

ORDINANCE NO. 2010-38

AUTHORIZING THE CITY MANAGER TO ACCEPT A PERMANENT GRANT OF EASEMENT FOR THE PURPOSE OF INSTALLING A PUBLIC SIDEWALK OVER A PORTION OF PARCEL 13 OF BOOK 612, PAGE 160 OF THE HAMILTON COUNTY AUDITOR'S OFFICE RECORDS (LOCATED ON THE WEST SIDE OF REED HARTMAN HIGHWAY BETWEEN GLENDALE-MILFORD AND CREEK ROADS); AND DECLARING AN EMERGENCY

WHEREAS, Section 9.12 of Article IX of the Charter of the City of Blue Ash, Ohio, provides the method under which the City Manager shall make purchases and enter into contracts on behalf of the City, including contracts associated with real and personal property; and

WHEREAS, for the past several years, the City has been working towards the enhancement of overall "connectivity" throughout the community, including the installation of new sidewalks and bikepaths consistent with the overall plan; and

WHEREAS, the purpose of these enhancements is to connect neighborhoods and businesses to frequent destinations around Blue Ash, such as public park areas, downtown, City Hall, schools, and other frequently visited locations; and

WHEREAS, one of the sidewalk improvements planned in 2010 is on the west side of Reed Hartman Highway, between Creek and Glendale-Milford Roads; and

WHEREAS, installation of sidewalk on this portion of the road will require acceptance of a grant of easement from Nesbitt Blue Ash Property, LLC (Embassy Suites), which would allow installation of the sidewalk in this vicinity for the benefit of the corporate and residential citizens of Blue Ash.

Be it ordained by the Council of the City of Blue Ash, not less than five (5) members thereof concurring,

SECTION I.

The City Manager is hereby authorized to accept the donation of a permanent grant of easement from Nesbitt Blue Ash Property, LLC (doing business as Embassy Suites) over a portion of Parcel 13 of Book 612, Page 160 of the Hamilton County Auditor's Office records for an amount not to exceed \$1. Such acceptance and related easement documents shall permit the City's access to the easement area for the repair, inspection, and maintenance of the sidewalk to be installed by the City of Blue Ash over said parcels on the west side of Reed Hartman Highway.

SECTION II.

The Treasurer and Deputy Treasurer are hereby authorized to make the aforementioned expenditure, which funds are hereby appropriated.

SECTION III.

This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and welfare of the City of Blue Ash; the reason for the emergency being to move forward with and to assure timely completion of the 2010 sidewalk program and the City's overall goals towards enhanced connectivity throughout the community for the benefit of our corporate and residential citizens. Therefore, this ordinance shall take effect and be in force from and after its passage.

PASSED this 8th day of July, 2010.

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Mark F. Weber, Mayor

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Jamie K. Eifert, Clerk of Council

APPROVED AS TO FORM:

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Mark A. Vander Laan, Solicitor