

RESOLUTION NO. 2009-069

SPONSOR Mr. Pry

DATE September 14, 2009

COMMITTEE: Public Works

**An amended Resolution assessing the residents of Cherrywood Crossing, Copley Township, Council District 5, for drainage maintenance, for the Engineer, and declaring an emergency.**

WHEREAS, by Ordinance No. 2004-058, this Council approved the plat for Cherrywood Crossing; and

WHEREAS, said plat included a drainage maintenance assessment provision signed by all owners of parcels located within said Subdivision, with said provision applying to subsequent owners of the same parcels; and

WHEREAS, assessments for drainage maintenance also are permitted by Sections 6137.02 and 6137.03 of the Ohio Revised Code; and

WHEREAS, the County Engineer seeks to establish a drainage maintenance fund for said Subdivision and to fully execute its powers and duties thereof; and

WHEREAS, the Engineer has prepared a Special Assessment Worksheet, which is attached and marked as **amended** "Exhibit A", which apportions necessary charges for drainage maintenance among the Subdivision's benefited parcel owners;

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

#### SECTION 1

A drainage maintenance fund for Cherrywood Crossing, located in Copley Township, Council District 5, is hereby established.

#### SECTION 2

Owners of parcels within Cherrywood Crossing shall be assessed for drainage maintenance per the attached **amended** Special Assessment Worksheet, Exhibit A hereof. Each assessment is proportional to the estimated benefit to the respective parcel.

#### SECTION 3

Pursuant to O.R.C. § 6137.03 the Clerk of Council shall certify the attached assessments to the County Fiscal Officer for placement on the next succeeding tax duplicate to be collected and paid.

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SECTION ~~3~~ 4

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 to immediately fund necessary drainage maintenance.

SECTION ~~4~~ 5

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.

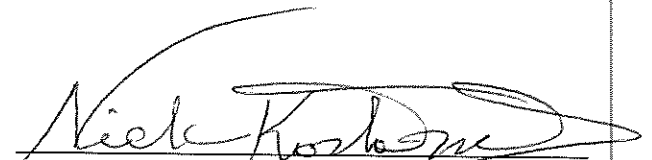
SECTION ~~5~~ 6

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 March 2, 2009 June 22, 2009 - Time Extended 4 months

ADOPTED September 14, 2009

  
CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL

APPROVED September 15, 2009

  
EXECUTIVE

ENACTED EFFECTIVE September 15, 2009

Voice Vote: 10-0 YES: Comunale, Crawford, Crossland, Feeman, Kostandaras  
Poda, Prentice, Rodgers, Schmidt, Smith ABSENT: Shapiro

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AMENDED EXHIBIT 'A'

CERTIFIED  
SPECIAL ASSESSMENT  
WORKSHEET

PROJECT: Cherrywood Crossing  
Copley  
DRAINAGE MAINTENANCE DISTRICT NO.2

ASSESSMENT CODE: C25-000-0000

PARCEL NUMBER	ROUTING NUMBER	SUB LOT #	SQ FT	ACREAGE	ACREAGE W/ STREETS	ANNUAL PAYMENT W/ STREETS	SEMI-ANNUAL PAYMENT
1507613		1	74,379	1.7075	2.1147	108.63	54.31
1507614		2	73,102	1.6782	2.0854	107.12	53.56
1507615		3	91,228	2.0943	2.5015	128.50	64.25
1507616		4	87,394	2.0063	2.4135	123.98	61.99
1507617		5	74,427	1.7086	2.1158	108.68	54.34
1507618		6	71,783	1.6479	2.0551	105.57	52.78
1507619		7	79,819	1.8324	2.2396	115.04	57.52
1507620		8	65,379	1.5009	1.9081	98.02	49.01
1507621		9	109,314	2.5095	2.9167	149.82	74.91
1507622		10	68,023	1.5616	1.9688	101.13	50.57
1507623		11	68,106	1.5635	1.9707	101.23	50.62
1507624		12	97,082	2.2287	2.6359	135.40	67.70
1507625		13	84,206	1.9331	2.3403	120.22	60.11
1507626		14	87,813	2.0159	2.4231	124.47	62.23
1507627		15	117,024	2.6865	3.0937	158.92	79.46
1507628		16	71,830	1.6490	2.0562	105.62	52.81
1507629		17	78,543	1.8031	2.2103	113.54	56.77
1507630		18	71,682	1.6456	2.0528	105.45	52.72
1507631		19	65,336	1.4999	1.9071	97.96	48.98

Term of Assessment: Permanent, subject to review for adjustments pursuant to Ohio Revised Code 6137.11