

RESOLUTION G2019-61

**RESOLUTION AUTHORIZING AND DIRECTING THE
TOWNSHIP ADMINISTRATOR TO SIGN AN
ACCEPTANCE/EXECUTION OF THE PERMANENT
DRAINAGE EASEMENT AND RIGHT OF ENTRY AND
CONSTRUCTION EASEMENT AGREEMENT WITH
SYMMES GATE CONDOMINIUM UNIT OWNERS'
ASSOCIATION**

WHEREAS, Symmes Township has undertaken the acquisition of a drainage easement at Symmes Gate Condominium Unit Owners' Association; and

WHEREAS, the Board of Trustees of Symmes Township has authority pursuant to Ohio Revised Code Section 505.10(A) to accept the permanent easement of said property upon unanimous vote of its members; and

WHEREAS, the Board of Trustees has determined that construction of a drainage sewer along the common area of Symmes Gate Condominium Unit Owners' Association will further the public purpose of allowing drainage to flow unimpeded from Blong Road;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Symmes Township, Hamilton County, Ohio:

- Section 1.** The Board of Trustees of Symmes Township is hereby authorized to accept and/or execute a Permanent Drainage Easement and Right of Entry and Construction Easement Agreement and any addendums, substantially as set forth and attached hereto as Exhibit "A" and incorporated herein by reference.
- Section 2.** The Board of Trustees hereby agrees to accept the donation of the easement from Symmes Gate Condominium Unit Owners' Association.
- Section 3.** The Board of Trustees hereby accepts the Permanent Drainage Easement and Right of Entry and Construction Easement Agreement ("Agreement") and authorizes the Township Administrator to sign the Agreement.
- Section 4.** The Easement is for the public purpose, to-wit: For the purpose of allowing drainage water to flow unimpeded from Blong Road.
- Section 5.** That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare and shall be effective immediately upon its passage. The reason for said declaration of emergency is the need to correct this matter at the earliest possible date.

Section 6.

It is hereby certified that all formal actions of the Board of Trustees of Symmes Township, Hamilton County, Ohio relating to the adoption of this Resolution were taken in an open meeting of the Board and that all deliberations of the Board were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

ADOPTED OCTOBER 1, 2019 – RESOLUTION G2019-61

Vote Record: Mr. Beck _____ Ms. Leis _____ Mr. Bryant _____

**BOARD OF TRUSTEES OF SYMMES
TOWNSHIP, Hamilton County, Ohio**

Philip J. Beck, President

Jodie Leis, Vice-President

Kenneth N. Bryant, Trustee

ATTEST:

APPROVED AS TO FORM:

Carol A. Sims, Fiscal Officer

Kevin C. McDonough, Law Director