

1 RESOLUTION NO. 2018-513

2
3 SPONSOR Mr. Wilhite

4
5 DATE February 11, 2019 COMMITTEE Planning

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7 **A Resolution approving the vacation of Parkwood Drive, in Northfield Center Township,**
8 **Council District 1, pursuant to Section 5553.042 of the Ohio Revised Code and Section**
9 **125.03 of the Codified Ordinances of the County of Summit, for the Council, and declaring**
10 **an emergency.**

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12 WHEREAS, on or about July 10, 2018, the Petitioner filed a petition that this Council
13 vacate a portion of Parkwood Drive, which is an unimproved road right-of-way, in Northfield
14 Center Township, Council District 1, pursuant to Section 5553.042 of the Ohio Revised Code
15 and Section 125.03 of the Codified Ordinances of the County of Summit; and

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17 WHEREAS, pursuant to Resolution No. 2018-313, as required by Section 125.03(e) of
18 the Codified Ordinances of the County of Summit and Section 5553.05 of the Ohio Revised
19 Code, this Council conducted a public viewing of the area proposed to be vacated on September
20 21, 2018; and

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22 WHEREAS, pursuant to Resolution No. 2018-313, as required by section 125.03(e) of
23 the Codified Ordinances of the County of Summit and Section 5553.05 of the Ohio Revised
24 Code, this Council held a public hearings on the proposal to vacate on October 1, 2018 and
25 October 15, 2018; and

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27 WHEREAS, pursuant to Section 125.03 of the Codified Ordinances of the County of
28 Summit and Section 5553.05 of the Ohio Revised Code, the Clerk of this Council caused notice
29 to be delivered by regular mail to the landowners abutting the unimproved road right-of-way
30 proposed to be vacated, and the Ohio Director of Natural Resources informing those parties of
31 the date set for the public viewing and hearings, and complied with all public notice
32 requirements as set forth in Section 5553.05 of the Ohio Revised Code and Section 125.03 of the
33 Codified Ordinances of the County of Summit; and

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35 WHEREAS, pursuant to Section 5553.06 and 5553.07, this Council ordered the County
36 Engineer to prepare a report on the proposed vacation, the Engineer has prepared said report and
37 said report was read at the final public hearing on October 1, 2018; and

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39 WHEREAS, this Council has determined after reviewing all pertinent information, that
40 (i) the vacation of a portion of Parkwood Drive, which is an unimproved road right-of-way, in
41 Northfield Center Township, Council District 1, set forth in the legal description and vacation
42 plat attached hereto as Exhibits A and B, respectively, is for the public convenience or welfare,
43 (ii) this Council has complied with all legal requirements, including but not limited to, those
44 contained in Chapter 5553 of the Ohio Revised Code and Section 125.03 of the Codified
45 Ordinances of the County of Summit and (iii) the vacation of a portion of Parkwood Drive is
46 necessary and in the best interest of the County of Summit.

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

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4 SECTION 1

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6 The vacation of a portion of Parkwood Drive, which is an unimproved road right-of-way,
7 in Northfield Center Township, Council District 1, set forth in the legal description and vacation
8 plat attached hereto as Exhibits A and B, respectively, is hereby approved and the same is hereby
9 vacated, and the vacated land hereby vests in the abutting land owners, subject to the
10 preservation of any existing right-of-way by any public utility in, over or under the vacated land,
11 together with ingress and egress thereto and therefrom for the purpose of serving and
12 maintaining the same. Further, the County Executive is hereby authorized to execute any
13 documents necessary to complete the vacation of Parkwood Drive.

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15 SECTION 2

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17 The Clerk of Council is hereby directed to file a copy of this Resolution, the legal
18 description and vacation plat attached hereto as Exhibits A and B, respectively, and any other
19 record of the proceedings with the County Fiscal Officer for tax purposes, with a copy to the
20 County Engineer for road purposes.

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22 SECTION 3

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24 This Resolution is hereby declared an emergency in the interest of the health, safety, and
25 welfare of the citizens of the County of Summit.

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27 SECTION 4

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

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33 SECTION 5

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35 It is found and determined that all formal actions of this Council concerning and relating
36 to 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,
38 were 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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2 PAGE THREE

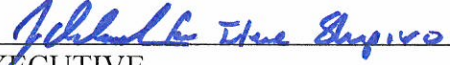
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4 INTRODUCED December 3, 2018

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6 ADOPTED February 11, 2019

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10 CLERK OF COUNCIL


PRESIDENT OF COUNCIL

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12 APPROVED February 12, 2019

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16 EXECUTIVE

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18 ENACTED EFFECTIVE February 12, 2019

Voice Vote: 10-0 YES: Dickinson, Donofrio, Feeman, Hamilton, Koehler,
Prentice, Rodgers, Schmidt, Walters, Wilhite
ABSENT: McKenney