

1 RESOLUTION NO. 2013-249

Late Filing

2
3 SPONSOR Mr. Pry

4
5 DATE June 3, 2013

COMMITTEE Planning

6
7 **A Resolution approving, pursuant to Section 5553.31 of the Ohio Revised Code, the**
8 **dedication of certain real property for public road use and maintenance, as township roads,**
9 **those roads known as Creekstone Parkway and Clifford Drive, being part of the Wheaton**
10 **Place At Creekstone Condominium Phase One development, in the Township of Copley,**
11 **Council District 5, for the Council and Executive, and declaring an emergency.**

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13 WHEREAS, the Wheaton Place at Creekstone Condominium Homeowners Association,
14 Inc. ("Homeowners Association"), is the owner of certain real property identified in the Summit
15 County Records as Parcel Nos. 1507548, 1508012, 1508013, 1508096, 1508255, 1508056,
16 1508257, 1508115, 1508057, 1508058, 1508015, 1508016, 1507820, 1507821, 1508097, 1507822,
17 1508033, 1508257, 1508098, 1508258 and 1508099, consisting of private roads identified as
18 Creekstone Parkway and Clifford Drive in the Township of Copley (hereinafter collectively
19 "Private Roads") as more fully depicted in the Summit County Records at Reception No.
20 55154233; and

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22 WHEREAS, pursuant to Section 5553.31 of the Ohio Revised Code, the Homeowners
23 Association desires to dedicate the Private Roads for public road use and maintenance as township
24 roads; and.

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26 WHEREAS, Section 5553.31 of the Ohio Revised Code requires the approval of this
27 Council as a condition of the dedication of the Private Roads for public road use and maintenance
28 as township roads; and

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30 WHEREAS, pursuant to Copley Township Resolution Nos. 38-2008 (adopted on
31 September 29, 2008), 21-2009 (adopted on April 21, 2009) and 49-2009 (adopted on November 4,
32 2009), the Copley Township Trustees have agreed to accept the Private Roads as publically
33 dedicated township roads, conditioned upon the execution of a maintenance agreement with
34 Copley Township for township costs associated with maintenance of the aforesaid roads; and

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36 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
37 that it is necessary and in the best interest of the County, to approve the dedication of the Private
38 Roads for public use and maintenance as township roads.

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

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43 SECTION 1

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45 This Council hereby approves, pursuant to Section 5553.31 of the Ohio Revised Code and
46 upon the request of the Wheaton Place At Creekstone Condominium Homeowners Association,
47 Inc., the dedication of certain real property identified in the Summit County Records as Parcels
48 No. 1507548, 1508012, 1508013, 1508096, 15080255, 1508056, 1508257, 1508115, 1508057,
49 1508058, 1508015, 1508016, 1507820, 1507821, 1508097, 1507822, 1508033, 1508257, 1508098,
50 1508258 and 1508099, and as more fully depicted in the Summit County Records at Reception No.
51 55154233 and consisting of private roads identified as Creekstone Parkway and Clifford Drive in
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4 SECTION 1 (cont'd.)

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6 the Wheaton Place at Creekstone Condominium Plat in Copley Township, Council District 5, for
7 public road use and maintenance, as township roads. Said dedication shall be considered a
8 dedication of land for public road purposes, only, and shall not be construed as a grant, conveyance
9 or transfer of ownership of land for any other purpose. Pursuant to Copley Township Resolution
10 No. 21-2009, Copley Township shall be responsible for the maintenance of the said public roads as
11 township roads.

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13 SECTION 2

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15 The description of the real property to be dedicated for public use and maintenance as
16 township roads, together with the plat of the real property to be dedicated for public use and
17 maintenance as township roads, a copy of which is attached hereto as Exhibit A, is hereby
18 approved by this Council and shall be filed by the Wheaton Place at Creekstone Condominium
19 Homeowners Association, Inc., with the Fiscal Office upon the indorsement of the same by the
20 Council President together with any other required documents.

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22 SECTION 3

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24 This Resolution is hereby declared an emergency in the interest of the health, safety, and
25 welfare of the citizens of the County of Summit and for the further reason of immediately
26 providing for the dedication of the aforesaid property for the use by the public and so that Copley
27 Township may arrange for seasonal maintenance in a timely fashion.

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29 SECTION 4

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

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35 SECTION 5

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37 It is found and determined that all formal actions of this Council concerning and relating to
38 the adoption of this Resolution were adopted in an open meeting of this Council, and that all
39 deliberations of this Council and of any of its committees that resulted in such formal action, were
40 in meetings open to the public, in compliance with all legal requirements, including Section 121.22
41 of the Ohio Revised Code.
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INTRODUCED May 13, 2013

ADOPTED June 3, 2013


CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED June 4, 2013


EXECUTIVE

ENACTED EFFECTIVE June 4, 2013

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