

RESOLUTION NO. 13-89
INTRODUCED BY: Mr. Lee

A RESOLUTION
**GRANTING AN EASEMENT TO COLUMBIA GAS OF OHIO, INC. TO
UPGRADE PIPELINE ALONG THE SOUTHEAST AND SOUTHWEST PROPERTY
CORNERS ALONG WOLF ROAD IN CAHOON MEMORIAL PARK,
AND DECLARING AN EMERGENCY**

WHEREAS, while in the process of upgrading its pipeline located in the City of Bay Village, Columbia Gas of Ohio, Inc. found the need to relocate the gas line along Wolf Road; and

WHEREAS, a portion of this relocation upgrade of gas line along Wolf Road is in Cahoon Memorial Park, which is overseen by the Cahoon Memorial Park Trustees;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Bay Village, Ohio:

SECTION 1. That the City of Bay Village hereby grants unto Columbia Gas of Ohio, Inc. a non-exclusive strip easement to lay pipes together with service connections over and through the southeast property corner of Wolf Road located in Cahoon Park as follows:

Situate in the State of Ohio, County of Cuyahoga, in the City of Bay Village, and being part of original Lot 95, said parcel being currently conveyed to **THE CITY OF BAY VILLAGE** (Hereon referred to as Grantor) of record by Deed Book 2018, page 96 (Parcel #203-02-001) in the Cuyahoga County Recorder's Office, Cleveland, Ohio, and being more particularly described as follows:

Commencing, for reference, at a Southeast property corner of the Grantor herein, said point being on the Centerline of Wolf Road, Thence, **N-00°-28'-40"-E** with a Easterly property line of said Grantor's parcel of land for a distance of **43.00** feet to the Northerly right-of-way line of said Wolf Road, and the Point of Beginning.

Thence, from the **POINT OF BEGINNING**, with the following Four (4) courses and distances of which cross over and through said parcel of the Grantor herein and are described as follows:

- 1) **N-89°-45'-30"-W** for a distance of **897.82** feet along the westerly property line to a point;
- 2) **N-38°-27'-10"-W** for a distance of **38.44** feet to a point in the easterly right-of-way line of Dover Center Road;
- 3) **S-89°-45'-30"-E** for a distance of **921.98** feet along the Westerly right-of-way line of said Dover Center Road to a point in the Northerly right-of-way line of said Wolf Road;
- 4) **S-00°-28'-40"-W** for a distance of **30.00** feet along the Northerly right-of-way line of said Wolf Road to the Point of Beginning.

Said easement as surveyed contains **0.627** Acres or **27296.96** Square Feet of land more or less.

SECTION 2. That the City of Bay Village hereby grants unto Columbia Gas of Ohio, Inc. a non-exclusive strip easement to lay pipes together with service connections over and through the southwest property corner of Wolf Road located in Cahoon Park as follows:

Situate in the State of Ohio, County of Cuyahoga, in the City of Bay Village, and being part of original Lot 95, said parcel being currently conveyed to **THE CITY OF BAY VILLAGE** (Hereon referred to as Grantor) of record by Deed Book 1321, page 442 (Parcel #203-02-002) in the Cuyahoga County Recorder's Office, Cleveland, Ohio, and being more particularly described as follows:

Commencing, for reference, at the Southwest property corner of the Grantor herein, said point being on the Centerline of Wolf Road, Thence, **N-00°-28'-40"-E** with the Westerly property line of said Grantor's parcel of land for a distance of **43.00** feet to the Northerly right-of-way line of said Wolf Road, and the Point of Beginning.

Thence, from the **POINT OF BEGINNING**, with the following Four (4) courses and distances of which cross over and through said parcel of the Grantor herein and are described as follows:

- 5) **N-00°-28'-40"-E** for a distance of **30.00** feet along the westerly property line to a point;
- 6) **S-89°-45'-30"-E** for a distance of **247.80** feet to a point in the easterly right-of-way line of Dover Center Road;
- 7) **S-00°-28'-40"-W** for a distance of **30.00** feet along the Westerly right-of-way line of said Dover Center Road to a point in the Northerly right-of-way line of said Wolf Road;
- 8) **N-89°-45'-30"-W** for a distance of **247.80** feet along the Northerly right-of-way line of said Wolf Road to the Point of Beginning.

Said easement as surveyed contains **0.171** Acres or **7433.99** Square Feet of land more or less.

SECTION 3. That the Mayor is hereby authorized to execute said easement agreement.

SECTION 4. That this Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this resolution were taken in an open meeting of Council, and that all deliberations of this Council and of any committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 5. That this resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that said relocation upgrade may go for expeditiously, wherefore this resolution shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED: October 7, 2013

/s/ Paul A. Koomar
PRESIDENT OF COUNCIL

/s/ Joan T. Kemper
CLERK OF COUNCIL

APPROVED: October 8, 2013

/s/ Deborah L. Sutherland
MAYOR

9/30/2013 jc