

RESOLUTION NO. 2009-063

SPONSOR Mr. Pry

DATE September 14, 2009

COMMITTEE: Public Works

An amended Resolution assessing the residents of Firestone Trace Phase V, Bath Township, Council District 1, for drainage maintenance, for the Engineer, and declaring an emergency.

WHEREAS, by Ordinance No. 2004-648, this Council approved the plat for Firestone Trace Phase V; 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 Firestone Trace Phase V, located in Bath Township, Council District 1, is hereby established.

SECTION 2

Owners of parcels within Firestone Trace Phase V 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.

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.

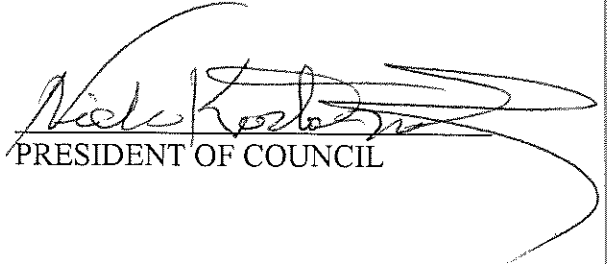
SECTION 5 6

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

RESOLUTION NO. 2009-063

AMENDED EXHIBIT 'A'

CERTIFIED
SPECIAL ASSESSMENT
WORKSHEET

PROJECT: Firestone Trace Phase V
Bath 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
407299		135	43,008.00	0.9873	1.3771	217.76	108.88
407298		134	38,650.79	0.8873	1.2771	201.94	100.97
407297		133	33,304.00	0.7646	1.1544	182.54	91.27
407296		132	34,128.00	0.7835	1.1733	185.53	92.76
407295		131	41,042.23	0.9422	1.3320	210.62	105.31
407294		130	43,255.08	0.9930	1.3828	218.66	109.33
407293		129	50,028.66	1.1485	1.5383	243.25	121.62
407292		128	53,021.23	1.2172	1.6070	254.11	127.05
407247		127	39,234.49	0.9007	1.2905	204.06	102.03
407246		126	42,065.89	0.9657	1.3555	214.34	107.17
407245		125	43,485.95	0.9983	1.3881	219.49	109.75
407244		124	52,603.06	1.2076	1.5974	252.59	126.30
407243		123	44,810.17	1.0287	1.4185	224.30	112.15
407242		122	41,817.60	0.9600	1.3498	213.44	106.72
407241		121	55,351.69	1.2707	1.6605	262.57	131.28
407240		120	57,185.57	1.3128	1.7026	269.23	134.61
407239		119	57,494.84	1.3199	1.7097	270.35	135.17
407238		118	53,339.22	1.2245	1.6143	255.26	127.63
407237		117	48,464.86	1.1126	1.5024	237.57	118.78
407236		116	38,703.06	0.8885	1.2783	202.13	101.07
407235		115	35,427.35	0.8133	1.2031	190.24	95.12

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