ORDINANCE NO. 10-37 INTRODUCED BY: Willey, Nickell, Kasaris

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER IN TO AN OIL AND GAS LEASE AGREEMENT WITH CUTTER OIL COMPANY FOR THE LEASE OF CERTAIN CITY OWNED REAL ESTATE, REPEALING ORDINANCES 08-223 AND 09-15, AND DECLARING AN EMERGENCY

WHEREAS: The City of North Royalton is the property owner of 5100 Wallings Road, North Royalton, Ohio, PPN 489-19-010; and

WHEREAS: Cutter Oil Company intends to drill for, produce and market an oil and gas well in the City of North Royalton pursuant to its authority under Ohio Revised Code Chapter 1509; and

WHEREAS: The City property is located within the drilling unit in which Cutter Oil Company intends to drill and has offered to include the above referenced city property into the drilling unit and thereby share in the oil and gas revenue. No oil or gas well will be drilled on City property; and

WHEREAS: Council authorizes the Mayor to execute an oil and gas well lease agreement for the above referenced properties.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Council hereby authorizes the Mayor to enter in to and execute a contract with Cutter Oil Company for a non-drilling oil and gas lease on PPN 489-19-010 in substantially the same terms and conditions as set forth in the contract which is attached hereto as Exhibit A and which is incorporated herein as if fully rewritten.

Section 2. Ordinances 08-223 and 09-15 are hereby repealed in their entirety.

Section 3. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 4. It is found and determined 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 and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety, and welfare of the city, and for the further reason that it is immediately necessary to provide for the inclusion of the City of North Royalton in the drilling unit.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

_____ APPROVED: _____
PRESIDENT OF COUNCIL MAYOR

DATE PASSED: _____ DATE APPROVED: _____

First reading March 2, 2010
Second reading suspended
Third reading March 5, 2010
Defeated March 5, 2010

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES

YEAS: Nickell, Kasaris

NAYS: Petrusky, Willey, Marnecheck, Antoskiewicz

ABSTAIN: Gentile