

VILLAGE OF MARIEMONT, OHIO

RESOLUTION NO. R-31-22

**RESOLUTION AUTHORIZING VILLAGE TO ENTER INTO EASEMENT AGREEMENT
WITH DUKE ENERGY AND TO DECLARE AN EMERGENCY**

WHEREAS, Duke Energy, and its predecessors, has maintained a gas line and regulating equipment on Village property north of the tennis courts at the corner of Plainville and Murray Avenue; and

WHEREAS, said equipment previously installed by Duke is in need of replacement; and

WHEREAS, the property over which this easement has been maintained is owned by the Village of Mariemont and, as such, it is necessary for the Village to grant an easement to Duke Energy to continue with the placement of this gas regulating equipment; and

WHEREAS, Duke Energy has prepared an Easement to construct, operate, and maintain gas regulating equipment as well as a temporary construction easement for the purpose of replacing the existing aging infrastructure currently located within the road limit of Plaintiff Road, just west of the tennis courts; and

WHEREAS, it is necessary for this replacement to occur, any construction equipment removed, and the property restored after completion of construction; and

WHEREAS, Duke Energy is offering the amount of \$3,507 as consideration for this proposed easement. All facilities will be underground and all current landscaping along the northerly fence of the tennis courts will not be disturbed.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
VILLAGE OF MARIEMONT, A MAJORITY OF THE MEMBERS DULY
ELECTED THERETO CONCURRING:**

SECTION I. That the Village of Mariemont and the Mayor is authorized to enter into the Easement Agreement attached hereto as Exhibit "A" to grant said Easement to Duke.

SECTION II. That this Resolution is hereby declared to be an emergency for the immediate preservation of the public peace, health and safety and should go into immediate effect upon passage. The reason for the emergency is because previously the parties were under the impression that the Mariemont Board of Education was the owner of the property and spent substantial time in discussions. However, the work needs to be completed prior to the beginning of the school year to avoid disruption to any students.

Passed: August 8, 2022

William A. Brown, Mayor

ATTEST:

Richard D. Ford, Fiscal Officer I, Anthony J. Borgerding, Fiscal Officer of the Village of Mariemont, Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing Ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by the Council, as follows: the Concourse, Miami Bluff and Flintpoint Way; the Tennis Court property, on the east side of Plainville Road between Maple and Chestnut Streets; the site of the Municipal Building. Wooster Pike and Crystal Springs Road; the northeast corner of the intersection of Rembold and Miami Road inside the enclosure; the northwest corner of the Old Town Center, intersection of Chestnut and Oak Streets; each for a period of fifteen days commencing on the 9th day of August 2022.

Richard D. Ford Fiscal Officer