

1 RESOLUTION NO. 2017- 349

Late Filing
First Reading Passage Requested
(Clerk of Council)

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3
4 SPONSOR Mr. Feeman

5
6 DATE August 21, 2017

COMMITTEE Public Works

7
8 **A Resolution authorizing the publication and legal notice for the proposed vacation of a**
9 **portion of Everett Road located in Bath, Richfield, and Boston Townships in Council**
10 **Districts 1 and 4, and Oak Hill Road located in Boston Township, in Council District 1, and**
11 **setting a date for the Public Viewing and Public Hearing pursuant to Section 5553.05 of the**
12 **Ohio Revised Code and Section 125.03 of the Codified Ordinances of the County of**
13 **Summit, for Council, and declaring an emergency.**

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15 WHEREAS, the County Engineer has recommended that a portion of Everett Road located
16 in Bath, Richfield, and Boston Townships, in Council Districts 1 and 4, and Oak Hill Road
17 located in Boston Township, in Council District 1, as described in Exhibit A to this legislation,
18 be vacated; and

19
20 WHEREAS, pursuant to Section 5553.04 of the Ohio Revised Code, this Council is of the
21 opinion that it may be for the public convenience or welfare to vacate such roads; and

22
23 WHEREAS, a public viewing and public hearing, as provided in Section 5553.05 of the
24 Ohio Revised Code and Section 125.03 of the Codified Ordinances of the County of Summit, is
25 required prior to the vacation of public roads; and

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

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30 SECTION 1

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32 Pursuant to Section 5553.05 of the Ohio Revised Code, **the viewing of the proposed**
33 **vacation shall take place on Friday, September 15th at 2:00 p.m at the intersection of**
34 **Everett Road and Oak Hill Road in Boston Township, in Council Districts 1 and 4. A**
35 **Public Hearing will take place on Monday, September 28, 2017 at 4:30 pm in Council**
36 **Chambers, Ohio Building – 7th Floor, 175 South Main Street, Akron, Ohio.**

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38 Pursuant to Section 5553.05 of the Ohio Revised Code, a legal notice giving a description
39 of the proposed vacation and notice of the time and place for the viewing and public hearing
40 shall be published once a week for two consecutive weeks prior to the date of the viewing in a
41 newspaper of general circulation in Summit County. Written notice of the viewing and hearing
42 shall be sent by first class mail at least twenty days before the date of the public hearing to
43 owners of property abutting upon that portion of the road to be vacated, and to the Director of the
44 Ohio Department of Natural Resources.
45

1 RESOLUTION NO. 2017-349

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 to immediately
8 authorize the publication and notice of a viewing and hearing for the proposed road vacations
9 located in Bath, Richfield, and Boston Townships, Summit County, Ohio.

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11 SECTION 3

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

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17 SECTION 4

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

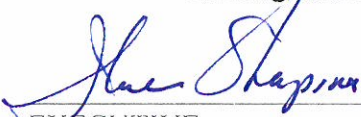
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25
26 INTRODUCED August 21, 2017

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28 ADOPTED August 21, 2017

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31 _____
32 CLERK OF COUNCIL

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35 _____
36 PRESIDENT OF COUNCIL

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38 APPROVED August 22, 2017

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41 _____
42 EXECUTIVE

ENACTED EFFECTIVE August 22, 2017

Voice Vote: 10-0 YES: Crawford, Dickinson, Donofrio, Feeman, Hamilton,
Koehler, Prentice, Schmidt, Walters, Wilhite
ABSENT: Rodgers