

AN ORDINANCE AUTHORIZING AND DIRECTING THE
DIRECTOR OF SAFETY AND SERVICE TO ACCEPT THE
CONVEYANCE OF THE PROPERTY AT 131 MADISON STREET,
SUBJECT TO A FIVE FOOT PERPETUAL NON-EXCLUSIVE
EASEMENT AND DECLARING AN EMERGENCY

WHEREAS, this Council previously enacted Ordinance 14-18 authorizing and directing the Safety Service Director to execute a purchase agreement with the Ottawa County Land Reutilization Corporation (the "OCLRC") and accepting the conveyance of the property at 131 Madison Street, Port Clinton, Ohio; and

WHEREAS, subsequent to the enactment of that Ordinance the OCLRC proposed to place a five foot wide perpetual non-exclusive easement over, upon, under and through the northerly five feet of the property to be conveyed to the City, as proposed in Exhibit A attached hereto; and

WHEREAS, the proposed easement is substantial in relation to the property and reduces the buildable area of the property located at 131 Madison Street to approximately 17 feet in width; and

WHEREAS, this Council has considered the effect of the proposed easement on the usability and the resale value of the property and finds and determines that the City should still proceed with the acquisition of the property for a municipal purpose.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Port Clinton, County of Ottawa and State of Ohio:

Section 1. The Director of Safety and Service is authorized and directed to accept the conveyance of the property at 131 Madison Street, subject to the easement proposed by the OCLRC, as set forth on Exhibit A attached hereto.

Section 2. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or committees, and that all deliberations of this Council, and any of its committees, that resulted in those actions were in meetings open to the public, in compliance with the law.

Section 3. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective so that the City may take

immediate possession of the Property for its use and to maintain the Property in a suitable manner; **wherefore**, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: _____, 2018

President of Council

Attest: _____
Clerk of Council

Approved _____, 2018

Mayor