

1 RESOLUTION NO. 2010-163

**First Reading Passage Requested**  
**R. Henwood and A. Dunchuck**

2  
3 SPONSOR Mr. Pry

4  
5 DATE April 12, 2010

COMMITTEE Public Works

6  
7 **A Resolution assessing the residents of The Meadows of Wintergreen, Phase II, A Replat of**  
8 **Meadows of Wintergreen Phase I, Block E, located in Springfield Township, Council**  
9 **District 8, for drainage maintenance, for the Engineer, and declaring an emergency.**

10  
11 WHEREAS, by another resolution currently pending before it, this Council will be  
12 approving the plat for The Meadows of Wintergreen, Phase II, A Replat of Meadows of  
13 Wintergreen Phase I, Block E; and

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

18  
19 WHEREAS, assessments for drainage maintenance also are permitted by Sections  
20 6137.02 and 6137.03 of the Ohio Revised Code; and

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

24  
25 WHEREAS, the County Engineer has prepared a Special Assessment Worksheet, which  
26 is attached hereto as Exhibit A and incorporated herein as if fully restated, which apportions  
27 necessary charges for drainage maintenance among the Subdivision's benefited parcel owners;  
28 and

29  
30 WHEREAS, this Council has determined by reviewing all pertinent information that it is  
31 necessary and in the best interest of the County of Summit to assess the residents of The  
32 Meadows of Wintergreen, Phase II, A Replat of Meadows of Wintergreen Phase I, Block E, for  
33 drainage maintenance;

34  
35 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
36 of Ohio, that:

37  
38 SECTION 1

39  
40 A drainage maintenance fund for The Meadows of Wintergreen, Phase II, A Replat of  
41 Meadows of Wintergreen Phase I, Block E, located in Springfield Township, Council District 8,  
42 is hereby established.

43  
44 SECTION 2

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46 Owners of parcels within The Meadows of Wintergreen, Phase II, A Replat of Meadows  
47 of Wintergreen Phase I, Block E shall be assessed for drainage maintenance per the attached  
48 Special Assessment Worksheet, attached hereto as Exhibit A. Each assessment is proportional to  
49 the estimated benefit to the respective parcel.

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2 PAGE TWO

3  
4 SECTION 3

5  
6 Pursuant to Section 6137.03 of the Ohio Revised Code, the Clerk of Council shall certify  
7 the attached assessments to the County Fiscal Officer for placement on the next succeeding tax  
8 duplicate to be collected and paid.

9  
10 SECTION 4

11  
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 to immediately fund  
14 necessary drainage maintenance in The Meadows of Wintergreen, Phase II, A Replat of  
15 Meadows of Wintergreen Phase I, Block E subdivision.

16  
17 SECTION 5

18  
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.

22  
23 SECTION 6

24  
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 O.R.C.

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31  
32 INTRODUCED April 12, 2010

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34 ADOPTED April 12, 2010

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37 \_\_\_\_\_  
38 CLERK OF COUNCIL

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37 \_\_\_\_\_  
38 PRESIDENT OF COUNCIL

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40  
41 APPROVED April 12, 2010

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44 \_\_\_\_\_  
45 EXECUTIVE

42  
43 April 12, 2010  
44 \_\_\_\_\_  
45 ENACTED EFFECTIVE

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

PROJECT: The Meadows of Wintergreen, Phase II, A Replat  
of Meadows of Wintergreen Phase I, Block E  
Springfield Township - Council District 8  
DRAINAGE MAINTENANCE DISTRICT NO.2

ASSESSMENT CODE: C25-000-0000

PARCEL NUMBER	ROUTING NUMBER	SUB LOT #	SQ FT	ACREAGE	ACREAGE W/ STREETS	ANNUAL PAYMENT W/ STREETS	SEMI-ANNUAL PAYMENT
		25	12,036	0.2763	0.3847	146.30	73.15
		26	12,038	0.2764	0.3847	146.32	73.16
		27	12,039	0.2764	0.3847	146.33	73.17
		28	12,041	0.2764	0.3848	146.35	73.17
		29	12,042	0.2764	0.3848	146.36	73.18
		30	12,043	0.2765	0.3848	146.37	73.18
		31	12,315	0.2827	0.3911	148.74	74.37
		32	17,023	0.3908	0.4991	189.85	94.92
		33	14,566	0.3344	0.4427	168.40	84.20
		34	12,000	0.2755	0.3838	145.99	73.00
		35	12,000	0.2755	0.3838	145.99	73.00
		36	12,151	0.2789	0.3873	147.31	73.65
		37	12,085	0.2774	0.3858	146.73	73.37
		38	12,002	0.2755	0.3839	146.01	73.00
		39	12,002	0.2755	0.3839	146.01	73.00
		40	12,002	0.2755	0.3839	146.01	73.00
		41	12,002	0.2755	0.3839	146.01	73.00
		42	12,003	0.2756	0.3839	146.02	73.01
		43	12,246	0.2811	0.3895	148.14	74.07
		44	12,319	0.2828	0.3912	148.78	74.39
		45	12,126	0.2784	0.3867	147.09	73.55
		46	12,000	0.2755	0.3838	145.99	73.00
		47	12,000	0.2755	0.3838	145.99	73.00
		48	14,566	0.3344	0.4427	168.40	84.20
		*					
		61	12,079	0.2773	0.3856	146.68	73.34
		62	12,008	0.2757	0.3840	146.06	73.03
		63	12,002	0.2755	0.3839	146.01	73.00
		64	12,897	0.2961	0.4044	153.82	76.91
		65	12,927	0.2968	0.4051	154.08	77.04
		66	12,055	0.2767	0.3851	146.47	73.24

\* Sublots 49-60 have been consolidated into Block B1 and will be assessed when Block B1 is subdivided in the future.

**Term of Assessment: Permanent, subject to review for adjustments pursuant to Ohio Revised Code 6137.11**