

**A RESOLUTION ACCEPTING A PERMANENT EASEMENT FOR CONSTRUCTION, RECONSTRUCTION, OPERATING, MAINTAINING, REPAIRING AND REPLACING PUBLIC UTILITIES, AND APPURTENANCES THERETO IN, UNDER, ACROSS AND THROUGH CERTAIN LANDS OWNED BY NATHAN SWISHER AND MARY MARGARET SWISHER, TRUSTEES AND KNOWN AS PPN 602-08-009; AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of Brecksville must accept a permanent sewer easement across certain lands owned by Nathan Swisher and Mary Margaret Swisher, Trustees to undertake a Flood Reduction at Riverview Road Project.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

**SECTION 1.** The Mayor be, and he hereby is, authorized to accept a Permanent Easement for construction, reconstruction, operating, maintaining, repairing and replacing public utilities, and appurtenances thereto in, under, across and through certain lands owned by Nathan Swisher and Mary Margaret Swisher, Trustees and known as PPN 602-08-009, a copy of which Permanent Easement is attached hereto, expressly made a part hereof by reference and marked Exhibit "A."

**SECTION 2.** The Council hereby appropriates sufficient funds to effectuate the provisions contained in Section 1 hereof and the Director of Finance is hereby authorized to transfer the funds necessary to complete this expenditure from the available funds of the City. The Director of Finance be and is hereby further authorized to issue the fiscal officer's certificate necessary to make the expenditures as described in Section 1. hereof, and is further directed to issue vouchers of this City in the amounts and for the purposes expressed in Section 1. hereof, said amounts to be charged to the appropriately designated Fund.

**SECTION 3.** The Council declares this Resolution to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is that it is necessary to obtain the easement to complete the Project, therefore, said Resolution shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: September 17, 2024

APPROVED: September 17, 2024

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MAYOR

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CLERK OF COUNCIL