

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 10-40

INTRODUCED BY: Willey, Kasaris, Nickell

AN ORDINANCE AMENDING ORDINANCE 10-17 WHICH AUTHORIZED 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, AND DECLARING AN EMERGENCY

- WHEREAS: The City of North Royalton is the property owner of the following roadways in North Royalton, Ohio: Villa Grande Drive, Lisa Lane, White Bark Circle, Angelina Drive, Marcella Drive and Bridget Drive; 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 properties 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: Ordinance 10-03 was adopted authorizing the Mayor to execute an oil and gas well lease agreement which did not include all of the above referenced properties, specifically Angelina Drive, Marcella Drive and Bridget Drive; and
- WHEREAS: Ordinance 10-17 was adopted to allow for the addition of these streets and their corresponding acreage and to repeal Ordinance 10-03 and its attached Exhibit A and enacting new legislation incorporating these changes; and
- WHEREAS: Ordinance 10-17 authorized the Mayor to enter in to and execute a contract with Cutter Oil Company for a non-drilling oil and gas lease on Villa Grande Drive, Lisa Lane, White Bark Circle, Angelina Drive, Marcella Drive and Bridget Drive, North Royalton, Ohio; and
- WHEREAS: It necessary to amend Ordinance 10-17 to allow for a new Exhibit A which reflects the change of location of the wellhead; and
- WHEREAS: Council desires to provide for these amendments.

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

Section 1. Ordinance 10-17 is hereby amended by incorporating a new Exhibit A which reflects the change of location of the wellhead, a copy of which is attached hereto and incorporated as if fully rewritten.

Section 2. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 3. 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 4. 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.

/s/ Vincent A. Gentile
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik
MAYOR

DATE PASSED: March 16, 2010

DATE APPROVED: March 17, 2010

ATTEST: /s/ Laura J. Haller
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading March 16, 2010

YEAS: Nickell, Petrusky, Willey,
Marnecheck, Antoskiewicz, Kasaris

NAYS: none

ABSTAIN: Gentile