

ORDINANCE NO. 20-179

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO GRANT EASEMENTS TO HUNTLEY BUILDING, LLC, ON CITY PROPERTY CURRENTLY UTILIZED AS PUBLIC PARKING OFF EAST WATER STREET, SANDUSKY, FOR DUMPSTER ENCLOSURES, AND A STAIR, WALKWAY, AND ENTRANCE, AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, Huntley Building, LLC, is the owner of property located at 133 East Market Street and has requested easements for dumpster enclosures, and a stair, walkway and entrance on City property currently utilized as public parking off East Water Street; and

WHEREAS, the proposed Nonexclusive Access Easement, a copy of which is attached and marked Exhibit "A", grants Huntley Building, LLC, an easement for dumpster enclosures on City property, more specifically described in Exhibit "B", and attached to the proposed Nonexclusive Access Easement; and

WHEREAS, the proposed Perpetual Easement, a copy of which is attached and marked Exhibit "C", grants Huntley Building, LLC, an easement for a stair, walkway, and entrance on City property, more specifically described in Exhibit "D", and attached to the proposed Perpetual Easement; and

WHEREAS, approval is being requested in companion legislation to grant an easement to Huntley Building, LLC, and Cooke Building, LLC for use of adjoining City property currently being utilized as public parking south of East Water Street for a sewer line; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order for the easement agreements to be immediately executed and recorded prior to any construction on the property; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission authorizes and directs the City Manager to execute the easement agreements on behalf of the City to Huntley Building, LLC, for the purpose of accessing dumpster enclosures, existing stair, walkway and entrance, substantially in the same forms as attached to this Ordinance, marked Exhibits "A", "B", "C", and "D" and are specifically incorporated if fully rewritten

herein, together with any revisions or additions as are approved by the Law Director as not being substantially adverse to the City and consistent with carrying out the City's public purpose.

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.



RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION



ATTEST: _____
MCKENZIE E. SPRIGGS
CLERK OF THE CITY COMMISSION

Passed: November 23, 2020