

ORDINANCE NO. 141-2024(MSES), *First Reading*

By Mayor Seren

An Ordinance authorizing the Mayor to convey one permanent and two temporary easements to the Northeast Ohio Regional Sewer District for planned improvements to Nine Mile Creek along Belvoir Boulevard; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Northeast Ohio Regional Sewer District ("NEORSD" or the "District") is planning improvements to Nine Mile Creek along Belvoir Boulevard including the installation of two debris racks and access drives (the "Project"); and

WHEREAS, in order to construct the Project, NEORSD requires two temporary easements and one permanent easement over a portion of PPN 682-02-026 which is owned by the Cleveland Heights Land Reutilization Program; and

WHEREAS, the Project work to be completed by the District will be of benefit to the City and its residents; and

WHEREAS, an independent appraisal has determined the total value of the three requested easements to be Three Hundred Dollars (\$300.00).

BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The mayor, be and is herby authorized, to execute one permanent and two temporary easements over a portion of property running along Belvoir Boulevard owned by the Cleveland Heights Land Reutilization Program identified as Permanent Parcel 682-02-026. The total purchase price for the easements, which are shown on Exhibit "A" attached hereto and incorporated herein, shall be Three Hundred Dollars (\$300.00). Legal descriptions of the easements are attached hereto as Exhibits "B", "C", and "D." The easements shall be for the purpose of construction and maintenance of two debris racks and access drives along Belvoir Boulevard. The easements shall contain such other terms as recommended by the Mayor and Director of Law and shall be approved as to form by the Director of Law.

SECTION 2. This Council hereby determines that granting the easements authorized herein does not interfere with the use of the City-owned property for public purposes.

SECTION 3. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 4. It is necessary that this Ordinance become immediately effective as an emergency, necessary for the preservation of the public peace, health and safety of

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the inhabitants of the City of Cleveland Heights, such emergency being the need to meet the Northeast Ohio Regional Sewer District's construction deadlines. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.



TONY CUD
President of Council



ADDIE BALESTER
Clerk of Council

PASSED: August 12, 2024

Presented to Mayor: 08/20/2024

Approved: 08/22/2024



KAHLIL SEREN
Mayor