

RESOLUTION RECORD
COUNCIL OF THE CITY OF BRECKSVILLE

Resolution No. 5261

**A RESOLUTION AUTHORIZING THE MAYOR
TO EXECUTE AN EXTINGUISHMENT OF A
SANITARY SEWER EASEMENT PREVIOUSLY
RECORDED IN VOL. 88-5013, PAGE 47 OF THE
CUYAHOGA COUNTY RECORDS AND DECLARING
THAT SUCH EASEMENT IS NO LONGER NEEDED
FOR MUNICIPAL PURPOSES; AND DECLARING
AN EMERGENCY**

WHEREAS, the City of Brecksville accepted an easement from VA Land, LLC, The Sherwin-Williams Company, Brecksville Community Improvement Corporation, and VA Vesta II, LLC, to construct, operate, replace and maintain a sanitary sewer line, as recorded in Vol. 88-5013, Page 47 of the Cuyahoga County Records; and

WHEREAS, no sanitary sewers were ever installed and currently do not exist in said easement; and

WHEREAS, pursuant to Ohio Revised Code Section 723.121, the city desires to extinguish said sanitary sewer easement in whole and hereby determine that said easement is no longer needed for municipal purposes.

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 execute an Extinguishment of a Sanitary Sewer Easement previously recorded in Vol. 88-5013, Page 47 of the Cuyahoga County Records and declaring that such easement is no longer needed for municipal purposes, a copy of said Extinguishment of a Sanitary Sewer Easement is attached hereto as Exhibit "A" and expressly made a part hereof by reference.

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.

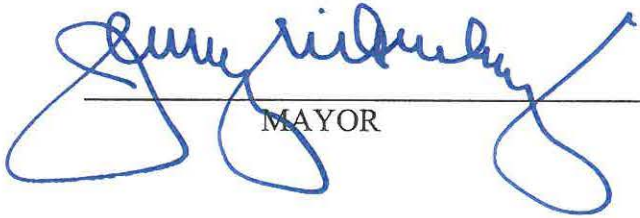
SECTION 3. The Council declares this Resolution to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is that it is necessary to extinguish said sanitary sewer easement, therefore, said Resolution shall be in 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.

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PASSED: March 1, 2022

APPROVED: March 1, 2022

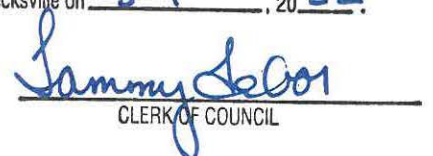


MAYOR



CLERK OF COUNCIL

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 5261 duly passed by the Council of the City of Brecksville, Ohio, on 3-1, 20 22 and that same was duly posted in accordance with the existing Charter of the City of Brecksville on 3-4, 20 22.



CLERK OF COUNCIL