

**ORDINANCE NO. 42-2019**

**INTRODUCED BY: Mayor James P. Graven**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ACQUIRE A PERMANENT SANITARY SEWER EASEMENT FOR INSTALLATION AND MAINTENANCE OF SANITARY SEWER AND APPURTENANCES FROM BRIAN BURYANEK, PERMANENT PARCEL NO. 281-02-008; JOSEPH DESANTO, PERMANENT PARCEL NO. 281-02-007; ANTOINETTE VITELLO, PERMANENT PARCEL NO. 281-03-024; AND CHRISTINE KLEPEK, PERMANENT PARCEL NO. 281-06-001 IN ORDER TO CONSTRUCT AND MAINTAIN THE PHASE V SANITARY SEWER PROJECT AND DECLARING AN EMERGENCY**

**WHEREAS**, in order to construct the Phase V Sanitary Sewer Project it is necessary to acquire a permanent sanitary sewer (with appurtenances) easement from Brian Buryanek, Permanent Parcel No. 281-02-008; Joseph DeSanto, Permanent Parcel No. 281-02-007; Antoinette Vitello, Permanent Parcel No. 281-03-024; and Christine Klepek, Permanent Parcel No. 281-06-001; and

**WHEREAS**, Brian Buryanek, Joseph DeSanto, Antoinette Vitello, and Christine Klepek, have not, nor will receive, any payment for said permanent easements; and

**WHEREAS**, the City is desirous of acquiring said easement. Now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS, CUYAHOGA COUNTY, OHIO, THAT:**

**SECTION 1.** This Council determines that the construction of the Phase V Sanitary Sewer Project is a necessary and proper public improvement in order to enhance the safe and efficient flow of sanitary sewage in the City.

**SECTION 2.** The Mayor is hereby authorized and directed to acquire a permanent sanitary sewer (with appurtenances) easement from Brian Buryanek, Permanent Parcel No. 281-02-008; Joseph DeSanto, Permanent Parcel No. 281-02-007; Antoinette Vitello, Permanent Parcel No. 281-03-024; and Christine Klepek, Permanent Parcel No. 281-06-001; in order to construct the Phase V Sanitary Sewer Project, and the Mayor is authorized to execute any and all Agreements to effectuate the same, subject to review and approval of the Director of Law.

**SECTION 3.** The Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that all deliberations of this Council and any of its committees that resulted in such formal action, took place in meetings open to the public, in full compliance with all legal requirements, including without limitation, those set forth in Section 121.22 of the Ohio Revised Code.

