

1 RESOLUTION NO. 2016-009

2
3 SPONSOR Mr. Pry, Mrs. Prentice

4
5 DATE February 8, 2016 COMMITTEE Public Works

6
7 **A Resolution approving and authorizing the assignment/transfer of storm sewer easements**
8 **located in the City of Green from the County of Summit to the City of Green and**
9 **authorizing the County Executive to execute any documents necessary for said**
10 **assignment/transfer, for the Executive, and declaring an emergency.**

11
12 WHEREAS, prior to the City of Green becoming a city, all storm sewer easements within
13 subdivisions were conveyed to the County of Summit by the recording of a plat for the
14 subdivisions; and

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16 WHEREAS, the County and the City mutually agree that the City's concern for the repair
17 and maintenance of said storm sewer easements is best served by the City accepting
18 responsibility for the repair and maintenance of these storm sewer easements; and

19
20 WHEREAS, on December 8, 2015, the City of Green adopted Resolution No. 2015-R60,
21 which is attached to this Resolution as Exhibit "A," which approved the assignment/transfer of
22 storm sewer easements located in the City of Green, in Council District 8, from the County of
23 Summit to the City of Green; and

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25 WHEREAS, the City created a list of all the storm sewer easements owned by the County
26 of Summit within the City of Green, which is attached to Resolution No. 2015-R60 as Exhibit
27 "A"; and

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29 WHEREAS, because a storm sewer easement is an interest in real property, this Council
30 must approve and authorize the assignment/transfer of all such easements from the County of
31 Summit to the City of Green and further, authorize the County Executive to execute any
32 documents necessary for said assignment/transfer; and

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34 WHEREAS, the City desires to accept the assignment/transfer of all storm sewer
35 easements located in the City of Green currently owned by the County of Summit and the
36 County of Summit desires to assign/transfer all such easements to the City of Green; and

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38 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
39 that it is necessary and in the best interest of the County of Summit to approve and authorize the
40 assignment/transfer of storm sewer easements located in the City of Green, in Council District 8,
41 from the County of Summit to the City of Green and to authorize the County Executive to
42 execute any documents necessary for said assignment/transfer;

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

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47 SECTION 1

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49 This Council hereby approves and authorizes the assignment/transfer of all storm sewer
50 easements located in the City of Green, in Council District 8, as identified in Exhibit "B,"
51 attached to this Resolution and incorporated herein as if fully restated, from the County of
52 Summit to the City of Green. The County Executive is hereby authorized to execute any

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2 PAGE TWO

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4 SECTION 1 (Cont.)

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6 documents necessary to assign/transfer all storm sewer easements located in the City of Green, in
7 Council District 8, as identified in Exhibit "B," attached to this Resolution and incorporated
8 herein as if fully restated, from the County of Summit to the City of Green.

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10 SECTION 2

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12 This Resolution is hereby declared an emergency in the interest of the health, safety and
13 welfare of the citizens of the County of Summit, and for the further reason that the County
14 wishes to immediately assign/transfer all storm sewer easements located in the City of Green, in
15 Council District 8, from the County of Summit to the City of Green.

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17 SECTION 3

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

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23 SECTION 4

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25 It is found and determined that all formal actions of this Council concerning and relating
26 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
27 deliberations of this Council and of any of its committees that resulted in such formal action,
28 were in meetings open to the public, in compliance with all legal requirements, including Section
29 121.22 of the Ohio Revised Code.

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32 INTRODUCED January 4, 2016

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34 ADOPTED February 8, 2016

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38 _____
39 CLERK OF COUNCIL



PRESIDENT OF COUNCIL

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41 APPROVED February 9, 2016

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45 _____
46 EXECUTIVE

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48 ENACTED EFFECTIVE February 9, 2016

Voice Vote: YES: 8-0 YES: Crawford, Donofrio, Feeman, Kostandaras
Rodgers, Schmidt, Shapiro, Walters
ABSENT: Lee, Prentice