

RESOLUTION NO. 2009-062

SPONSOR Mr. Pry

DATE September 14, 2009

COMMITTEE: Public Works

An amended Resolution assessing the residents of Estates of Bath Extension, Bath Township, Council District 1, for drainage maintenance, for the Engineer, and declaring an emergency.

WHEREAS, by Ordinance No. 2007-430, this Council approved the plat for Estates of Bath Extension; 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 Estates of Bath Extension, located in Bath Township, Council District 1, is hereby established.

SECTION 2

Owners of parcels within Estates of Bath Extension 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. 2009-062

AMENDED EXHIBIT 'A'
CERTIFIED
SPECIAL ASSESSMENT
WORKSHEET

PROJECT: Estates of Bath, Extension
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
407356		1	110494	2.5366	2.9217	167.72	83.86
407357		2	109205	2.5070	2.8921	166.02	83.01
407358		3	109039	2.5032	2.8883	165.80	82.90
407359		4	112873	2.5912	2.9763	170.85	85.43
407360		5	147176	3.3787	3.7638	216.06	108.03
407361		6	176287	4.0470	4.4321	254.42	127.21

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