

1 RESOLUTION NO: 2012-151

First Reading Passage Requested
(Clerk of Council)

2 SPONSOR Ms. Shapiro and Mr. Kostandaras

3 DATE April 16, 2012

COMMITTEE Planning

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7 **A Resolution setting dates for this Council to conduct a public viewing, a public hearing,**
8 **and setting a date for a final hearing, to consider the vacation of a portion of Oak Hill**
9 **Road, in Council District 1, pursuant to Chapter 5553 of the Ohio Revised Code and**
10 **Section 125.03 of the Codified Ordinances of the County of Summit, for Council, and**
11 **declaring an emergency.**

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13 WHEREAS, Oak Hill Road is a thoroughfare which is situated in the County of Summit,
14 Boston Township, District 1, which has been maintained by Boston Township; and

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16 WHEREAS, Boston Township has enacted a Resolution requesting that this Council
17 vacate a portion of Oak Hill Road located in the respective township. Copies of the aforesaid
18 Resolution and other documentation being filed with the Clerk of Council on or about March 30,
19 2012; the respective Township Resolution is attached and marked as Exhibit "A"; and

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21 WHEREAS, the vacation of that part of Oak Hill Road requested in the Township
22 Resolution would return ownership of the underlying land to MetroParks, Serving Summit
23 County and the United States National Parks Service; and

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25 WHEREAS, pursuant to Section 5553.06 of the Ohio Revised Code and Section
26 125.03(a) of the Codified Ordinances of the County of Summit, Ohio, the County Engineer has
27 prepared a proposed vacation plat, a copy of which is attached and marked as Exhibit "B";

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

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32 Section 1

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34 The Clerk of Council shall set the date of May 14th, 2012, at 5:05 p.m. for the public
35 hearing on the vacation as required pursuant to Section 5553.05 of the Ohio Revised Code and
36 Section 125.03(e) of the County of Summit Codified Ordinances of the County of Summit, to
37 determine whether the proposed vacation of that portion of Oak Hill Road as requested by the
38 Resolution of Boston Township would be for the public convenience or welfare.
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4 Section 2

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6 The Clerk of Council shall set the date of May 11th, 2012 at 2:00 p.m. as the time for a
7 public viewing of the proposed vacation site pursuant to the requirements of Section 5553.05 of
8 the Ohio Revised Code and Section 125.03(e) of the Codified Ordinances of the County of
9 Summit.

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11 Section 3

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13 The Clerk of Council shall cause notice by regular U.S. mail to be made to the abutting
14 landowners, and the Ohio Director of Natural Resources informing the property owners of the
15 date set for the public hearing, and the Clerk shall comply with all public notice requirements as
16 set forth in Section 5553.05 of the Ohio Revised Code.

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18 Section 4

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20 The Clerk of Council shall set the date of June 11th, 2012 at 4:35 p.m., for a final hearing
21 on the Petition of Boston Township to vacate a portion of Oak Hill Road.

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23 Section 5

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25 The Engineer shall submit a written report on the vacation containing the Engineer's
26 opinion for or against the vacation on or before the date of the final hearing.

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28 Section 6

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30 This Resolution is hereby declared to be an emergency in the interest of the health, safety
31 and welfare of the citizens of the County of Summit and for the further reason of allowing
32 ownership and maintenance of portion of Oak Hill Road to immediately transfer.

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34 Section 7

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

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40 Section 8

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42 It is found and determined that all formal actions of this Council concerning and relating
43 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
44 deliberations of this Council and of any of its committees that resulted in such formal action,
45 were in meetings open to the public, in compliance with all legal requirements, including Section
46 121.22 of the Ohio Revised Code.
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RESOLUTION NO. 2012-151

PAGE THREE

INTRODUCED April 16, 2012

ADOPTED April 16, 2012



CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED April 17, 2012



EXECUTIVE

ENACTED EFFECTIVE April 17, 2012

Voice Vote: 11-0. YES: Comunale, Crawford, Feeman, Kostandaras
Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro