

RESOLUTION 2016-06

THIS IS A RESOLUTION AUTHORIZING THE GRANT OF A TEMPORARY EASEMENT TO THE OHIO DEPARTMENT OF TRANSPORTATION AND A PERMANENT EASEMENT FOR A PUBLIC ROAD AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the Village of Hiram has previously determined that it is in the public interest to establish a Hike and Bike Trail along various routes located in the Village, which undertaking is hereinafter referred to as the Hiram Hike and Bike Trail Project or Project; and

WHEREAS, the Village of Hiram has applied for an Ohio Department of Transportation Grant (ODOT Grant) for the project known as the Hike and Bike Trail Project, and has subsequently been awarded the grant; and

WHEREAS, the nature of the project is such that the ODOT provides construction management and ODOT requires a temporary easement during the construction; and

WHEREAS, a further requirement of the grant is that the area of Hike and Bike Trail be encumbered by a public purpose, specifically for the establishment, construction, reconstruction, widening, repair or maintenance of a public road; and

WHEREAS, the Council of the Village of Hiram has decided to grant and establish the necessary easements and encumbrances set forth above.

NOW THEREFORE, BE IT RESOLVED, by the Council of the Village of Hiram, Portage County, Ohio, two thirds or more of the members thereto concurring that:

SECTION 1: The Council acknowledges the land on which the Project is to be located as being set forth on the map attached as Exhibit "A" (Map).

SECTION 2: The Mayor and the Fiscal Officer is hereby directed to execute the temporary construction easement in favor of the Ohio Department of Transportation in substantial conformity with that attached hereto as Exhibit "B" (Temporary Easement) and then cause the easement to be filed with the Portage County Recorder.

SECTION 3: After acceptance of underlying land from Hiram College and from Ohio Edison (in conformity with the prior authorization of Council) the Mayor and the Fiscal Officer is hereby directed to execute a Standard Highway Easement in favor of the Village of Hiram in substantial conformity with that attached hereto as Exhibit "C" (Standard Highway Easement) and to cause the easement to be filed with the Portage County Recorder.

SECTION 4: This Resolution and action set forth herein is declared to be an emergency measure, becoming effective immediately upon the passage by Council and approval by the Mayor, to protect the health, safety, morals and general welfare of the Village, and for the further reason that the Village of Hiram is committed to meeting various deadlines set forth in the Grants obtained to build the Hike and Bike Trail.

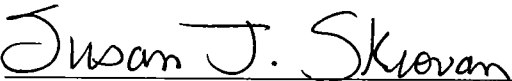
SECTION 5: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that the deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Revised Code of the State of Ohio.

Passed in Council as an Emergency on March 8, 2016




Mayor Lou Bertrand

ATTEST:



Fiscal Officer Susan J. Skrovan

Approved as to form:



Village Solicitor Thomas Reitz

I SUSAN SKROVAN Fiscal Officer of the Village of Hiram, Ohio, hereby certify that the foregoing Resolution or Ordinance No. 2016-06 has been duly posted in the required 5 places.
3-9-2016 Susan J. Skrovan
Date Fiscal Officer, Village of Hiram