

1 RESOLUTION NO: 2012-152

First Reading Passage Requested

(Clerk of Council)

2 SPONSOR Ms. Shapiro and Mr. Kostandaras

3 DATE April 16, 2012

4 COMMITTEE Planning

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6  
7 **A Resolution setting dates for this Council to conduct a public viewing, a public hearing,**  
8 **and setting a date for a final hearing, to consider the vacation of a portion of Stanford**  
9 **Road, in Council District 1, pursuant to Chapter 5553 of the Ohio Revised Code and**  
10 **Section 125.03 of the Codified Ordinances of the County of Summit, for Council, and**  
11 **declaring an emergency.**

12  
13 WHEREAS, Stanford Road is a thoroughfare which is situated in the County of Summit,  
14 in Boston Township, District 1, and upon which there exists a bridge (BST 38-0072) which has  
15 been listed on the County of Summit's bridge inventory and which has, therefore, been owned  
16 and maintained by Boston Township; and

17  
18 WHEREAS, Boston Township has enacted a Resolution requesting that this Council  
19 vacate a portion of Stanford Road located in the respective township. Copies of the aforesaid  
20 Resolution and other documentation being filed with the Clerk of Council on or about March 30,  
21 2012; the respective Township Resolution is attached and marked as Exhibit "A" and

22  
23 WHEREAS, the vacation of that part of Stanford Road requested in the Township  
24 Resolution would return ownership of the underlying land to MetroParks, Serving Summit  
25 County and the United States National Parks Service; and

26  
27 WHEREAS, pursuant to Section 5553.06 of the Ohio Revised Code and Section  
28 125.03(a) of the Codified Ordinances of the County of Summit, Ohio, the County Engineer has  
29 prepared a proposed vacation plat, a copy of which is attached and marked as Exhibit "B";

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

33  
34 Section 1

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36 The Clerk of Council shall set the date of May 14<sup>th</sup>, 2012, at 5:10 p.m. for the public  
37 hearing on the vacation as required pursuant to Section 5553.05 of the Ohio Revised Code and  
38 Section 125.03(e) of the County of Summit Codified Ordinances of the County of Summit, to  
39 determine whether the proposed vacation of that portion of Stanford Road as requested by the  
40 Resolution of Boston Township would be for the public convenience or welfare.  
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3  
4 Section 2

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6 The Clerk of Council shall set the date of May 11<sup>th</sup>, 2012 at 2:00 p.m. as the time for a  
7 public viewing of the proposed vacation site pursuant to the requirements of Section 5553.05 of  
8 the Ohio Revised Code and Section 125.03(e) of the Codified Ordinances of the County of  
9 Summit.

10  
11 Section 3

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13 The Clerk of Council shall cause notice by regular U.S. mail to be made to the abutting  
14 landowners, and the Ohio Director of Natural Resources informing the property owners of the  
15 date set for the public hearing, and the Clerk shall comply with all public notice requirements as  
16 set forth in Section 5553.05 of the Ohio Revised Code.

17  
18 Section 4

19  
20 The Clerk of Council shall set the date of June 11<sup>th</sup>, 2012 at 4:40 p.m., for a final hearing  
21 on the Petition of Boston Township to vacate a portion of Stanford Road.

22  
23 Section 5

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25 The Engineer shall submit a written report on the vacation containing the Engineer's  
26 opinion for or against the vacation on or before the date of the final hearing.

27  
28 Section 6

29  
30 This Resolution is hereby declared to be an emergency in the interest of the health, safety  
31 and welfare of the citizens of the County of Summit and for the further reason of allowing  
32 ownership and maintenance of a portion of Stanford Road and the aforementioned bridge to  
33 immediately transfer.

34  
35 Section 7

36  
37 Provided this Resolution receives the affirmative vote of eight members, it shall take  
38 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
39 effect and be in force at the earliest time provided by law.

40  
41 Section 8

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43 It is found and determined that all formal actions of this Council concerning and relating  
44 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
45 deliberations of this Council and of any of its committees that resulted in such formal action,  
46 were in meetings open to the public, in compliance with all legal requirements, including Section  
47 121.22 of the Ohio Revised Code.  
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1 RESOLUTION NO. 2012-152

2 PAGE THREE

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4 INTRODUCED April 16, 2012

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6 ADOPTED April 16, 2012

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11 CLERK OF COUNCIL

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11 PRESIDENT OF COUNCIL

12 APPROVED April 17, 2012

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15   
16 EXECUTIVE

17 ENACTED EFFECTIVE April 17, 2012

18  
  
Voice Vote: 11-0. YES: Comunale, Crawford, Feeman, Kostandaras  
Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro