

1 RESOLUTION NO. 2015-535

2
3 SPONSOR Mr. Pry

4
5 DATE December 14, 2015

COMMITTEE Public Works

6
7 **A Resolution authorizing appropriation proceedings of property owned by Lorraine N.**
8 **Sanford and James W. Sanford, trustees under The Truman G. Sanford Generation-**
9 **Skipping Marital Trust, et al, needed for the improvement of the Arlington Road Roadway**
10 **and Traffic Signal Improvement Project, located in the townships of Coventry and**
11 **Springfield, for the Engineer, and declaring an emergency.**

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13 WHEREAS, standard highway easements of right-of-way are needed for the
14 improvement of Arlington Road Roadway and Traffic Signal Improvement Project (herein the
15 "Project"), in the townships of Coventry and Springfield, in Council District 8; and

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

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20 WHEREAS, the County of Summit and Lorraine N. Sanford and James W. Sanford,
21 trustees under The Truman G. Sanford Generation-Skipping Marital Trust, et al, with full list of
22 property owners listed in the attached Exhibit A, are unable to agree upon the purchase price of
23 right-of-way on property owned by The Truman G. Sanford Generation-Skipping Marital Trust,
24 et al; and

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

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29 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
30 of Ohio, that;

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32 SECTION 1

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34 The County of Summit hereby declares its intention to appropriate a standard highway
35 (SH-14) easement for highway purposes in the real property described by Exhibit A, attached
36 hereto, said purposes to include the improvement of South Arlington Road, said property being
37 owned by Lorraine N. Sanford and James W. Sanford, trustees under The Truman G. Sanford
38 Generation-Skipping Marital Trust, et al (herein the "Owners"), located in Springfield Township,
39 in Council District 8, and designated as Parcel SH-14.

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41 SECTION 2

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43 The County Prosecutor is hereby directed to prepare and file on behalf of Summit
44 County, Ohio, proceedings for appropriation, under the provisions of Chapter 163 of the Ohio
45 Revised Code, of said easement and temporary right-of-way.

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47 SECTION 3

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49 The County Engineer, through the County Fiscal Officer, is hereby authorized to draw by
50 voucher upon the County of Summit and pay into the Court of Common Pleas at the time of the
51 filing of a complaint for the appropriation of said parcels, under the provisions of Chapter 163 of
52 the Ohio Revised Code, a sum not to exceed \$ 300.00.

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2 PAGE TWO

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4 SECTION 4

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6 This Resolution shall be published in accordance with Codified Ordinance of Summit
7 County Section 121.071.

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9 SECTION 5

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11 This Resolution is hereby declared an emergency in the interest of the health, safety, and
12 welfare of the citizens of Summit County, and for the further reason that it will allow
13 commencement of the Arlington Road Roadway and Traffic Signal Improvement Project in the
14 townships of Coventry and Springfield, in Council District 8.

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16 SECTION 6

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18 Provided this Resolution receives the affirmative vote of eight (8) members, it shall take
19 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
20 effect and be in force at the earliest time provided by law.

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22 SECTION 7

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24 It is found and determined that all formal actions of this Council concerning and relating
25 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
26 deliberations of this Council and of any of its committees that resulted in such formal action,
27 were in meetings open to the public, in compliance with all legal requirements, including Section
28 121.22 of the Ohio Revised Code.

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30 INTRODUCED December 7, 2015

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32 ADOPTED December 14, 2015

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36 CLERK OF COUNCIL

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PRESIDENT OF COUNCIL

APPROVED December 15, 2015

EXECUTIVE

ENACTED EFFECTIVE December 15, 2015

Voice Vote: 8-0 YES: Comunale, Crawford, Donofrio, Kurt, Prentice,
Rodgers, Schmidt, Shapiro

ABSENT: Feeman, Kostandaras, Lee