

RESOLUTION NO. 2009-386

**First Reading Passage Requested**  
**S. Brunot**

SPONSOR Mr. Pry

DATE October 19, 2009

COMMITTEE Public Works

**A Resolution authorizing the County Executive to enter into agreements for the acquisition of rights-of-way (“ROW”) for the improvement of the Hazel Street Bridge over the Little Cuyahoga River, located in the City of Akron, Council District 2, at a cost not to exceed \$9,775.00, for the Engineer, and declaring an emergency.**

WHEREAS, by Resolution No. 2008-235, this Council authorized agreements with the State of Ohio, Department of Transportation (“ODOT”), for the improvement of the Hazel Street Bridge over the Little Cuyahoga River, bridge number AKR-261-1169 located in the City of Akron (said improvement being referenced herein as the “Project”); and, also known by ODOT Project ID number (“PID”) 22079, and

WHEREAS, ROW are needed for the Project; and

WHEREAS, ROW acquisition is considered a local cost which must be borne in whole by the local public agency performing a project, in this case being the County of Summit; and

WHEREAS, acquisition of the subject ROW will promote proceeding with the Project to bid; and

WHEREAS, this Council has determined by reviewing all pertinent information that the acceptance and approval of the aforementioned ROW acquisitions are necessary and in the best interest of the County of Summit;

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

SECTION 1

In return for certain warranty deeds, a channel drainage easement, a utility easement and temporary highway ROW easements needed for the improvement of the Hazel Street Bridge over the Little Cuyahoga River, located in the City of Akron, Council District 2, ODOT PID 22079, the Executive is hereby authorized to execute agreements of purchase of said ROW, under which the owners of said ROW will be paid amounts not to exceed \$9,775.00, said owners and their respective payments (the negotiated value of their warranty deeds, channel easements, utility easement and temporary highway ROW) being as follows:

<u>Property Owners</u>	<u>Negotiated Value</u>
Melinda Hazel, LLC-Parcel 1-CH, 1-T, 1T-1	\$ 1,075.00
Hazel Street , LLC-Parcel 2WD, 2-T	\$ 1,000.00
Elizabeth Hazel, LLC-Parcel 3-WD, 3-T	\$ 300.00
Republic Services of Ohio Hauling, LLC-Parcel 4-WD,4-CH, 4-U, 4-T	\$ 7,400.00

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SECTION 2

This Resolution is hereby declared an emergency in the interest of the health, safety and welfare of the citizens of the County of Summit, and for the further reason that it immediately promotes a County Highway improvement project.

SECTION 3

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


SECTION 4

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

INTRODUCED October 19, 2009

ADOPTED October 19, 2009

  
CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL

APPROVED October 20, 2009

  
EXECUTIVE

October 20, 2009  
ENACTED EFFECTIVE

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