

1 RESOLUTION NO: 2014-248

First Reading Passage Requested
(Clerk of Council)

2
3 SPONSOR Mr. Kostandaras

4
5 DATE June 2, 2014

COMMITTEE Planning

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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 Reserve Avenue and**
9 **Fineview Avenue, in Council District 5, pursuant to Chapter 5553 of the Ohio Revised**
10 **Code and Section 125.03 of the Codified Ordinances of the County of Summit, for Council,**
11 **and declaring an emergency.**

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13 WHEREAS, Reserve Avenue and Fineview Avenue are unimproved road right-of-ways
14 which are situated in the County of Summit, Copley Township, District 5, which has been
15 maintained by the petitioners; and

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17 WHEREAS, the Petitioners have filed a petition, requesting that this Council vacate the
18 unimproved road right-of-way in the respective township. Copies of the aforesaid petition and
19 other documentation filed with the Clerk of Council on or about May 22, 2014, are attached and
20 marked as Exhibit "A" ; and

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22 WHEREAS, the vacation of Reserve Avenue and Fineview Avenue requested in the
23 petition would return ownership of the underlying land to the petitioners as the abutting property
24 owners; and

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26 WHEREAS, pursuant to Section 5553.06 of the Ohio Revised Code and Section
27 125.03(a) of the Codified Ordinances of the County of Summit, Ohio, the petitioners have
28 prepared a proposed vacation plat, subject to the approval of the County Engineer, a copy of
29 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:

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34 SECTION 1

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36 The Clerk of Council shall set the date of August 4, 2014, at 4:30 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 Reserve Avenue and Fineview Avenue as requested
40 by the petition would be for the public convenience or welfare.
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1 RESOLUTION NO. 2014-248

2 PAGE TWO

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4 SECTION 2

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6 The Clerk of Council shall set the date of August 1, 2014 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.

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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.

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18 SECTION 4

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20 The Clerk of Council shall set the date of August 11, 2014 at 4:30 p.m., for a final
21 hearing on the Petition to vacate the unimproved road right-of-way.

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23 SECTION 5

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25 Pursuant to section 5553.05 of the Ohio Revised Code, The Engineer shall submit a
26 written report on the vacation containing the Engineer's opinion for or against the vacation on or
27 before the date of the final hearing.

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29 SECTION 6

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31 This Resolution is hereby declared to be an emergency in the interest of the health, safety
32 and welfare of the citizens of the County of Summit and for the further reason of timely setting
33 the proper hearing and viewing dates and providing for proper notice of the same without undue
34 delay.

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36 SECTION 7

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

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42 SECTION 8

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44 It is found and determined that all formal actions of this Council concerning and relating
45 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
46 deliberations of this Council and of any of its committees that resulted in such formal action,
47 were in meetings open to the public, in compliance with all legal requirements, including Section
48 121.22 of the Ohio Revised Code.

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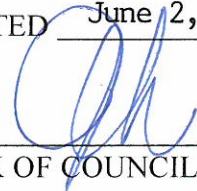
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RESOLUTION NO. 2014-248

PAGE THREE

INTRODUCED June 2, 2014

ADOPTED June 2, 2014




CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED June 3, 2014



EXECUTIVE

ENACTED EFFECTIVE June 3, 2014

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