

RESOLUTION RECORD
COUNCIL OF THE CITY OF BRECKSVILLE

5047

Resolution No. _____

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**A RESOLUTION GRANTING A CONSERVATION
EASEMENT TO WEST CREEK CONSERVANCY
TO CONVEY THE RIGHT TO PRESERVE AND
PROTECT THE CONSERVATION VALUES OF
THE EASEMENT AREA OWNED BY THE CITY OF
BRECKSVILLE IN PERPETUITY FOR CONSERVATION
AND WILDLIFE RESOURCES; AND DECLARING
AN EMERGENCY**

WHEREAS, the City of Brecksville seeks to develop property located at 3500 Oakes Road in a manner which will result in impacts to waters of the United States authorized by the Department of the Army Permit Number LRB-2016-01281 and issued by the United States Army Corps of Engineers; and

WHEREAS, in order to protect, restore, and maintain the chemical, physical, and biological integrity of the quality of the waters of the United States located on the property, the USACE has required that the city grant a conservation easement in and to a portion of the property to West Creek Conservancy.

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 hereby declares and grants and the Mayor be, and he hereby is, authorized to execute a Conservation Easement to West Creek Conservancy to convey the right to preserve and protect the conservation values of the Easement Area, owned by the City of Brecksville, in perpetuity for conservation and wildlife resources, a copy of which Declaration of Conservation Easement is attached hereto, expressly made a part hereof by reference and marked Exhibit "A."

SECTION 2. The city hereby authorizes the Finance Director and/or the Purchasing Director to pay the invoice attached here to as Exhibit "B" to allow the West Creek Conservancy to preserve and protect the conservation values of the Easement Area in perpetuity for conservation and wildlife resources.

SECTION 3. 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 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 required to grant the 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.

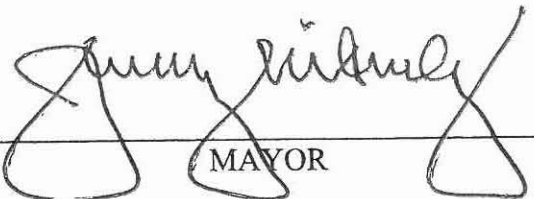
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COUNCIL OF THE CITY OF BRECKSVILLE

Resolution No. 5047

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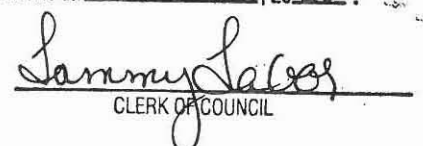
PASSED: April 7, 2020

APPROVED: April 7, 2020


MAYOR


CLERK OF COUNCIL

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 5047 duly passed by the Council of the City of Brecksville, Ohio, on 4-7, 2020 and that same was duly posted in accordance with the existing Charter of the City of Brecksville on 4-13, 2020.


CLERK OF COUNCIL