

1 RESOLUTION NO. 2012-129

First Reading Passage Requested
(S. Burgess)

2
3 SPONSOR Mr. Pry

4
5 DATE April 2, 2012

COMMITTEE Public Works

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7 **A Resolution authorizing the Executive to enter into agreements for the acquisition of**
8 **rights-of-way for the improvement of the Cleveland-Massillon Road Bridge, No. BAR-017-**
9 **0708, over Hudson Run, located in the City of Barberton, Council District 7, at a cost not to**
10 **exceed \$3,445.00, for the Engineer, and declaring an emergency.**

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12 WHEREAS, Resolution No. 2011-017 previously authorized agreements with the State
13 of Ohio Department of Transportation ("ODOT"), for the improvement of the Cleveland-
14 Massillon Road Bridge over Hudson Run, Bridge No. BAR-017-0708, located in the City of
15 Barberton ("Project"); and, also known by ODOT Project ID number ("PID") 84395, and

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17 WHEREAS, rights-of-way ("ROW") are needed for the Project; and

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19 WHEREAS, ROW acquisition is considered a local cost which must be borne in whole
20 by the local public agency performing a project, in this case being the County of Summit; and

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22 WHEREAS, acquisition of the subject ROW will promote proceeding with the Project to
23 bid; and

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25 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
26 that the acceptance and approval of the aforementioned ROW acquisitions are necessary and in
27 the best interest of the County of Summit;

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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 In return for certain Standard Highway, Utility, Sanitary and temporary right-of-way
35 ("ROW") easements needed for the improvement of the Cleveland-Massillon Road Bridge over
36 Hudson Run, located in the City of Barberton, Council District 7, ODOT PID 84395, the
37 Executive is hereby authorized to execute agreements of purchase of said ROW, under which the
38 owners of said ROW will be paid a combined amount not to exceed \$3,445.00, said owners and
39 their respective payments (the negotiated value of their Standard Highway(SH), Utility(U),
40 Sanitary(S) and Temporary(T) Easements) being as follows:

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43 Property Owners

Negotiated Value

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A) Heritage Place Limited Partnership-Parcel # 1 SH, U, S, T Easements \$ 2,040.00
B) Robert C. & Kay F. Grubb, Trustees- Parcel # 2 SH, U, T Easements \$ 1,105.00
C) Ohio Edison Company-Parcel # 5 U, T Easements \$ 300.00

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2 PAGE TWO

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4 SECTION 2

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6 This Resolution is hereby declared an emergency in the interest of the health, safety and
7 welfare of the citizens of the County of Summit, and for the further reason that it promotes an
8 immediately needed county highway improvement project.

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10 SECTION 3


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

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16 SECTION 4

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18 It is found and determined that all formal actions of this Council concerning and relating
19 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
20 deliberations of this Council and of any of its committees that resulted in such formal action,
21 were in meetings open to the public, in compliance with all legal requirements, including Section
22 121.22 of the Ohio Revised Code.

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25 INTRODUCED April 2, 2012

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27 ADOPTED April 2, 2012

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CLERK OF COUNCIL

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39 
PRESIDENT OF COUNCIL

APPROVED April 2, 2012

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EXECUTIVE

ENACTED EFFECTIVE April 2, 2012

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