

ORDINANCE NO. 2013 - 40

AUTHORIZING THE CITY MANAGER TO ENTER INTO A REIMBURSEMENT AGREEMENT WITH BUNNELL HILL DEVELOPMENT COMPANY, INC. FOR A SANITARY SEWER MAIN CONSTRUCTION ALONG BETHANY ROAD AND DECLARING AN EMERGENCY

WHEREAS, the City of Mason intends to construct a sanitary sewer along Bethany Road, crossing Mason-Montgomery Road to provide access to sanitary sewerage for presently unsewered City residents in the area; and

WHEREAS, Bunnell Hill Development Company, Inc., who owns property on the west side of Mason-Montgomery Road and intends to develop the property, desires to connect to the City sanitary sewer system; and

WHEREAS, Bunnell Hill Development Company, Inc. has offered to reimburse the City for a portion of said sanitary sewer crossing in the amount of up to \$80,000.00.

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

Section 1. That the City Manager is authorized to enter into a reimbursement agreement with Bunnell Hill Development Company, under which Bunnell Hill Development Company, Inc. will transmit the sum of up to \$80,000.00 to the City upon completion of the sanitary sewer, pursuant to the terms of the reimbursement agreement attached hereto as Exhibit "A" and incorporated herein by reference.

Section 2. That the Finance Director is hereby authorized to accept from Bunnell Hill Development Company, Inc. the amount of up to \$80,000.00 pursuant to the terms of the agreement attached hereto, and deposit said amount in the City Sewer Fund.

Section 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare and shall be effective immediately upon its passage. The reason for said declaration of emergency is the need execute the agreement at the earliest possible date.

Passed this 22nd day of April, 2013.

Mayor

Attest:

Clerk of Council