

**A RESOLUTION AUTHORIZING THE MAYOR
TO EXECUTE A RELEASE OF MORTGAGE DEED
FOR THE GLEN-VALLEY CLUB CO. PERMANENT
PARCEL NOS. 602-15-004, 602-15-005 and 602-15-006;
AND DECLARING AN EMERGENCY**

WHEREAS, on April 7, 2003, the City and Glen-Valley Club Co. entered into an Agreement for a potential sanitary sewer project known as Riverview/Calvin/Glen Valley Sanitary Sewer Project; and

WHEREAS, as part of such Agreement, the Glen-Valley Club Co. agreed to and did grant an open end mortgage on April 11, 2003 on its Permanent Parcel Nos. 602-15-004, 602-15-005 and 602-15-006; and

WHEREAS, since said proposed sanitary sewer project did not proceed as anticipated, said Agreement and the City's open end mortgage have no future effect, are no longer necessary, and said Mortgage Deed needs to be released for the benefit of the Glen-Valley Club Co.

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

SECTION 1. The City Council hereby authorizes the Mayor to execute the Release of the Glen-Valley Club Co. Mortgage Deed for Permanent Parcel Nos. 602-15-004, 602-15-005 and 602-15-006, a copy of said Release of Mortgage Deed is attached hereto as Exhibit "A" and expressly made a part hereof by reference.

SECTION 2. The City represents that the Temporary Glen Valley Pump Station has been removed and a Gravity Sewer has been connected to the private Glen Valley sanitary sewer line south of the former temporary pump station location.

SECTION 3. The City represents that the maintenance, repair, and/or replacement obligations for the private Glen Valley sanitary sewer line are the responsibility of the Glen-Valley Homeowner's Association and property owners.

SECTION 4. 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 release the mortgage deed for the benefit of the Glen-Valley Club Co., 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: _____

APPROVED: _____

MAYOR

CLERK OF COUNCIL