

1 RESOLUTION NO. 2010-540

First Reading Passage Requested
(A. Duncheck)

2
3 SPONSOR Mr. Pry

4
5 DATE December 20, 2010

COMMITTEE Planning

6
7 **A Resolution assessing the residents of the Rotili Lane Subdivision, located in Copley**
8 **Township, Council District 5, for drainage maintenance, for the Engineer, and declaring an**
9 **emergency.**

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11 WHEREAS, by Resolution No. 2010-539, this Council will be approving the plat for
12 the Rotili Lane Subdivision; and

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14 WHEREAS, said plat includes a drainage maintenance assessment provision signed by
15 all owners of parcels located within said Subdivision, with said provision applying to subsequent
16 owners of the same parcels; and

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18 WHEREAS, assessments for drainage maintenance also are permitted by Sections
19 6137.02 and 6137.03 of the Ohio Revised Code; and

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21 WHEREAS, the County Engineer seeks to establish a drainage maintenance fund for said
22 Subdivision and to fully execute its powers and duties thereof; and

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24 WHEREAS, the County Engineer has prepared a Special Assessment Worksheet, which
25 is attached and marked as Exhibit A, which apportions necessary charges for drainage
26 maintenance among the Subdivision's benefited parcel owners;

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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 A drainage maintenance fund for the Rotili Lane Subdivision, located in Copley
34 Township, Council District 5, is hereby established.

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36 SECTION 2

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38 Owners of parcels within the Rotili Lane Subdivision shall be assessed for drainage
39 maintenance per the attached Special Assessment Worksheet, Exhibit A hereof. Each
40 assessment is proportional to the estimated benefit to the respective parcel.

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42 SECTION 3

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44 Pursuant to O.R.C. Section 6137.03 the Clerk of Council shall certify the attached
45 assessments to the County Fiscal Officer for placement on the next succeeding tax duplicate to
46 be collected and paid.
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SECTION 4

This Resolution is hereby declared an emergency in the interest of the health, safety, and welfare of the citizens of the County of Summit, and for the further reason to immediately fund necessary drainage maintenance in the Rotili Lane Subdivision.

SECTION 5

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

SECTION 6

It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the O.R.C.

INTRODUCED December 13, 2010

ADOPTED December 20, 2010



CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED December 21, 2010



EXECUTIVE

December 21, 2010

ENACTED EFFECTIVE

Voice Vote: 11-0 YES: Comunale, Crawford, Crossland, Kostandaras, Feeman, Poda, Prentice, Rodgers, Schmidt, Shapiro, Smith