

# County Council of Cuyahoga County, Ohio

## Resolution No. R2011-0074

<p>Sponsored by: <b>County Executive FitzGerald/ Department of Public Works</b></p>	<p><b>A Resolution</b> authorizing the County Executive or his designee to grant a permanent easement and right-of-way to The Cleveland Electric Illuminating Company dba The Illuminating Company in the amount of \$1.00 to erect, construct, operate, maintain for transmission and distribution of electricity for public and private use poles, wires, equipment and appliances on and over County-owned property located at 10991 Memphis Avenue, Brooklyn, in connection with construction of the Memphis Industrial Parkway, and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the Department of Public Works/County Engineer has recommended the grant of a permanent easement for \$1.00 to The Cleveland Electric Illuminating Company in connection with County property located at 10991 Memphis Avenue, Brooklyn, Ohio and the grant of an aerial easement for the overhead wires that cross County property associated with the construction of the Memphis Industrial Parkway in the City of Brooklyn; and,

WHEREAS, the proposed easement would grant The Cleveland Electric Illuminating Company a right-of-way to erect, construct, operate, and maintain for the transmission and distribution of electricity for public and private use poles, wires, anchor guys, fixtures, equipment and appliances and with all rights of access thereto over said described land as contained in the "Legal Description of Electric Easement across CCDD;" and,

WHEREAS, the proposed easement is necessary for the relocation of a signal pole, utility pole, crosswalk signal, control box and traffic pull box that is required for the development to proceed; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County department.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the County Executive or his designee is hereby authorized to execute the grant of a permanent easement and right-of-way for \$1.00 to The Cleveland Electric Illuminating Company dba The Illuminating Company to erect, construct, operate, and maintain for transmission and distribution of electricity for public and private use poles, wires, equipment and appliances on County property located at 10991 Memphis Avenue, Brooklyn, Ohio as described in the “Legal Description of Electric Easement across CCDD.”

**SECTION 2.** It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of the County. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

**SECTION 3.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the 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.

On a motion by Mr. Germana, seconded by Mr. Miller, the foregoing Resolution was duly adopted.

Yeas: Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones, Connally, Rogers and Simon

Nays: None

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County Council President

\_\_\_\_\_  
Date

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County Executive

\_\_\_\_\_  
Date

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Clerk of Council

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Date