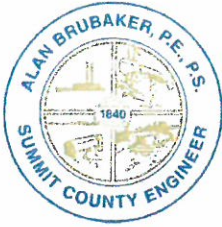


21-082
EXHIBIT
A



ALAN BRUBAKER P.E., P.S.

SUMMIT COUNTY ENGINEER

November 13, 2020

Summit County Council
Ohio Building, 7th Floor
175 S. Main Street
Akron, OH 44308

Dear Council Members,

The Summit County Engineer's Office is again requesting the vacation of Everett Road from Farmstead Road to Wheatley Road in Bath, Richfield, and Boston Townships. This stretch of Everett Road services no private homes or businesses and is currently closed. Everett Road had an average daily vehicle rate of approximately 200. In addition, landslides and road defects in the roadway will be very expensive to repair, a cost we cannot justify on a road that does not service private residents and has so few motorists on it per day.

The property owners along this stretch of Everett Road are the National Park Service and Summit Metro Parks. Both entities have previously stated they are not opposed to vacating the roadway as long we remove the existing infrastructure.

In addition, this office is requesting the vacation of Oak Hill Road on behalf of Boston Township. There is an active landslide along Oak Hill Road that made it necessary to close the facility in 2012. Oak Hill Road also serves no private homes or businesses.

The legal descriptions and vacation plats are attached to this letter. We are asking that Council set the road vacation viewing and hearing dates at the next available meeting. Please let me know if you have any questions or concerns regarding this matter.

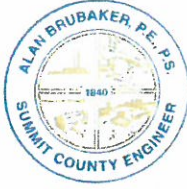
Sincerely,

DocuSigned by:

E7F21A8FFC444EB...

Alan Brubaker, P.E., P.S.
Summit County Engineer

cc: Ilene Shapiro, Summit County Executive
Brian Nelsen, Chief of Staff, Summit County Executive's Office
Deborah Matz, Attorney, Summit County Executive's Office
Marvin Evans, Attorney, Summit County Prosecutor's Office
Vito Sinopoli, Administrator, Bath Township
Amy Anderson, Chairperson, Boston Township Trustees
Mindy Remec, Administrator, Richfield Township



ALAN BRUBAKER, P.E., P.S.

SUMMIT COUNTY ENGINEER

SUMMIT COUNTY ENGINEER'S REPORT
Everett Road Vacation
Request to Vacate a Portion of a County Highway
September 25, 2017
Updated November 10, 2020

Background: By copy of a letter dated August 4, 2017 the Summit County Engineer's office requested the vacation of a portion of Everett Road from Farmstead Road to Wheatley Road in Bath, Richfield, and Boston Townships. This stretch of Everett Road services no private homes or businesses and is currently a gravel road. Everett Road had an average daily vehicle rate of approximately 200. In addition, the letter noted that landslides and road defects in the roadway will be very expensive to repair, a cost we cannot justify on a road that does not service private residents and has so few motorists on it per day.

The property owners along this stretch of Everett Road are the National Park Service and Summit Metro Parks. Both entities have stated they were not opposed to vacating the roadway as long we remove the existing infrastructure. We had agreed that if the road is vacated, we will remove the existing roadway and structures, allowing the area to go back to its natural state. In addition, we met with representatives from each affected township in 2017.

In response to the August 4, 2017 letter, the Summit County Council enacted Resolution No. 2017-349. County Executive Ilene Shapiro signed the Resolution on September 22, 2017. The resolution set a date of September 15, 2017 for the Council to conduct a public viewing of the site. Approximately ten individuals attended the viewing, including representatives from the three affected townships, Boston, Bath and Richfield, along with representatives from the County Council's office staff, Summit MetroParks and the Cuyahoga Valley National Park. The same resolution and set September 28, 2017 at 4:30 p.m. as the date and time for the public hearing on the vacation of the portion of county highway.

Update: This portion of Everett Road has been closed since the beginning of 2018. Council took no action as they investigated other possibilities for roadway use and ownership. At this point, the Engineer's office would like to restart the process of vacating the roadway.

