

TEMPORARY ORDINANCE NO. 56-24

PERMANENT ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR TO ACQUIRE A PERMANENT ACCESS EASEMENT NECESSARY TO PERFORM MAINTENANCE ACTIVITIES ON STORMWATER INFRASTRUCTURE

WHEREAS, stormwater infrastructure, both public and private, exists in the rear yards of various lots along Hardwood Avenue, within Section 4, Phase 3 of the River Valley Highlands ("RVH") subdivision; and

WHEREAS, the existing easements in place within the RVH subdivision to provide access to this stormwater infrastructure for maintenance purposes are not practical, due to small widths, the very close proximity of occupied homes, and the presence of various obstructions within the easements; and

WHEREAS, access to this stormwater infrastructure would be much easier for the City through the Fairfield Park development currently proposed off North Columbus Street and Hubbard Drive; and

WHEREAS, the developer of Fairfield Park has been informed that providing an access easement to the City for stormwater maintenance purposes will be a condition of obtaining the City's approval of the Final Plat necessary for the Fairfield Park development; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. That the Mayor is hereby authorized to obtain a permanent access easement from Fairfield Park LLC and to execute all documents necessary to complete said easement, which will run through the following three parcels: a 9.06 acre tract of land with parcel number 0140100400, and Lots 11 and 12 of the Hubbard Industrial Park with parcel numbers 0532223400 and 0532223500, respectively.

SECTION 2. The attached access easement and any ancillary documents are hereby approved and authorized with changes therein not inconsistent with this Ordinance and not substantially adverse to the City. The Mayor, for and in the name of the City, is hereby authorized to execute this easement and associated ancillary documents in this matter, provided further that the approval of changes thereto by the Mayor, their character not being substantially adverse to the City, shall be evidenced conclusively by the execution thereof. This Council further authorizes the Mayor, for and in the name of the City, to execute any amendments or changes to the final documents, which amendments are not inconsistent with this Ordinance and not substantially adverse to the City.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Approved: _____

President of Council

Clerk: _____

Mayor

Offered by: _____

Second by: _____

Requested by Water/Water Pollution Control Committee

I, Anitra Scott, Clerk of Council do hereby certify that on _____, 202_ the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council