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2 ORDINANCE 2011-036

3
4 SPONSOR Council of the Whole

5
6 DATE February 14, 2011

COMMITTEE Public Works

7
8 **An Ordinance granting the Petition of Dedication and Vacation for a portion of Major Road**
9 **located in Boston Township and Richfield Township, in accordance with Sections 5553.23 to**
10 **5553.26 of the Ohio Revised Code; and approving the Plat of Dedication and Vacation for**
11 **recording purposes, for Council, and declaring an emergency.**

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13 WHEREAS, a petition was filed with the Summit County Council Office pursuant to Section 5553.23 of
14 the Ohio Revised Code requesting the vacation and dedication of a portion of Major Road located in
15 Boston Township and Richfield Township; and

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17 WHEREAS, legal notice was placed in the *Akron Beacon Journal* on January 7, 2011, giving notice of
18 the date of the Public Hearing; and

19
20 WHEREAS, a Public Hearing was held on January 31, 2011 in Council Chambers immediately following
21 the regular Council meeting; and

22
23 WHEREAS, the Summit County Engineer has reviewed the Plat of Dedication; and Vacation and legal
24 description and has signed the Plat of Dedication and Vacation indicating his approval of the requested
25 improvement in Boston Township and Richfield Township; and

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27 WHEREAS, the Township of Boston and the Township of Richfield have provided their approval of the
28 petition by Resolution and further approval by signature on the Plat; and

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30 WHEREAS, this Council has determined by reviewing all pertinent information that the granting of the
31 Petition for Vacation and Dedication for a portion of Major Road located in Boston Township and
32 Richfield Township is necessary and in the best interest of the County of Summit; and

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34 WHEREAS, this Council has determined by reviewing all pertinent information that the approval of the
35 Plat of Dedication and Vacation is necessary and in the best interest of the County of Summit;

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37 NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Summit, State of Ohio, that:

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39 SECTION 1

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41 This Council finds that the petition, notices, Public Hearing, and all proceedings regarding this matter
42 were all according to law as required by Ohio Revised Code Sections 5553.23 to 5553.26.

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44 SECTION 2

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46 In accordance with Ohio Revised Code Section 5553.25, Council grants the petition for the vacation and
47 dedication of a portion of Major Road located in both Boston Township and Richfield Township.

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49 SECTION 3

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51 The Plat of Dedication and Vacation associated with this petition is hereby approved by this Council, to
52 be recorded in the office of the County Fiscal Officer.
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58 SECTION 4

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60 A copy of this Ordinance, the petition, and all other papers on file relating to this vacation and dedication
61 shall be forwarded to the Clerks of Boston Township and Richfield Township, and to the Summit County
62 Engineer for their records.

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64 SECTION 5

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66 This Ordinance is hereby declared an emergency in the interests of the health, safety and welfare of the
67 citizens of Summit County, and for the further reason that the petition has been pending since December
68 1, 2010.

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70 SECTION 6

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72 Provided this Ordinance receives the affirmative vote of eight members, it shall take effect immediately
73 upon its adoption and approval by the Executive; otherwise, it shall take effect and be in force at the
74 earliest time provided by law.

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76 SECTION 7

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78 It is found and determined that all formal actions of this Council concerning and relating to the adoption
79 of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this
80 Council and of any of its committees that resulted in such formal action, were in meetings open to the
81 public, in compliance with all legal requirements, including section 121.22 of the Ohio Revised Code.

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84 INTRODUCED January 31, 2011

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86 ADOPTED February 14, 2011

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89 _____
90 CLERK OF COUNCIL

91

92 February 14, 2011

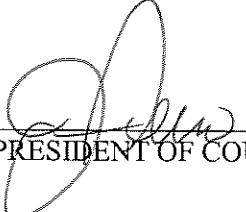
93 APPROVED

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96 _____
97 EXECUTIVE

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PRESIDENT OF COUNCIL

February 14, 2011
ENACTED EFFECTIVE

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