Issue: Everett Road is a two lane, east west facility located along the boundary between Bath Township and Richfield Township and Richfield Village that extends from the Medina County Line across the two noted townships and enters into Boston Township where it continues to an intersection with Riverview Road. The requested vacation extends for a distance of 1.71 miles. There exists an alternative route from

**Summit County Engineer's Report
Everett Road Vacation
Page 2**

Everett Road to North Revere Road to Wheatley Road to Everett road that provides a way around the vacated portion of Everett Road. The pavement on the alternative route is an asphalt pavement as opposed to the gravel roadway surface of the portion to be vacated. It will cost approximately \$3.65 million to restore the section of Everett Road we are seeking to vacate plus it will require us to cut down 5 acres of park wood lands to repair the numerous landslides that are present.

Discussion: When last counted in 2016 the portion of Everett Road under consideration had only 265 vehicles per day traveling on the road. An inspection of the small bridge on in 2017 indicates that the bridge needs repairs if it is to remain open to traffic for an extended period of time. The bridge is considered in poor condition and has a sufficiency rating of 47.6 out of 100 and by state and federal standards is considered functionally obsolete. The cost to rehabilitate the bridge and correct all deficiencies is estimated at \$1,196,000, There are three significant landslides within the vacation limits, one pending slide and several eroding ravines. To repair the slides to establish a solid road base would cost approximately \$ 1,575,000 and would require the excavation of 5 acres of forested woodlands. There is also approximately \$ 1,196,000 worth of pavement and roadway items that would also have to be improved to restore the facility to normal standards.

Funding: Everett Road is not on the list of Highways Eligible for Federal Funding through various AMATS programs. The former federal funding program (Public Lands Highways Discretionary Program) operated by the U. S. Department of the Interior ended several years ago. The current federal funding program Eastern Federal Lands grant also operated by the U.S. Department of the Interior limits projects to less a cost of less than \$300,000. The U.S. Congress has eliminated the use of "earmarks" for projects, so we cannot go to one of our favorite congressional representatives and ask for a set aside and lastly, the County Engineer's Capital Budget for the Motor Vehicle Gas Tax fund provides approximately \$2.5 million of resurfacing projects. We would have to eliminate our entire paving program for two years to re-construct this facility.

Concerns: The Summit County Engineer's office is required to maintain a safe network of roads and bridges. In the recent years, this portion of Everett Road has moved several times, cracks and movement in large sections of the former asphalt pavement made it unsafe for the motoring public to travel the facility at the posted speed limit. Previous repairs using a technique known as "soil nailing" are showing signs of erosion and soil slippage exposing sections of the pneumatically inserted rods and creating a safety hazard. To extend the usable life of the pavement we used a process known as "pulv mixing" in which we turned the roadway into a gravel facility that would not exhibit the deformation that the asphalt pavement was undergoing. The movement of the facility continues. The landslides are now undermining numerous sections of the

**Summit County Engineer's Report
Everett Road Vacation
Request to Vacate a Portion of a County Highway
Page 3**

guardrail and creating additional unsafe conditions. The road was closed due to safety concerns.

Recommendations:

1. The Summit County Engineer recommends the vacation of the portion of Everett Road and requests the County Council concurrence.

EXHIBIT A

A map depicting the overall location of the proposed vacation of Everett Road.

EXHIBIT B

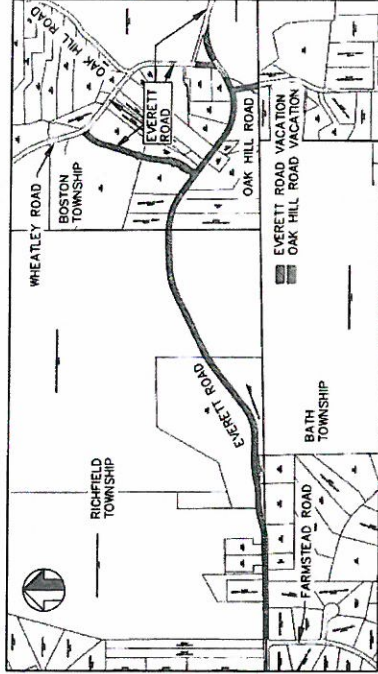
A Memorandum to File summarizing the various considerations including recent traffic counts identified in this request to vacate a portion of Everett Road

