

1 RESOLUTION NO. 2014-290

2
3 SPONSOR Mr. Pry

4
5 DATE June 30, 2014

COMMITTEE Public Works

6
7 **A Resolution authorizing the County Executive to execute agreements for the acquisition of**
8 **right-of-way easements for a bank stabilization project along North Cleveland Massillon**
9 **Road in Bath Township, Council District 4, in an amount not to exceed \$2,471.00, for the**
10 **Engineer, and declaring an emergency.**

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12 WHEREAS, slope and temporary right-of-way easements are necessary for a bank
13 stabilization project to protect the roadway embankment on North Cleveland Massillon Road
14 along the North Fork of Yellow Creek in Bath Township, Council District 4; and

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16 WHEREAS, the proposed project calls for the stabilization of 220 feet of roadway
17 embankment along the North Fork of Yellow Creek by constructing a boulder toe slope with
18 grass slope above the boulders, providing stream bank stabilization alongside N. Cleveland
19 Massillon Road; and

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21 WHEREAS, acquisition of right-of-way easements is considered a local cost which must
22 be borne in whole by the local public agency performing a project, in this case being the County
23 of Summit; and

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25 WHEREAS, acquisition of the subject right-of-way easements from the property owners,
26 for an amount not to exceed \$2,471.00, will promote proceeding with the project; and

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28 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
29 that the acceptance and approval of the aforementioned right-of-way easements are necessary
30 and in the best interest of the County of Summit;

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32 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
33 of Ohio, that;

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35 SECTION 1

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37 This Council finds and determines that right-of-way easements are needed for the bank
38 stabilization project along North Cleveland Massillon Road in Bath Township, Council District
39 4. The County Executive is hereby authorized to execute an agreement of purchase of said
40 easements, under which the owners of said property will be paid in an amount not to exceed
41 \$2,471.00, said owner and their respective payment (the negotiated value of their property) being
42 as follows:

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<u>Property Owners</u>	<u>Negotiated Value</u>
Peter E. and Patricia A Woods - Trustees	\$2,471.00

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48 SECTION 2

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50 This Resolution is hereby declared an emergency in the interest of the health, safety and
51 welfare of the citizens of the County of Summit, and for the further reason that it promotes an
52 immediately needed county highway improvement project in Bath Township.
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2 PAGE TWO

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4 SECTION 3

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

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10 SECTION 4

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12 It is found and determined that all formal actions of this Council concerning and relating
13 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
14 deliberations of this Council and of any of its committees that resulted in such formal action,
15 were in meetings open to the public, in compliance with all legal requirements, including Section
16 121.22 of the Ohio Revised Code.

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19 INTRODUCED June 16, 2014

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21 ADOPTED June 30, 2014

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25 CLERK OF COUNCIL

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PRESIDENT OF COUNCIL

APPROVED July 1, 2014

EXECUTIVE

ENACTED EFFECTIVE July 1, 2014

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