

Village of Mantua, Ohio
ORDINANCE 2013-86

AN ORDINANCE REPEALING ORDINANCE 2013-54, ACCEPTING THE REVISED OFFER OF THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION RELATING TO THE ACQUISITION OF LAND FOR PROJECT NUMBER 82913 AND AUTHORIZING THE MAYOR TO EXECUTE ALL NECESSARY INSTRUMENTS, AND DECLARING AN EMERGENCY.

WHEREAS, by passage of Ordinance 2013-54, this Council previously authorized a land conveyance relating to the State of Ohio Department of Transportation's ("ODOT") road and bridge project within the Village in the year 2014, for which this Council has granted consent by Resolution 2012-28; and

WHEREAS, the project will occur on and over certain lands currently owned by the Village of Mantua; and

WHEREAS, the boundaries of the portion of Village-owned lands required for the project have been revised by ODOT; and

WHEREAS, ODOT has revised its offer to acquire the right to use these lands to Three Hundred Dollars (\$300.00), which this Council deems fair and equitable; and

WHEREAS, title to the described property will remain vested in the Village of Mantua; and

WHEREAS, this Council wishes to accept the revised offer and authorize the Mayor to execute all necessary instruments to complete this transaction.

NOW THEREFORE BE IT ORDAINED by the Council of the Village of Mantua, Portage County, Ohio, two-thirds or more of all members elected thereto concurring, that:

SECTION 1: Ordinance 2013-54 is hereby repealed.

SECTION 2: This Council hereby accepts the offer of the State of Ohio Department of Transportation of Three Hundred Dollars (\$300.00) for the temporary and permanent conveyance of real property as set forth in "Exhibit A", attached hereto and incorporated herein by reference.

SECTION 3: The permanent conveyance of Parcel 1-WDV described in "Exhibit A" shall be a Warranty Deed from the Village of Mantua to the Village of Mantua with additional covenants that the State of Ohio Department of Transportation may use the property for highway purposes as authorized by statute.

SECTION 4: The temporary conveyance of Parcel 1-T described in "Exhibit A" shall be a Temporary Easement to the State of Ohio Department of Transportation for 12 months from the first date of entry to perform work necessary to grade and seed.

SECTION 5: This Council hereby authorizes the Mayor of the Village of Mantua to

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execute an Agreement with the State of Ohio Department of Transportation for the Conveyance of Parcels 1-T and 1-WDV as described herein, and upon tender of the sum set forth in Section 2, above, the Warranty Deed relating to Parcel 1-WDV attached hereto as "Exhibit B" and incorporated herein by reference, and the Temporary Easement relating to Parcel 1-T attached hereto as "Exhibit C" and incorporated herein by reference.

SECTION 6: It is hereby found and determined that all formal actions of this Council concerning a relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public in compliance with legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 7: This Ordinance is hereby declared an emergency measure, effective immediately upon its passage, in order to adhere to the established timeline for Ohio Department of Transportation Project number 82913, and to further ensure the health, safety and welfare of the inhabitants of the Village of Mantua.

Passed by Council this 15th day of October, 2013.

ATTEST:

Linda S. Clark, Mayor

Jenny August, Clerk-Treasurer

I, Jenny August, Clerk of the Village of Mantua, Ohio, hereby certify that this Ordinance was duly published by public posting at pre-designated posting places on the ____ day of _____, 2013.

Approved as to legal form by:

Jenny August, Clerk-Treasurer

Michele Stuck, Solicitor

I, Jenny August, Clerk-Treasurer of the Village of Mantua, Ohio, hereby certify that on _____, there was held a meeting of the Council of the Village of Mantua, at which a quorum was present, that the foregoing Ordinance was adopted by a two-thirds vote of the members of the Council, that this is a true and correct copy of said Ordinance, and that this Ordinance is in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto subscribed my signature on this the ____ day of _____, 2013.

Jenny August, Clerk-Treasurer