

1 RESOLUTION NO. 2017-084

2
3 SPONSOR Ms. Shapiro

4
5 DATE March 20, 2017 COMMITTEE Planning

6
7 **A Resolution amending Resolution No. 2013-107 in order to substitute a corrected legal**
8 **description as part of Exhibit A attached to said Resolution related to the vacation of a**
9 **right of way located in the Garden Acres Allotment, in Springfield Township, in Council**
10 **District 8, for the Executive, and declaring an emergency.**

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12 WHEREAS, County Council previously adopted Resolution No. 2013-107, which
13 approved the vacation of a right of way located in the Garden Acres Allotment, in Springfield
14 Township, in Council District 8, pursuant to Chapter 5553 of the Ohio Revised Code and Section
15 125.03 of the Codified Ordinances of the County of Summit; and

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17 WHEREAS, the legal description, which is part of Exhibit A attached to Resolution No.
18 2013-107, contained typos which have been corrected in a new legal description; and

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20 WHEREAS, Resolution No. 2017-042, which is currently pending before this Council,
21 authorizes the County Executive to execute a quitclaim deed and any other documents necessary
22 to transfer approximately 0.1553 acres of land owned by the County of Summit which runs along
23 Canton Road in Springfield Township, to Springfield Township for purposes of constructing a
24 bike and hike trail, for the amount of \$1.00; and

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26 WHEREAS, the aforementioned land is a portion of the right of way vacated by
27 Resolution No. 2013-107; and

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29 WHEREAS, in order to transfer said land to Springfield Township, it is necessary to
30 amend Resolution No. 2013-107 in order to substitute the corrected legal description as part of
31 Exhibit A attached to said Resolution; and

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33 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
34 that it is necessary and in the best interest of the County to amend Resolution No. 2013-107 to
35 substitute a corrected legal description as part of Exhibit A attached to said Resolution for the
36 aforementioned reason; and

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

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41 SECTION 1

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43 This Council hereby amends Resolution No. 2013-107 to substitute the corrected legal
44 description attached to this Resolution as Exhibit A, in place of the legal description attached as
45 part of Exhibit A to Resolution No. 2013-107, which approved the vacation of a right of way
46 located in the Garden Acres Allotment, in Springfield Township, in Council District 8, pursuant
47 to Chapter 5553 of the Ohio Revised Code and Section 125.03 of the Codified Ordinances of the
48 County of Summit.

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1 RESOLUTION NO. 2017-084

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 purpose of immediately
8 amending Resolution No. 2013-107 to immediately substitute the aforementioned corrected legal
9 description as part of Exhibit A to Resolution No. 2013-107 in order for the County to
10 immediately transfer a portion of the right of way vacated by Resolution No. 2013-107 to
11 Springfield Township.

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13 SECTION 3

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

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19 SECTION 4

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21 It is found and determined that all formal actions of this Council concerning and relating
22 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
23 deliberations of this Council and of any of its committees that resulted in such formal action,
24 were in meetings open to the public, in compliance with all legal requirements, including Section
25 121.22 of the Ohio Revised Code.

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28 INTRODUCED March 6, 2017

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30 ADOPTED March 20, 2017

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35 CLERK OF COUNCIL

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40 PRESIDENT OF COUNCIL

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42 APPROVED March 21, 2017

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46 EXECUTIVE

47 ENACTED EFFECTIVE March 21, 2017

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49 Voice Vote: YES 11-0 - Crawford, Dickinson, Donofrio, Feeman,
50 Hamilton, Koehler, Prentice, Rodgers, Schmidt, Walters, Wilhite