHEREAS, on the 31st day of January, 1989, the Council of the Village of Richfield adopted Resolution 9-1989 declaring the necessity and intention of appropriating a temporary easement for sanitary sewer purposes in real estate located on Brecksville Road (formerly Cleveland-Massillon Road) (Permanent Parcel No. 603-21-011); and

WHEREAS, notice of the adoption of said Resolution has been served on the owners, persons in possession and having an interest of record in said premises.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, State of Ohio, two-thirds (2/3) of all of the members elected thereto concurring:

- SECTION 1: That a temporary easement for sanitary sewer purposes in real estate located on Brecksville Road (formerly Cleveland-Massillon Road) (Permanent Parcel No. 603-21-011), the legal description of which temporary easement is attached hereto as Exhibit "A" and incorporated herein fully as if by reference be, and the same hereby is, appropriated for the public purpose of sanitary sewers.
- SECTION 2: That the Director of Law be, and he hereby is, authorized and directed to apply to a Court of competent jurisdiction to have a jury empaneled to make inquiry into and assess the compensation to be paid for the temporary easement interest in said property.
- SECTION 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety and for the further reason that it is immediately necessary to appropriate the easement to construct the sanitary sewer and provided this Ordinance receives the affirmative vote of two-thirds (2/3) of the members elected or appointed, it shall take effect and be in

force from and after its approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest date provided by law.

Passed: 2/21/89

David W. Howard
President of Council

Ray K. Wash
Mayor

Dated: 2/21/89

ATTEST:

Mary L. Hegley
Clerk of Council

VILLAGE OF RICHFIELD, OHIO
SANITARY SEWER
TEMPORARY EASEMENT

Chester W. Grabowski
Madonna Kupniewski
Noree Mlinac
Marya Grabowski

Easement #48

A temporary easement for the construction, operation and maintenance of a sanitary sewer and appurtenances within a tract of land situated in the State of Ohio, County of Cuyahoga, City of Brecksville (formerly the Township of Brecksville); a part of original Lot 48 being more fully described as follows:

Commencing at the southeast corner of said property; thence North $0^{\circ} 12' 10''$ West along the west right of way line of Brecksville Road 20.0 feet to a point, said point being the point of beginning; thence continuing North $0^{\circ} 22' 10''$ West along the west right of way line of Brecksville Road 30.0 feet; thence North $89^{\circ} 54' 40''$ West a distance of 20.0 feet, hence South $0^{\circ} 22' 10''$ East a distance of 30 feet; thence South $89^{\circ} 54' 40''$ East a distance of 20.0 feet to the point of beginning.

Containing an area of 0.014 acres of land.

Prior Instrument Reference: Volume 87-7196, Page 7 of the Deed Records of Cuyahoga County.

EXHIBIT "A"