EXHIBIT C

1. A map highlighting the portion of Everett Road requested to be vacated.
2. A map of the region showing the traffic volumes on the various roads in the area and the year in which the count was obtained.
3. A map highlighting the portion of Everett Road;
 - a. Requested to be vacated (shown as dashed lines);
 - b. The alternate route around the portion proposed to be vacated (solid line);
 - c. The distance of each route shown in miles;
 - d. The travel time in minutes to drive the routes at the posted speed of 35 miles per hour.

Everett Road (CH47) and Oak Hill Road (TR173) Vacation Plat

Located in Richfield, Bath, and Boston Townships, Summit County, Ohio.
 Vacating Everett Road from Farmstead Road to Wheatley Road
 Vacating Oak Hill Road from Everett Road to the South line of Boston Township
 Vacating abandoned portions of Everett and Oak Hill Roads North and East of the "Covered Bridge"



Location Map
 1 inch = 1000 feet

The Vacation of Roadway upon the lands shown hereon is hereby approved and accepted by Resolution No. _____ of the Council of Summit County this _____ day of _____, 20____.

President _____

Clerk _____

Approved by the Executive of the County of Summit this _____ day of _____, 20____.

Executive _____

UTILITY NOTE [O.R.C. 5553.043]:

When any street, highway, or road, or a portion of any street, highway, or road, is vacated pursuant to any section of this chapter or Chapter 5571, of the Revised Code, and the relocation of any conduits, cables, wires, towers, poles, sewer lines, steam lines, pipelines, gas and water lines, tracks, or other equipment or appliances of any electric cooperative, railroad, or public utility, whether owned privately or by any governmental authority, located on, over, or under the portion of the street, highway, or road affected by the vacation, are not required for purposes of the vacating authority, any affected electric cooperative, railroad, or public utility company shall be deemed to have a permanent easement in the vacated portion of the street, highway, or road for the purpose of accessing, maintaining, operating, renewing, reconstructing, and removing those utility facilities. The permanent easement also confers a right of ingress and egress to service and maintain those utility facilities and a right to trim or remove any trees, shrubs, brush, or other obstacles growing in or encroaching onto the permanent easement that may affect the operation, use, or access to those utility facilities.

Prepared by:

ALAN BRUBAKER, P.E., P.S. Date _____
 Summit County Engineer
 538 E. South St.
 Akron, OH 44311-1843
 Tele: (330) 643-2850
 Fax: (330) 762-7829
 Website: <http://summitengineer.net>

I hereby certify that the survey delineated hereon was made under my supervision in June of 2017, and the survey is true and complete as shown.

Walter Schostak, P.S. 7903 Date _____
 Surveyor, Summit County Engineer

Everett Road Vacation

Vacation of Everett Road (C.H. 47) in Bath, Richfield, and Boston Townships.

That portion of Everett Road from the east line of Farmstead Road easterly to the south line of Wheatley Road (C.H. 174).

Situated in the State of Ohio, County of Summit, Townships of Bath, Richfield, and Boston, described as follows:

Beginning at a point on the centerline of Everett Road 60.00 feet east of the intersection of Farmstead Road as shown in "The Farmstead Re-allotment", recorded Plat Book 102, pages 59-61, thence easterly along the centerline of Everett Road about 6136.2 feet to centerline intersection of the "Everett and Wheatley Roads Connector" as recorded in Plat Cabinet K Slide 515-516.

Thence northerly along the centerline shown in said "Everett and Wheatley Road Connector" about 1471.5 feet to the south line of Wheatley Road and end of vacation.

Total length to be vacated is 7607.7 feet more or less. The right of way is of variable width.

In addition, vacating that portion of Abandoned Everett Road east of the "Covered Bridge" and west of the current Everett Road, being approximately 355 feet more or less. The right of way being 60 feet.

Vacating all public interest, prescriptive rights, and responsibility in Everett Road as established and platted.

