

**CITY OF XENIA, OHIO  
ORDINANCE 2018 – 06**

**GRANTING A 0.193-ACRE STANDARD HIGHWAY EASEMENT ALONG U.S. ROUTE 68  
TO THE STATE OF OHIO, AND DECLARING AN EMERGENCY**

**WHEREAS**, the Ohio Department of Transportation (ODOT) is seeking to replace the U.S. 68 Bridge over Massie Creek;

**WHEREAS**, the City of Xenia owns property along the west edge of U.S. 68 Bridge over Massie Creek that has little intrinsic value;

**WHEREAS**, in order to facilitate the replacement of the U.S. 68 Bridge over Massie Creek, it is necessary for the City of Xenia to grant a 0.193-acre Standard Highway Easement to ODOT;

**WHEREAS**, ODOT has made a Good Faith Offer, in the amount of \$1,178, to the City of Xenia as consideration for the 0.193-acre Standard Highway Easement; and

**WHEREAS**, Section 5.02 of the City’s Charter grants this Council the authority to convey or authorize the conveyance of any lands of the City.

**NOW, THEREFORE, THE CITY OF XENIA HEREBY ORDAINS**, at least five (5) members of the City Council concurring, that:

**Section 1.** This Ordinance is declared to be an emergency for the reason that the Ohio Department of Transportation has an immediate need for this Standard Highway Easement to be granted in order to begin the replacement of the U.S. Route 68 Bridge over Massie Creek as soon as possible.

**Section 2.** The City hereby grants and conveys to the State of Ohio, for the use and benefit of the Ohio Department of Transportation, the requested 0.193-acre Standard Highway Easement, upon such terms and conditions as are approved by the Law Director.

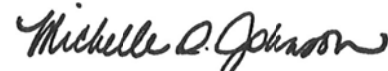
**Section 3.** The City Manager is hereby authorized to execute all documents necessary to complete the conveyance of the herein-granted Standard Highway Easement to the State of Ohio, and is further authorized to accept the Good Faith Offer of One Thousand One Hundred and Seventy-Eight Dollars and No Cents (\$1,178.00) as consideration for the granted Easement.

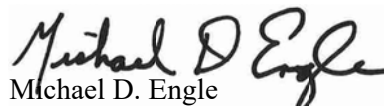
**Section 4.** It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**Section 5.** In accordance with Section 5.04 of the City’s Charter, this Ordinance shall become effective upon its adoption.

ADOPTED: February 8, 2018

Attest:

  
Michelle D. Johnson  
City Clerk

  
Michael D. Engle  
President, Xenia City Council