

ORDINANCE NO. 2005-168

**AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH GRIZZLY GOLF CENTER, INC., TO CONSTRUCT A NEW BRIDGE AND COMPLETE 550 LINEAR FEET OF CREEK RESTORATION OVER A TRIBUTARY TO THE MUDDY CREEK AND DECLARING AN EMERGENCY**

WHEREAS, Grizzly Golf Center, Inc., and the City of Mason, desire to build a new bridge and complete 550 linear feet of creek restoration over a tributary to the Muddy Creek; and

WHEREAS, by entering into a cooperative agreement with Grizzly Golf Center, Inc., for the construction of said improvements, the City of Mason will realize cost benefits, minimize permit requirements and minimize flooding impacts to the Property upstream of this area.

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

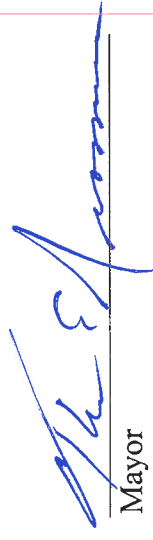
Section 1. That the City Manager is hereby authorized to enter into an agreement with Grizzly Golf Center, Inc., to construct a new bridge and complete 550 linear feet of creek restoration over a tributary to the Muddy Creek.

Section 2. That said agreement provides for the payment of all costs related to the design, construction and maintenance of said improvement be paid by City of Mason.


Section 3. That the terms of the agreement are as set out in the attached Exhibit "A" which is incorporated herein by reference.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of 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 to preclude flooding in the area of Van Buren Drive at the earliest possible date.

Passed this 12<sup>th</sup> day of December, 2005.

  
Mayor

Attest:

  
Clerk of Council