

**ORDINANCE NO. 87-2019**

**INTRODUCED BY: MAYOR JAMES P. GRAVEN**

**AN ORDINANCE ACCEPTING A WATER CIRCULATION  
EASEMENT CONCERNING THE FALLS POINTE PRESERVE  
SUBDIVISION AND DECLARING AN EMERGENCY**

**WHEREAS**, consistent with the Falls Pointe Preserve Subdivision development, the City of Olmsted Falls and the City of Cleveland are required to execute a water circulation easement whereby the development project will receive water service through the City of Cleveland; and

**WHEREAS**, the City of Olmsted Falls thereby will be granted all rights appurtenant to said easement as obligee, with no obligation to the City for the installation, maintenance or operation of water service; and

**WHEREAS**, this City Council deems it to be in the best interest of the community to authorize the acceptance of said water circulation easement. Now therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS,  
CUYAHOGA COUNTY, STATE OF OHIO, THAT:**

**SECTION 1.** The Mayor and/or his designee is hereby authorized to execute the necessary documents which grants to the City as obligee a water circulation easement consistent with the Falls Pointe Preserve Subdivision development.

**SECTION 2.** This Council finds and determines that all formal actions of this Council relating to adoption of this Resolution have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

**SECTION 3.** This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of the City of Olmsted Falls, Ohio. Therefore, this Resolution shall take effect immediately upon the affirmative vote of not less than five members elected to Council, and signature by the Mayor, or otherwise at the earliest time allowed by law.

ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
*Paul Stibich, President of Council*

APPROVED BY: \_\_\_\_\_  
*James P. Graven, Mayor*

\_\_\_\_\_  
*Date*

APPROVED AS TO FORM: \_\_\_\_\_  
*Andrew D. Bemer, Director of Law*

ATTEST: \_\_\_\_\_  
*Angela Mancini, Clerk of Council*

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Third Reading: \_\_\_\_\_

	Yea	Nay
Stibich	_____	_____
Jones	_____	_____
Munteanu	_____	_____
Gorski	_____	_____
Nicolay	_____	_____
Duncan	_____	_____
Fenrich	_____	_____