

Village of Mantua, Ohio  
**ORDINANCE 2017-23**

**AN ORDINANCE ACCEPTING TEMPORARY AND PERMANENT EASEMENTS FOR THE HEADWATERS TRAIL - MILL STREET CONNECTOR PROJECT FROM B & H PROPERTY RENTALS LLC., AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Village has received grant funding from the Clean Ohio Trails Fund for the Headwaters Trail Mill Street Connector project between the west bank of the Cuyahoga River and State Route 44; and

**WHEREAS**, Four Easements have been obtained from B & H Property Rentals, LLC (“Grantors”) in order to permit construction and maintenance of the aforementioned trail facilities over and across its real property adjacent to Mill Street in order to facilitate this project, which must now be accepted.

**NOW THEREFORE BE IT ORDAINED** by the Council of the Village of Mantua, two-thirds or more of the members elected thereto concurring, that;

**SECTION 1:** The Council of the Village of Mantua hereby accepts for the purpose of constructing and maintaining the Headwaters Trail Mill Street Connector within the municipality the “Temporary Construction Easement Number 1”, “Temporary Construction Easement Number 2”, “Permanent Easement for Recreational Trail Number 1” and “Permanent Easement for Recreational Trail Number 2”, attached hereto as “Exhibit A”, "Exhibit B", "Exhibit C" and “Exhibit D”, and incorporated herein by reference.

**SECTION 2:** The Clerk-Treasurer is hereby authorized and directed to file the Easements with the office of the Portage County Recorder and pay any associated costs.

**SECTION 3:** The Temporary Easement for Multi-Purpose Recreational Trail granted by Jeffrey Benner and Eric Hummel on September 30, 2003, accepted by the Village by Ordinance 2003-42 and recorded as Document 201316241 of the Portage County Official Records, is hereby released.

**SECTION 4:** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of 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 Ohio Revised Code.

**SECTION 5:** This Ordinance is hereby declared to be an emergency measure, effective immediately upon passage by this Council, to enable immediate filing of the accepted Easements with the Portage County Recorder’s office and to comply with the timeline established by the Clean Ohio Trails Fund for the Headwaters Trail - Mill Street Connector Project.

**PASSED AS EMERGENCY** this 16 day of May, 2017.

ATTEST:

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Linda Clark, Mayor

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Jenny August, Clerk Treasurer

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I hereby certify the above Ordinance was posted at the five (5) public notice locations in the Village of Mantua, Ohio on the \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jenny August, Clerk-Treasurer

Approved as to legal form:

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Michele Stuck, Solicitor