

ORDINANCE NO. 2009 - 12

AUTHORIZING THE CITY MANAGER TO EXECUTE AN ACQUISITION AGREEMENT AND TO ACCEPT AN EASEMENT FOR A SANITARY SEWER IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY (GREEN VALLEY/JRM)

WHEREAS, the City of Mason has undertaken the Muddy Creek Restoration Phase II/ US 42 North Trunk Sewer Phase 2B Project; and

WHEREAS, it is necessary to acquire certain easements from property owners in order to complete the project; and

WHEREAS, the City has reached an agreement with Green Valley Apartments, LLC and JRM Ventures, LLC regarding the acquisition of an easement for sanitary sewer on their 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 is hereby authorized to execute the Acquisition Agreement attached hereto as Exhibit "A" and incorporated herein by reference.


Section 2. That the Finance Director is hereby authorized to make any payment to consistent with the terms of the Acquisition Agreement.

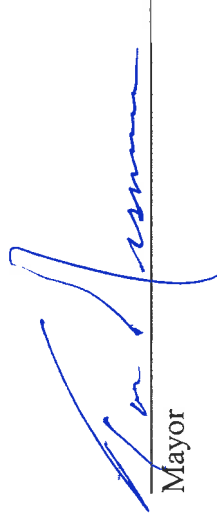
Section 3. That the City of Mason hereby accepts the temporary easement for sanitary sewer and easement for sanitary sewer attached hereto as Exhibit "B" and incorporate herein by reference.

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 need for said emergency is the necessity to begin the Muddy Creek Restoration Phase II/ US 42 North Trunk Sewer Phase 2B Project as soon as possible.

Passed this 23rd day of February, 2009.

Attest:


Clerk of Council


Mayor