

ORDINANCE NO. 2009 - 114

**AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE ACQUISITION OF SANITARY SEWER EASEMENT AND HIGHWAY RIGHT-OF-WAY ACROSS CERTAIN REAL PROPERTY LOCATED AT 5405 BETHANY ROAD, IN THE CITY OF MASON AND DECLARING AN EMERGENCY**

WHEREAS, the City of Mason and Fred and Sharon Rausch, residing at 5405 Bethany Road, have reached an agreement as to the purchase of certain easement and right-of-way property located along Bethany Road.

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

Section 1. That the City Manager is hereby authorized to execute an Easement Deed for Highway Right-of-Way and an Easement Deed for Sanitary Sewer from Fred and Sharon Rausch across certain property located at 5405 Bethany Road, Mason, Ohio 45040, which property is more particularly described in Exhibit "A", attached hereto and incorporated herein by reference, and that the City Manager is authorized to accept the easements and execute any and all documents necessary to complete the acquisition.

Section 2. That the consideration for the highway right-of-way and sewer easements obtained from Fred and Sharon Rausch is \$10,500.00, and waiver of one sewer tap fee at such time in the future that the property owner desires or is required to connect to the City of Mason sewer system.

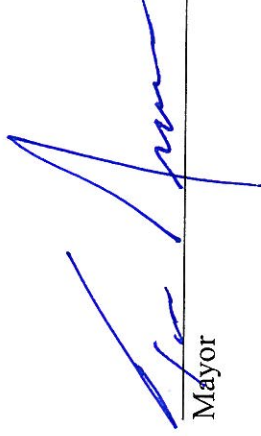
Section 3. That the Finance Director of the City of Mason is hereby authorized to pay the sum of \$10,500.00 to Fred and Sharon Rausch upon presentation of the executed Easement Deeds for Highway Right-of-Way and Sanitary Sewer.

Section 4. 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 to execute the agreement at the earliest possible date.

Passed this 26<sup>th</sup> day of October, 2009.

Attest:

  
Clerk of Council

  
Mayor