R-40-18 **SEPTEMBER 17, 2018**

A RESOLUTION AUTHORIZING THE MAYOR TO GRANT A LICENSE TO MIKE PASTOVICH OF 170 FOX RUN ALLOWING IMPROVEMENTS TO A CITY STORM SEWER EASEMENT

WHEREAS, Mike Pastovich is the owner of lot number 27 within Heritage Heights Plat No. 2 known as 170 Fox Run; and

WHEREAS, the City is the Owner of a fifteen (15) foot storm sewer drainage easement within the parcel that enters the rear property line and bi-sects the property on the southwest corner; and

WHEREAS, the flow from the ditch enters twin 48" pipes along the side property line. The enclosed storm system runs along the side of the house, underneath the roadway, and discharges in the neighbor's yard across the street; and

WHEREAS, Mr. Pastovich desires to make improvements to the City storm sewer by enclosing the ditch by extending pipes to his property line; and

WHEREAS, the improvements do not affect the function of the City's storm sewer drainage; and

WHEREAS, the homeowner will incur all cost for said work; and

WHEREAS, the City must now authorize, through a license, the landowner to invade and occupy the municipal easement that allows the City to control storm sewer drainage.

NOW, THEREFORE:

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CORTLAND, OHIO:

Section 1. That the Council of the City of Cortland does hereby authorize the Mayor to grant a license to Mike Pastovich of 170 Fox Run, to enter and occupy for the purpose of enclosing the ditch by extending the pipes to his property line purpose only, the City's easement over the storm sewer drainage easement.

Section 2. That this license is permitting the land owner at 170 Fox Run to occupy the easement only as long as deemed permissible by the City and the license granted herein may be revoked at any time the City decides, through a Resolution or Ordinance, it is in the City's best interest to cancel the license.

Section 3. This Resolution is hereby authorized and shall take effect as early as allowed by law.

PASSED IN COUNCIL THIS 17TH DAY OF SEPTEMBER, 2018.

ATTEST: _____ _____
CLERK OF COUNCIL **PRESIDENT OF COUNCIL**

FILED W/MAYOR _____ _____
DATE **MAYOR**

DATE APPROVED_____

ROLL CALL
Edwards, aye
Fleischer, aye
Keller, aye
Moore, aye
Petrosky, aye
Piros, absent
Rowley, aye

OFFICIAL SEAL