

1 RESOLUTION NO. 2015-509

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3 SPONSOR Mr. Pry

4
5 DATE December 7, 2015

COMMITTEE Public Works

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7 **A Resolution authorizing appropriation proceedings of property owned by Donald R. Hicks, needed for the improvement of the Bank Street Bridge (Akr-013-0047) over the Little Cuyahoga Bridge Improvement Project, located in the City of Akron, for the Engineer, and declaring an emergency.**

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12 WHEREAS, a temporary easements of right-of-way are needed for the improvement by the replacement of the Bank Street bridge over the Little Cuyahoga River-SUM –CR13-0.47-Structure-AKR-013-0047 (herein the “Project”); and

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16 WHEREAS, the County despite negotiations, has been unable to acquire all of the right-of-way necessary for the Project; and

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19 WHEREAS, the County of Summit and Donald R. Hicks are unable to agree upon the purchase price of right-of-way on property owned by Donald R. Hicks ; and

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22 WHEREAS, it is necessary to acquire said right-of-way by court proceedings under the provisions of Section 5555.09 and Chapter 163 of the Ohio Revised Code;

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25 WHEREAS, this Council finds and determines after reviewing all pertinent information, that it necessary and in the best interest of the County of Summit to authorize the aforementioned appropriations proceedings;

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

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32 SECTION 1

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34 The County of Summit hereby declares its intention to appropriate a Temporary (T-7) easement for highway purposes in the real property described by Exhibit A, attached hereto, said purposes to include the replacement of the bridge on Bank Street over the Little Cuyahoga, said property being owned by Donald R. Hicks (herein the “Owner”), located in the City of Akron, in Council District 2, and designated as Parcel T-7.

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40 SECTION 2

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42 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 that it promotes the Bank Street Bridge over the Little Cuyahoga Bridge Improvement Project, in the City of Akron, in Council District 2.

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47 SECTION 3

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49 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.

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2 PAGE TWO

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4 SECTION 4

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6 It is found and determined that all formal actions of this Council concerning and relating
7 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
8 deliberations of this Council and of any of its committees that resulted in such formal action,
9 were in meetings open to the public, in compliance with all legal requirements, including Section
10 121.22 of the Ohio Revised Code.

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13 INTRODUCED November 23, 2015

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15 ADOPTED December 7, 2015

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20 CLERK OF COUNCIL

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25 PRESIDENT OF COUNCIL

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27 APPROVED December 8, 2015

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EXECUTIVE

ENACTED EFFECTIVE December 8, 2015

Voice Vote: 9-0 YES: Comunale, Crawford, Donofrio, Feeman,
Kurt, Lee, Prentice, Schmidt, Shapiro
ABSENT: Kostandaras, Rodgers