

ORDINANCE NO. 6 , 2021

AN ORDINANCE ACCEPTING PUBLICLY DEDICATED EASEMENT RIGHTS FOR DRIVEWAY ACCESS IMPROVEMENTS FROM VARIOUS PROPERTY OWNERS ON MONTGOMERY ROAD AND DECLARING AN EMERGENCY

WHEREAS, the City, working in cooperation with various property owners in the 9300 block of Montgomery Road, did partner for certain driveway access improvements across various properties; and

WHEREAS, to access the properties and to be able to construct and maintain such improvements, the City and the property owners negotiated an Ingress/Egress Construction and Maintenance Easement Agreement, a copy of which is attached hereto; and

WHEREAS, Council does desire to authorize the City Manager to execute this Easement Agreement and to accept these property rights for and on behalf of the City, and to commit the City to the maintenance of the driveway access improvements within the easement areas now and in the future.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Montgomery, Hamilton County, Ohio, that:

SECTION 1. The City Manager is hereby authorized to execute the attached Easement Agreement and to accept the grant of certain easement rights by the various property owners in the 9300 block of Montgomery Road for the properties identified as Hamilton County Auditor's Parcel Numbers 603-0003-0144, 603-0003-0072, 603-0003-0184, 603-0003-0143 and 603-0003-0182.

SECTION 2. Council hereby accepts the driveway access improvements.

It shall be the City of Montgomery's responsibility to maintain these driveway access improvements within these easement areas as public improvements consistent with the terms of the Ingress/Egress Construction and Maintenance Easement Agreement executed by and between the property owners and the City of Montgomery.

SECTION 3. This Ordinance is hereby declared to be an emergency

measure necessary for the public health, safety and welfare to be able to immediately access the properties to construct the improvements to improve safe travel on Montgomery Road. As such, this Ordinance shall take effect immediately upon passage.

PASSED: September 1, 2021

ATTEST: Connie M. Gaylor
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi
Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:

Terrence M. Donnellon
Terrence M. Donnellon, Law Director