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3 RESOLUTION NO. 2010-431

LATE FILING

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5 SPONSOR Mr. Pry

6  
7 DATE October 18, 2010

COMMITTEE Planning

8  
9 **A Resolution authorizing the County Executive to execute a quitclaim deed and any other**  
10 **documents necessary to transfer to the Board of Education of the Akron City School**  
11 **District approximately 1.08 acres of real property owned by the County of Summit (Parcel**  
12 **No. 6708848) located at 460 East North Street, Akron Ohio 44305, in Council District 5,**  
13 **pursuant to a reversionary clause in the deed dated November 11, 1955 transferring the**  
14 **real property to the County, for the Executive, and declaring an emergency.**

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16 WHEREAS, by a deed dated November 11, 1955, the Board of Education for the Akron  
17 City School District transferred to the County of Summit approximately 1.08 acres of real  
18 property, currently known as Parcel No. 6708848 and located at 460 East North Street, Akron,  
19 Ohio 44305 (the "Property"), for use as a dog pound; and

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21 WHEREAS, the deed provides that "[i]f at any time said land ceases to be used for a dog  
22 pound, the same shall refer to the Board of Education of the Akron City School District to be  
23 used for recreation and educational purposes;" and

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25 WHEREAS, the County ceased using the Property as a dog pound on August 24, 2010;  
26 and

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28 WHEREAS, pursuant to the reversionary clause in the deed, the County is required to  
29 transfer the Property to the Board of Education of the Akron City School District and  
30 accordingly, it is necessary to authorize the County Executive to execute a quitclaim deed and  
31 any other documents necessary for said transfer;

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33 WHEREAS, this Council has determined by reviewing all pertinent information that it is  
34 necessary to authorizing the County Executive to execute a quitclaim deed and any other  
35 documents necessary to transfer the Property to the Board of Education for the Akron City  
36 School District;

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38 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
39 of Ohio, that:

40  
41 SECTION 1

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43 The County Executive is hereby authorized to execute a quitclaim deed and any other  
44 documents necessary to transfer to the Board of Education of the Akron City School District  
45 approximately 1.08 acres of real property owned by the County of Summit (Parcel No. 6708848)  
46 located at 460 East North Street, Akron Ohio 44305, in Council District 5 (the "Property"),  
47 pursuant to a reversionary clause in the deed dated November 11, 1955 transferring the Property  
48 to the County.  
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PAGE TWO

SECTION 2

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 immediately authorizes the Executive to execute a quitclaim deed and any other documents necessary to transfer the Property to the Board of Education of the Akron City School District.

SECTION 3

Provided this Resolution receives the affirmative vote of eight (8) 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 4

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 September 27, 2010

ADOPTED October 18, 2010

  
CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL

APPROVED October 18, 2010

  
EXECUTIVE

October 18, 2010  
ENACTED EFFECTIVE

Voice Vote: 11-0 YES: Comunale, Crawford, Crossland, Feeman, Kostandaras Poda, Prentice, Rodgers, Schmidt, Shapiro, Smith