This description was prepared by Walter Schostak, P.S. 7903, surveyor for the Summit County Engineer, Alan Brubaker, from the following Road Record information on file at the Summit County Engineer's office and not from an actual field survey.

Establishment Records:

- Road Record Book 3, pages 97-104, dated 1881
- Road Record Book 3, pages 193-200, dated 1882
- Road Record Book 8, pages 16-18, dated 1928
- Road Record Book 8, page 25, dated 1929
- The Farmstead Re-Allotment, Plat Book 102, pages 59-61
- The Farmstead Re-Allotment Phase 2, Plat Book 110, pages 69-70
- Everett and Wheatley Roads Connector, Plat Cab. K, Slides 515-516

Oak Hill Road Vacation

Vacation of Oak Hill Road (T.R. 173) in Boston Township.

That portion of Oak Hill Road from the intersection of Everett Road (C.H. 47) east and south to the south line of Boston Township.

Situated in the State of Ohio, County of Summit, Township of Boston, and being within Original Tract 2 Lot 7 and Tract 7, described as follows:

Beginning at the intersection of the centerline of Oak Hill Road, 60 feet wide, (formerly a portion of Everett Road, C.H. 47, renamed Oak Hill Road in 1996, Road Record Book 15 pages 307-308) and the centerline of Everett Road and the "Everett and Wheatley Roads Connector" as recorded in Plat Cabinet K Slide 515-516.

Thence easterly along the centerline approximately 1302 feet to the portion of Everett Road vacated in 1985 in Plat Cabinet B, Slide 108 known as the "Covered Bridge". Additionally vacating that portion of Oak Hill Road Dedicated by County Resolution June 9, 1948 and recorded in Road Record Book 10 page 200-200b from the former Everett Road south to the south line of Boston Township approximately 355 feet.

Total length to be vacated is 1596 feet more or less. The right of way width being 60 feet.

In addition, vacating that portion of Abandoned Oak Hill Road north of the "Covered Bridge" and south of Everett Road, being approximately 220 feet more or less. The right of way width being 60 feet.

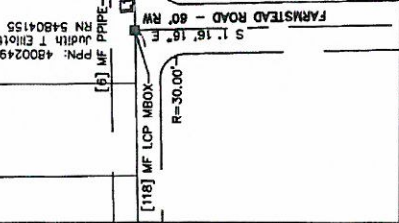
Vacating all public interest, prescriptive rights, and responsibility in Oak Hill Road as established and traveled.

This description was prepared by Walter Schostak, P.S. 7903, surveyor for the Summit County Engineer, Alan Brubaker, from the following Road Record information on file at the Summit County Engineer's office and not from an actual field survey.

Establishment Records:

- As Everett Road, Road Record Book 8 page 25 dated 1929
- As Oak Hill Road, Road Record Book 10 page 200 dated 1948

DETAIL "A"
RICHFIELD TOWNSHIP



PPN: 4802721
Metro Parks Serving Summit County
Everett Road - CH47 - 60' RW
N 88° 43' 44" E
359.96' 360.00' REC
[9] MF PPIPE
R=30.00'

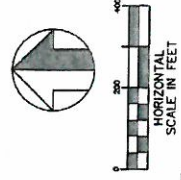
PPN: 0402393
Paul C. Pinnat, Trustee
RN 55846814
Sublot 25
The Farmstead Re-Alignment
Plat Book 102 Page 59
VACATED AREA:
10799 SQ. FT.
0.2479 ACRES

PPN: 4800771
United States of America
Everett Road - CH47 - 60' RW
N 88° 43' 44" E
311.79' 311.92' REC
[10] MF PPIPE
R=30.00'

