

1 RESOLUTION NO. 2011-202

Late Filing

2  
3 SPONSOR Mr. Pry

4  
5 DATE June 6, 2011

COMMITTEE Planning

6  
7 **A Resolution approving the petition to vacate part of Stanford Road, filed by Sagamore**  
8 **Hills and Northfield Center Townships, in Council District 1, pursuant to Chapter 5553 of**  
9 **the Ohio Revised Code and Chapter 125 of the Codified Ordinances of the County of**  
10 **Summit, and authorizing the County Executive to execute any documents necessary**  
11 **concerning responsibility for future maintenance of the road, and to perform any acts**  
12 **necessary to complete the road vacation process, for the Executive and the Engineer, and**  
13 **declaring an emergency.**

14  
15 WHEREAS, on April 8, 2011, Sagamore Hills and Northfield Center Townships, in Council  
16 District 1, filed a petition to vacate a portion of Stanford Road pursuant to Chapter 5553 of the  
17 Ohio Revised Code and Chapter 125 of the Codified Ordinances of the County of Summit; and

18  
19 WHEREAS, pursuant to the vacation petition and as required by Section 125.03(e) of the  
20 Codified Ordinances of the County of Summit and Resolution No. 2011-160, this Council  
21 conducted a public viewing of the area proposed to be vacated on April 27, 2011; and

22  
23 WHEREAS, pursuant to Section 125.03(e), of the Codified Ordinances of the County of  
24 Summit, Section 5553.045(C) of the Ohio Revised Code, and Resolution No. 2011-160, this  
25 Council held a public hearing on the petition to vacate on May 16, 2011; and

26  
27 WHEREAS, pursuant to the vacation petition and Section 5553.045(C) of the Ohio Revised  
28 Code, the Clerk of this Council caused notice of the public hearing to be sent at least twenty days  
29 before May 16, 2011 to the landowners abutting upon that portion of Stanford Road proposed to  
30 be vacated, to wit: Metro Parks Serving Summit County ("MPSSC") and the National Park  
31 Service ("NPS"), said notice being in compliance with all statutory requirements; and

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33 WHEREAS, pursuant to Section 125.03(a) of the Codified Ordinances of the County of  
34 Summit, the petitioners have submitted a surveyor's mylar as part of the process of the petition to  
35 vacate a portion of Stanford Road, a copy of which was attached to Resolution No. 2011-160; and

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37 WHEREAS, the proposed Mylar has been submitted and reviewed by County Engineer's  
38 office; and

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40 WHEREAS, upon vacation of that portion of Stanford Road authorized by Resolution No.  
41 2011-160, the County Engineer shall be authorized to remove the bridge existing upon that part  
42 of Stanford Road which will be vacated; and

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44 WHEREAS, MPSSC and NPS have provided a Letter of Intent to the County Executive and  
45 County Council to undertake ownership and maintenance of that portion of Stanford Road  
46 proposed to be vacated, including the aforementioned bridge, and to allocate responsibility  
47 between them as they may agree from time to time, and a copy of the affidavit of Marvin D.  
48 Evans manifesting the intent of MPSSC and NPS was attached to Resolution No. 2011-160; and  
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3  
4 WHEREAS, this Council has determined by reviewing all pertinent information that the  
5 vacation of that portion of Stanford Road set forth in the Petition to Vacate would be for the  
6 public convenience or welfare, and approves the vacation and was done in accordance with all  
7 legal requirements, including but not limited to Chapter 5553 of the Ohio Revised Code and  
8 Chapter 125 of the Codified Ordinances of the County of Summit, Ohio, and that the vacation of  
9 that portion of Stanford Road is necessary and in the best interest of the County of Summit;

10  
11 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State of  
12 Ohio, that:

13  
14 SECTION 1

15  
16 The County Executive is authorized to execute any documents necessary and to perform any  
17 other acts necessary to complete the vacation process for that portion of Stanford Road, in  
18 Council District 1, as approved by this Council.

19  
20 SECTION 2

21  
22 This Resolution is hereby declared to be an emergency in the interest of the health, safety and  
23 welfare of the citizens of the County of Summit and for the further reason of allowing ownership  
24 and maintenance of the road and bridge to immediately transfer to Metro Parks, Serving Summit  
25 County and the National Park Service.

26  
27 SECTION 3

28  
29 Provided this Resolution receives the affirmative vote of eight members, it shall take effect  
30 immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and  
31 be in force at the earliest time provided by law.

32  
33 SECTION 4

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35 It is found and determined that all formal actions of this Council concerning and relating to  
36 the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
37 deliberations of this Council and of any of its committees that resulted in such formal action, were  
38 in meetings open to the public, in compliance with all legal requirements, including Section  
39 121.22 of the Ohio Revised Code.  
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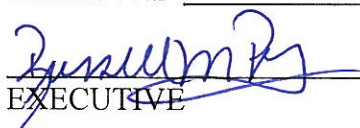
INTRODUCED May 16, 2011

ADOPTED June 6, 2011

  
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CLERK OF COUNCIL

  
\_\_\_\_\_  
PRESIDENT OF COUNCIL

APPROVED June 13, 2011

  
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EXECUTIVE

ENACTED EFFECTIVE June 13, 2011

Voice Vote: 10-1: Comunale, ~~Crawford~~, Feeman, Kostandaras, Kurt, Lee  
Prentice, Rodgers, Roemer, Schmidt, Shapiro  
No: Crawford