

CITY OF TWINSBURG, OHIO

ORDINANCE 35-2010

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AND ACCEPT AS THE HOLDER AN ENVIRONMENTAL CONSERVATION EASEMENT RELATING TO CERTAIN REAL PROPERTY OWNED BY GEMINI AND DECLARING AN EMERGENCY

WHEREAS, Gemini and the State of Ohio Environmental Protection Agency have entered into an Environmental Covenant associated with the Cuyahoga County Department of Health restoration of Laurel Creek as funded by ARRA; and

WHEREAS, the City is the “holder” of the conservation easements already entered wherein the City is the property owner, however, the City is not the property in the within Agreement.

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 she is hereby authorized to execute an Environmental Covenant designating the City of Twinsburg as the “Holder” of the Covenant between Gemini and the Ohio EPA as set forth in the Agreement which is attached hereto and incorporated by reference herein and identified as Exhibit “A”.

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 if the easements are not finalized by the end of February the funding will be lost. 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: _____

Sam Scaffide, President of Council

Submitted to the Mayor for approval this
_____ day of _____, 2010

Approved by the Mayor _____, 2010

Katherine A. Procop, Mayor

ATTEST:

Lisa Spraggins
Clerk of Council

1st Rdg. _____

2nd Rdg. _____

3rd Rdg. _____

Passed: _____

Yes _____ No _____

CERTIFICATE OF POSTING

I, Lisa Spraggins, 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 a period of fifteen days commencing on the _____ day of _____, 2010

Lisa Spraggins
Clerk of Council
City of Twinsburg