

AN ORDINANCE ACCEPTING AN EASEMENT FROM THE CITY OF CLEVELAND FOR LANDSCAPING AND STREETSCAPING INSTALLATION AND MAINTENANCE OF THE PERMANENT EASEMENT PREMISES

WHEREAS, it is necessary for the City to obtain an easement from the City of Cleveland in order to install and maintain landscaping and streetscaping as part of the construction of Eaton Boulevard; and

WHEREAS, the landscaping and streetscaping shall be installed and maintained in accordance with the proposed Easement as described in Exhibit A attached hereto.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Beachwood, County of Cuyahoga and State of Ohio, that:

Section 1: The City hereby accepts a perpetual, non-exclusive easement from the City of Cleveland for Landscaping and Streetscaping Installation and Maintenance within the Permanent Easement Premises as described in Exhibit A attached hereto and made a part hereof.

Section 2: It is found and determined that all formal actions and deliberations of Council and its committees relating to the passage of this legislation that resulted in formal action were in meetings open to the public where required by Chapter 105 of the Codified Ordinances of the City.

Section 3: This Ordinance is hereby declared an urgent measure which is immediately necessary for the public peace, health or safety or the efficient operation of the City; and for the further reason that it is necessary to grant a perpetual, non-exclusive easement for continued Landscaping Maintenance to the area.

WHEREFORE, this Ordinance shall be in full force and effect from and after the earliest date permitted by law.

Attest: I hereby certify this legislation was duly adopted on the 19th day of July, 2010 and presented to the Mayor for approval or rejection in accordance with Article III, Section 8 of the Charter on the 20th day of July, 2010.

Clerk

Approval: I have approved this legislation this 20th day of July, 2010, and filed it with the Clerk.

Mayor