

RESOLUTION NO. 2009-061

SPONSOR Mr. Pry

DATE September 14, 2009

COMMITTEE: Public Works

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

WHEREAS, by Ordinance 2006-553, this Council approved the plat for Estates of Bath; 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, located in Bath Township, Council District 1, is hereby established.

SECTION 2

Owners of parcels within Estates of Bath 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

*Shirley F. Green*  
CLERK OF COUNCIL

*Nick Kostandaras*  
PRESIDENT OF COUNCIL

APPROVED September 15, 2009

*Russell M. Poy*  
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. 2009-061**

**AMENDED EXHIBIT 'A'**

**CERTIFIED**

**SPECIAL ASSESSMENT**

**WORKSHEET**

PROJECT: **Estates of Bath**

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

**Bath Township**

**DRAINAGE MAINTENANCE DISTRICT NO.1**

PARCEL NUMBER	ROUTING NUMBER	SUB LOT #	SQ FT	ACREAGE	ACREAGE W/ STREETS	ANNUAL PAYMENT W/ STREETS	SEMI-ANNUAL PAYMENT
407316		1	118967	2.7311	3.1616	173.03	86.52
407317		2	108957	2.5013	2.9318	160.46	80.23
407318		3	112028	2.5718	3.0023	164.32	82.16
407319		4	109079	2.5041	2.9346	160.61	80.31
407320		5	123480	2.8347	3.2652	178.70	89.35
407321		6	130493	2.9957	3.4262	187.52	93.76
407322		7	111052	2.5494	2.9799	163.09	81.55
407323		8	143404	3.2921	3.7226	203.74	101.87
407324		9	127051	2.9167	3.3472	183.19	91.60
407325		10	153601	3.5262	3.9567	216.55	108.28
407326		11	110372	2.5338	2.9643	162.24	81.12
407327		12	109671	2.5177	2.9482	161.36	80.68
407328		13	109209	2.5071	2.9376	160.78	80.39
407329		14	265071	6.0852	6.5157	356.60	178.30
407330		15	142493	3.2712	3.7017	202.59	101.30
407331		16	123074	2.8254	3.2559	178.20	89.10
407332		17	143234	3.2882	3.7187	203.52	101.76
407333		18	190305	4.3688	4.7993	262.67	131.33
407334		19	201186	4.6186	5.0491	276.34	138.17
407335		20	170337	3.9104	4.3409	237.58	118.79
407336		21	109118	2.5050	2.9355	160.66	80.33
407337		22	130780	3.0023	3.4328	187.88	93.94
407338		23	108974	2.5017	2.9322	160.48	80.24
407339		24	121363	2.7861	3.2166	176.05	88.02
407340		25	133098	3.0555	3.4860	190.79	95.39
407341		26	127383	2.9243	3.3548	183.61	91.80
407342		27	127396	2.9246	3.3551	183.63	91.81
407343		28	119398	2.7410	3.1715	173.58	86.79
407344		29	113866	2.6140	3.0445	166.63	83.31

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