

1 RESOLUTION NO: 2012-442

First Reading Passage Requested
(Clerk of Council)

2 SPONSOR Ms. Shapiro

3 DATE November 26, 2012

COMMITTEE Planning

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7 **A Resolution setting dates for this Council to conduct a public viewing, a public hearing,**
8 **and setting a date for a final hearing, to consider the vacation of Sollman Road, in Council**
9 **District 5, pursuant to Chapter 5553 of the Ohio Revised Code and Section 125.03 of the**
10 **Codified Ordinances of the County of Summit, for Council, and declaring an emergency.**

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12 WHEREAS, Sollman Road is an unimproved road right-of-way which is situated in the
13 County of Summit, Copley Township, District 5, which has been maintained by the petitioners;
14 and

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16 WHEREAS, the Petitioners have filed a petition, requesting that this Council vacate
17 Sollman Road in the respective township. Copies of the aforesaid petition and other
18 documentation being filed with the Clerk of Council on or about October 3, 2012, is attached and
19 marked as Exhibit "A" ; and

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21 WHEREAS, the vacation of Sollman Road requested in the petition would return
22 ownership of the underlying land to the petitioners as the abutting property owners; and

23
24 WHEREAS, pursuant to Section 5553.06 of the Ohio Revised Code and Section
25 125.03(a) of the Codified Ordinances of the County of Summit, Ohio, the County Engineer has
26 prepared a proposed vacation plat, a copy of which is attached and marked as Exhibit "B";

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28 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
29 of Ohio, that:

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31 Section 1

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33 The Clerk of Council shall set the date of January 28, 2013, at 5:00 p.m. for the public
34 hearing on the vacation as required pursuant to Section 5553.05 of the Ohio Revised Code and
35 Section 125.03(e) of the County of Summit Codified Ordinances of the County of Summit, to
36 determine whether the proposed vacation of Sollman Road as requested by the petition would be
37 for the public convenience or welfare.
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4 Section 2

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6 The Clerk of Council shall set the date of January 25, 2013 at 1:00 p.m. as the time for a
7 public viewing of the proposed vacation site pursuant to the requirements of Section 5553.05 of
8 the Ohio Revised Code and Section 125.03(e) of the Codified Ordinances of the County of
9 Summit.

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11 Section 3

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13 The Clerk of Council shall cause notice by regular U.S. mail to be made to the abutting
14 landowners, and the Ohio Director of Natural Resources informing the property owners of the
15 date set for the public hearing, and the Clerk shall comply with all public notice requirements as
16 set forth in Section 5553.05 of the Ohio Revised Code.

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18 Section 4

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20 The Clerk of Council shall set the date of February 25, 2013 at 4:30 p.m., for a final
21 hearing on the Petition to vacate Sollman Road.

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23 Section 5

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25 The Engineer shall submit a written report on the vacation containing the Engineer's
26 opinion for or against the vacation on or before the date of the final hearing.

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28 Section 6

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30 This Resolution is hereby declared to be an emergency in the interest of the health, safety
31 and welfare of the citizens of the County of Summit and for the further reason of allowing
32 ownership and maintenance of Sollman Road to immediately transfer.

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34 Section 7

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

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40 Section 8

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42 It is found and determined that all formal actions of this Council concerning and relating
43 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
44 deliberations of this Council and of any of its committees that resulted in such formal action,
45 were in meetings open to the public, in compliance with all legal requirements, including Section
46 121.22 of the Ohio Revised Code.
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INTRODUCED November 26, 2012

ADOPTED November 26, 2012


CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED November 27, 2012


EXECUTIVE

ENACTED EFFECTIVE November 27, 2012

Voice Vote: 10-0. YES: Comunale, Crawford, Feeman, Kostandaras, Kurt Prentice, Rodgers, Roemer, Schmidt, Shapiro. Absent: Lee