

RESOLUTION NO. 2009-064

SPONSOR Mr. Pry

DATE September 14, 2009

COMMITTEE: Public Works.

**An amended Resolution assessing the residents of the Forest at King's Creek, Richfield Township, Council District 1, for drainage maintenance, for the Engineer, and declaring an emergency.**

WHEREAS, by Ordinance No. 2002-428, this Council approved the plat for the Forest at King's Creek; 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 R.C. 6137.02; and,

WHEREAS, the 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 the Forest at King's Creek, located in Richfield Township, Council District 1, is hereby established.

#### SECTION 2

Owners of parcels within the Forest at King's Creek 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 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.

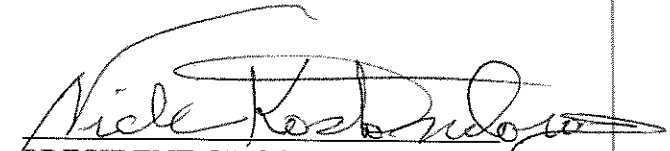
SECTION ~~5~~ 6

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

September 15, 2009

ENACTED EFFECTIVE

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: Forest at King's Creek  
Richfield Township  
DRAINAGE MAINTENANCE DISTRICT NO. 1

ASSESSMENT CODE: **C25-000-0000**

PARCEL NUMBER	ROUTING NUMBER	SUB LOT #	SQ FT	ACREAGE	ACREAGE W/ STREETS	ANNUAL PAYMENT W/ STREETS	SEMI-ANNUAL PAYMENT
4802401		1	103,851.40	2.3841	2.7886	73.52	36.76
4802402		2	99,321.16	2.2801	2.6846	70.78	35.39
4802403		3	148,657.21	3.4127	3.8172	100.64	50.32
4802404		4	124,019.68	2.8471	3.2516	85.73	42.86
4802405		5	150,125.18	3.4464	3.8509	101.53	50.76
4802406		6	148,644.14	3.4124	3.8169	100.63	50.32
4802407		7	153,531.58	3.5246	3.9291	103.59	51.79
4802408		8	115,799.90	2.6584	3.0629	80.75	40.38
4802409		9	123,483.89	2.8348	3.2393	85.40	42.70
4802410		10	158,933.02	3.6486	4.0531	106.86	53.43
4802411		11	186,654.60	4.2850	4.6895	123.64	61.82
4802412		12	143,665.24	3.2981	3.7026	97.62	48.81
4802413		13	104,339.27	2.3953	2.7998	73.81	36.91
4802414		14	135,807.01	3.1177	3.5222	92.86	46.43
4802415		15	142,589.30	3.2734	3.6779	96.97	48.48
4802695		16	179,475.91	4.1202	4.5247	119.29	59.65
4802696		17	112,733.28	2.5880	2.9925	78.90	39.45
4802418		18	144,009.36	3.3060	3.7105	97.82	48.91
4802419		19	114,013.94	2.6174	3.0219	79.67	39.84
4802420		20	151,384.07	3.4753	3.8798	102.29	51.14
4802421		21	102,335.51	2.3493	2.7538	72.60	36.30

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