

1 RESOLUTION NO. 2015-510

2
3 SPONSOR Mr. Pry

4
5 DATE December 7, 2015

COMMITTEE Public Works

6
7 **A Resolution authorizing appropriation proceedings of property owned by Allen D. Lewis**
8 **(deceased) and Sylvia D. Lewis, needed for the improvement of the Bank Street Bridge**
9 **(Akr-013-0047) over the Little Cuyahoga Bridge Improvement Project, located in the City**
10 **of Akron, for the Engineer, and declaring an emergency.**

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12 WHEREAS, a temporary easements of right-of-way are needed for the improvement by
13 the replacement of the Bank Street bridge over the Little Cuyahoga River-SUM –CR13-0.47-
14 Structure-AKR-013-0047 (herein the “Project”), located in the City of Akron, in Council District
15 2; and

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17 WHEREAS, the County of Summit, despite negotiations, has been unable to acquire all
18 of the right-of-way necessary for the Project; and

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20 WHEREAS, the County and Allen D. Lewis (deceased) and Sylvia D. Lewis are unable
21 to agree upon the purchase price of right-of-way on property owned by Allen D. Lewis
22 (deceased) and Sylvia D. Lewis; and

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24 WHEREAS, it is necessary to acquire said right-of-way by court proceedings under the
25 provisions of Section 5555.09 and Chapter 163 of the Ohio Revised Code;

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27 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
28 that it is necessary and in the best of the County of Summit to authorize the aforementioned
29 appropriation proceedings;

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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 County of Summit hereby declares its intention to appropriate a Slope Easement (5-
37 SLV) and Temporary (T-5) easement for highway purposes in the real property described by
38 Exhibit A, attached hereto, said purposes to include the replacement of the bridge on Bank Street
39 over the Little Cuyahoga, said property being owned by Allen D. Lewis (deceased) and Sylvia D.
40 Lewis (herein the “Owner”), located in the City of Akron, in Council District 2, and designated
41 as Parcel SLV- 5 and T-5.

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43 SECTION 2

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45 This Resolution is hereby declared an emergency in the interest of the health, safety and
46 welfare of the citizens of the County of Summit, and for the further reason that it promotes the
47 Bank Street Bridge over the Little Cuyahoga Bridge Improvement Project, in the City of Akron,
48 in Council District 2.

1 RESOLUTION NO. 2015-510

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 November 23, 2015

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21 ADOPTED December 7, 2015

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25 CLERK OF COUNCIL

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PRESIDENT OF COUNCIL

APPROVED December 8, 2015

EXECUTIVE

ENACTED EFFECTIVE December 8, 2015

Voice Vote: 9-0 YES: Comunale, Crawford, Donofrio, Feeman,
Kurt, Lee, Prentice, Schmidt, Shapiro
ABSENT: Kostandaras, Rodgers