

# COUNCIL CHAMBER

City of Berea, Ohio

ORDINANCE No. 2013-50

By Dale A. Lange Sponsored By Margarette S. Key

## AN ORDINANCE

**AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT FROM THE CITY OF BERA TO THE CLEVELAND ELECTRIC ILLUMINATING COMPANY FOR ACCESS TO AND USE AND MAINTENANCE OF A 20 FOOT WIDE STRIP OF CITY OWNED LAND IN ORDER TO PROVIDE POWER TO THE COMMERCIAL BUILDING LOCATED AT 295 HIGH STREET, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the owner of the commercial building under construction at 295 High Street has made a request that an easement be granted in order for CEI to provide an aerial power line to that building; and

**WHEREAS**, in order to make use of the building and property as planned, it is necessary for CEI to have access to and across the property owned by the City of Berea; and

**WHEREAS**, the City has determined that it is in the public interest to grant this easement for the use of this land.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Berea, State of Ohio:

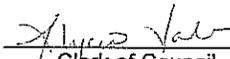
**SECTION 1.** That the Mayor be and he is hereby authorized and directed to execute the grant of an aerial easement over and on a certain parcel of land identified on the drawing and in the easement documents on file in the office of the City Engineer.

**SECTION 2.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

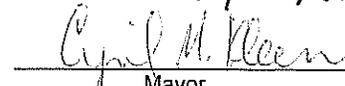
**SECTION 3.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, or providing for the usual daily operation of a municipal department and for the further reason that it is necessary to provide the property in question with power so that employees can be sought, employment can be secured, and jobs can be created in the City of Berea. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: May 20, 2013

  
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President of Council

ATTEST:   
Clerk of Council

APPROVED: May 21, 2013

  
Mayor

Approved as to Form:

  
Director of Law