

**ORDINANCE NO. 2012 - 41**

**AUTHORIZING THE ACCEPTANCE OF CERTAIN DONATED EASEMENTS AND THE ACQUISITION OF OTHER CERTAIN EASEMENTS AS PART OF THE NORTH EAST STREET STORM SEWER IMPROVEMENTS AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of Mason has determined the need to make certain improvement to the downtown area from North West Street to North East Street; and

**WHEREAS**, as a result of the North East Street Storm Sewer Improvements, it will be necessary to accept the donation of certain easements and to acquire by purchase certain easements; and

**WHEREAS**, City Council has determined that it is in the best interest of the residents of the City of Mason to proceed with the acceptance and acquisition of certain property.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Mason, Ohio, seven members elected thereto concurring:

Section 1. That the City Manager, as part of the North East Street Storm Sewer Improvements, is hereby authorized to accept the donation of or acquire by purchase certain interests in the various real property listed in Exhibit A, attached hereto and incorporated herein by reference.

Section 2. That the City Manager is further authorized to provide any other reasonable equitable relief to the listed property owners as may be necessary to complete the Project.

Section 3. That the City Manager is further authorized to acquire the necessary easements at a cost not to exceed the fair market value for each easement, as indicated in Exhibit A.

Section 4. That the City Manager is further authorized to execute any and all documents necessary to complete the donation, acquisition and acceptance of the necessary property interests.

Section 5. That this Ordinance is hereby declared an emergency measure necessary for the immediate preservation of the public health, safety and general welfare and shall be effective immediately upon its passage. The reason for said declaration of emergency is the need to assemble the necessary interests in the real property at the earliest possible date.

Passed this 11<sup>th</sup> day of June, 2012

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Mayor

Attest:

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Clerk of Council