

ORDINANCE NO. 6822

AN ORDINANCE AUTHORIZING THE AMENDMENT TO CERTAIN LEASE OF WATER RIGHTS AND DECLARING AN EMERGENCY.

Whereas, the Mayor has negotiated an amendment to the amount payable under certain lease of water rights from White Barn Inc.; and

Whereas, this Council desires to ratify and accept the subject addendum to lease and continue the City's use of the subject real property.

BE IT ORDAINED by the Council of the City of Ashland, State of Ohio, 5 members thereto concurring:

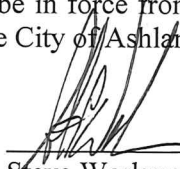
Section 1. That the City of Ashland does authorize the Mayor to execute the addendum to the lease which is attached hereto and made a part hereof.

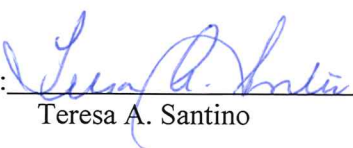
Section 2. The Law Director is instructed to record the subject addendum to the lease on the books of the Ashland County Recorder.

Section 3. That in order to enable the implementation of the authorization set forth in Section 1 above, this Ordinance is declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health, safety and welfare.


Section 4. That this Ordinance shall take effect and be in force from and after its passage by Council and approval pursuant to Section 12 of the Charter of the City of Ashland, Ohio.

Passed: 20 September, 2022

  
Steve Workman, President of Council

Attest:   
Teresa A. Santino, Clerk

Approved:   
Matt Miller, Mayor

Approved as to form and correctness:  
  
Richard P. Wolfe II, Director of Law

Date: 20 September, 2022

**ADDENDUM TO LEASE**

**KNOW ALL BY THESE PRESENTS: The City of Ashland, Ohio, (“Grantee”)** whose address is 206 Claremont Ave., Ashland, Ohio 44805 and **William A. Gerwig and Shirley A. Gerwig, Husband and Wife, (“Grantor”)** whose address is 1169 Co. Rd. 1175, Ashland, Ohio 44805, parties to one easement for lease of water rights recorded on December 7, 1966 at Volume 58 Page 154 of the Ashland County, Ohio deed records and as amended by the instrument recorded on December 29, 2016 at OR Book 890 Page 678, do hereby agree effective the 1<sup>st</sup> day of January, 2022 as follows:

- 1) The monthly lease price shall be amended and increased to three hundred dollars (\$300.00) per month per well for two wells for a total of six hundred dollars (\$600.00) per month payable to the Grantor effective January 1, 2022;
- 2) Grantee shall further together with the execution hereof tender payment to Grantor for amounts owed to Grantor for retroactive application of the revised lease price back to January 1, 2022; and
- 3) All other terms and conditions of the original Easement shall remain in full force and effect except as modified hereby.


Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Grantor:

\_\_\_\_\_  
William A. Gerwig

\_\_\_\_\_  
Shirley J. Gerwig

Grantee:

  
\_\_\_\_\_  
City of Ashland, Ohio  
By: Mayor Matt Miller

STATE OF OHIO )  
COUNTY OF ASHLAND ) ss.

Sworn to and subscribed in my presence by the said Grantor, William A. Gerwig and Shirley J. Gerwig, this \_\_\_ day of \_\_\_\_\_, 2022.

WITNESS my official signature and seal on the day last above mentioned.

\_\_\_\_\_  
Notary Public

STATE OF OHIO )  
COUNTY OF ASHLAND ) ss.

Sworn to and subscribed in my presence by the said Grantee City of Ashland, Ohio by Mayor Matt Miller this \_\_\_ day of \_\_\_\_\_, 2022.

WITNESS my official signature and seal on the day last above mentioned.

\_\_\_\_\_  
Notary Public

*This instrument prepared by:*  
*Andrew N. Bush, Asst. Law Director*  
*1213 East Main St., Ashland, OH 44805*