

1 RESOLUTION NO. 2018-155

First Reading Passage Requested
(M. Evans)

2
3 SPONSOR Ms. Shapiro

4
5 DATE April 30, 2018

COMMITTEE: Public Works

6
7 **A Resolution authorizing the County Executive to execute a settlement agreement between**
8 **the County and Wells Fargo Bank, N.A. for the appropriation of certain real property,**
9 **identified as Parcel Nos. 51-04790 and 51-04786, needed for the Columbine Service Area**
10 **Sanitary Sewer Improvement Project (Q-948), in Springfield Township, for the Executive's**
11 **Department of Sanitary Sewer Services, and declaring an emergency.**

12
13 WHEREAS, this Council previously adopted Ordinance No. 2016-223, authorizing
14 appropriation proceedings for an easement on property owned by Wells Fargo Bank, N.A.
15 ("Wells Fargo"), identified as Parcel Nos. 51-04790 and 51-04786 in the Summit County
16 Records, (the "Property") needed for the Columbine Service Area Sanitary Sewer Improvement
17 Project (Q-948); and

18
19 WHEREAS, the Parties have agreed that a permanent easement over the Property would
20 render the properties unbuildable; and

21
22 WHEREAS, the amount of \$1,078.00 was initially deposited with the Court of Common
23 Pleas as compensation for the permanent easements, and

24
25 WHEREAS, in order to resolve the appropriation proceedings, the County and Wells
26 Fargo have negotiated a settlement agreement whereby Wells Fargo will donate the Property to
27 the County, the \$1,078.00 previously deposited with the Court of Common Pleas will be applied
28 to outstanding and delinquent real estate taxes and assessments owed on the parcels, and the
29 County will abate any remaining delinquent real estate taxes and assessments owed on the
30 Property; and

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32 WHEREAS, the approval of this Council is required to authorize the County Executive to
33 execute the aforementioned settlement agreement and to acquire the Property as set forth in the
34 settlement agreement; and

35
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 authorize the County Executive to
38 execute the aforementioned settlement agreement and acquire the Property.

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

42
43 SECTION 1

44
45 The County Executive is hereby authorized to execute a settlement agreement between
46 the County and Wells Fargo Bank, N.A. for the appropriation of certain real property, identified
47 as Parcel Nos. 51-04790 and 51-04786 in the Summit County Records, (the "Property") needed
48 for the Columbine Service Area Sanitary Sewer Improvement Project (Q-948), in Springfield
49 Township, and is further authorized to acquire the Property pursuant to the settlement agreement.
50 A copy of the settlement agreement is attached hereto as Exhibit A and incorporated herein by
51 reference.
52

1 RESOLUTION NO. 2018-155

2 PAGE TWO

3
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 will
8 immediately allow for a resolution of the appropriation proceedings and the acquisition of the
9 Property for the benefit of the Columbine Service Area Sanitary Sewer Improvement Project (Q-
10 948).

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12 SECTION 3


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

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18 SECTION 4

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

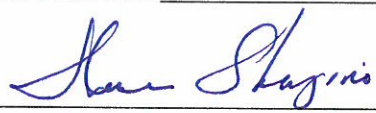
25
26 INTRODUCED April 30, 2018

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29 ADOPTED April 30, 2018

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32 _____
33 CLERK OF COUNCIL

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35 
36 _____
37 PRESIDENT OF COUNCIL

38
39 APPROVED May 1, 2018

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_____ May 1, 2018
ENACTED EFFECTIVE

EXECUTIVE
Voice Vote: 11-0 YES: Dickinson, Donofrio, Feeman, Hamilton, Koehler,
Prentice, Rodgers, Schmidt, Soyars, Walters, Wilhite