

ORDINANCE C-45-64

AN ORDINANCE TO AUTHORIZE THE PAYMENT OF THE SETTLEMENT BETWEEN FIVEMEN, INC., AND THE CITY OF GROVE CITY, OHIO and to Declare an Emergency.

WHEREAS, on or about December 12, 1963, a certain city sanitary sewer line serving the premises at 131-131-1/2 Cleveland Avenue, Grove City, Ohio, had become clogged from the natural growth of roots and trees on the city easement in the alley to the rear of said premises; and

WHEREAS, the clogging of said sewer line caused flooding of the premises at 131-131-1/2 Cleveland Avenue for a period of approximately two weeks with raw sewage causing substantial damage to said premises owned by Fivemen, Inc., and

WHEREAS, the payment of this settlement in the reasonable amount of \$250.00 would be in the best interest of the City.

NOW, THEREFORE, Be It Ordained by the Council of the City of Grove City, State of Ohio, that

SECTION 1. The Service Director is hereby authorized to enter into a compromise agreement with Fivemen, Inc., whereby said Corporation does release all claims, damages, choses in action, causes of action, and any other claim against the City for damages resulting from the flooding of 131-131-1/2 Cleveland Avenue by the City and whereby the City of Grove City does agree to pay to Fivemen, Inc., the sum of \$250.00 as a moral obligation and the same is authorized as a settlement in the best interest of the City of Grove City.

SECTION 2. That this settlement is to be used only for the purpose of this ordinance and not to be construed as an admission of liability for any claim or claims arising out of facts hereinabove set forth.

SECTION 3. Such payments shall be paid out of Account 4 R 10, the Sewer Construction Fund.

SECTION 4. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the Council of the City of Grove City.

SUBMITTED December 7, 1964

Gerald L. Brinkman  
Gerald L. Brinkman, President of Council

PASSED December 7, 1964

Anton C. Patzer  
Anton C. Patzer, Mayor

EFFECTIVE December 7, 1964

Maria T. Kochensparger  
Maria T. Kochensparger, Clerk of Council

Date: 12-7-64