

ORDINANCE NO. 94-2016

TITLE: EASEMENT - NORTON

AN ORDINANCE AMENDING ORDINANCE NO. 14-2016 TO ADD PERMISSION FOR THE INSTALLATION OF TIME WARNER CABLE WITHIN SAID EASEMENT, AND DECLARING AN EMERGENCY.

WHEREAS, Council approved legislation for the establishment of a sewer/water easement through city owned property at McCafferty Park on March 14, 2016; and

WHEREAS, this easement will provide water/sewer access to a new business establishment (FAE HOLDINGS 462476R, LLC) within the City of Norton; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Barberton, State of Ohio:

SECTION 1. That this Council hereby authorizes the amendment to Ordinance 14-2016 to add permission for the installation of Time Warner Cable (or equivalent service provider) within said easement with the FAE HOLDINGS 462476R, LLC.

SECTION 2. That this Council hereby authorizes and directs the Mayor to execute an Easement Agreement on behalf of the City as prepared by Roetzel & Andress, LPA and to execute such other documents and do all other things as are necessary for and incidental to carrying out the requirements of this ordinance.

SECTION 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, for the reason that this project begin as soon as possible, and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed _____ 2016

Clerk of Council

President of Council

Approved _____ 2016

Mayor