

CITY OF TWINSBURG, OHIO

ORDINANCE 15-2009

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A DEED RESTRICTION FOR WETLAND MITIGATION SITE TO BE IN COMPLIANCE WITH ARMY CORP PERMIT 97-512-0048

WHEREAS, the City of Twinsburg is the owner of a certain parcel of land consisting of 7.238 acres more or less located west of Darrow Road and north of the Community Gardens in the City of Twinsburg, Ohio; and

WHEREAS, said property was used to construct wetlands to mitigate impacts of construction for Officer Joshua T. Miktarian Parkway; and

WHEREAS, the Army Corp issued a permit for construction with Special Condition that the City of Twinsburg protect the wetland in perpetuity.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Twinsburg, County of Summit and State of Ohio:

SECTION I: That the Mayor of the City of Twinsburg be and he is hereby authorized to execute a Deed of Conservation Easement over the wetland mitigation west of Darrow Road and North of the Community Gardens, as more fully described in the Exhibits incorporated into said agreement which agreement is attached hereto and incorporated by reference herein and identified as Exhibit "B".

SECTION II: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meeting or meetings of this Council, and that all deliberations of this Council were in meetings open to the public and in full compliance with all legal requirements, including without limitations, those set forth in Section 121.22 of the Ohio Revised Code.

SECTION III: That this Ordinance is hereby declared to be an emergency measure, necessary for the immediate preservation of the public peace, health, safety welfare and convenience of the citizens of the City of Twinsburg, and for the additional reason of time limits, and provided it receives the affirmative vote of five or more members of Council, it shall take effect and be in force immediately upon its passage and approval of the Mayor; otherwise, it shall take effect and be in force at the earliest period allowed by law.

PASSED: _____

APPROVED: _____

Steve Murphy, President of Council

Submitted to the Mayor for approval this

_____ day of _____, 2009

Approved by the Mayor _____, 2009

Katherine A. Procop, Mayor

ATTEST:

Marie K. Weaver
Clerk of Council

1st Rdg. _____

2nd Rdg. _____

3rd Rdg. _____

Passed _____

Yes ____ No ____

CERTIFICATE OF POSTING

I, Marie K. Weaver, Clerk of Council of the City of Twinsburg, State of Ohio, do hereby certify that publication of the foregoing ordinances, resolutions was duly made by posting true copies thereof at five of the most public places in said City as determined by Section 113.02 of the Codified Ordinances of the city of Twinsburg; each for the period of fifteen days commencing on the _____ day of _____, 2009.

Marie K. Weaver
Clerk of Council
City of Twinsburg

PROPOSED

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