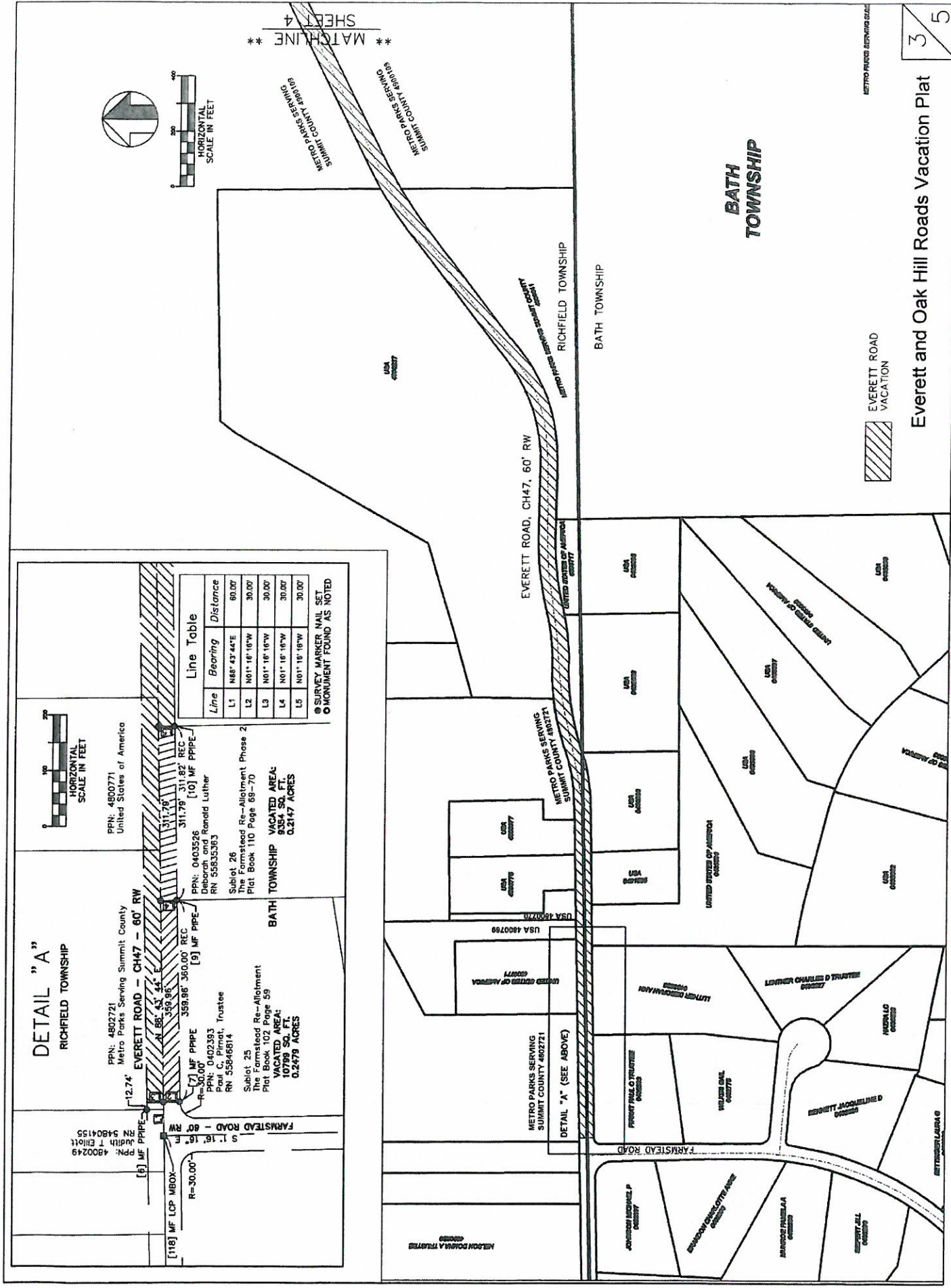
PPN: 0403526
Donald Luther
RN 55835383
Sublot 26
The Farmstead Re-Alignment Phase 2
Plat Book 110 Page 68-70
VACATED AREA:
8244 SQ. FT.
0.2147 ACRES

Line	Bearing	Distance
L1	N88° 43' 44" E	80.00'
L2	N01° 16' 16" W	30.00'
L3	N01° 16' 16" W	30.00'
L4	N01° 16' 16" W	30.00'
L5	N01° 16' 16" W	30.00'

◎ SURVEY MARKER NAIL SET
○ MONUMENT FOUND AS NOTED

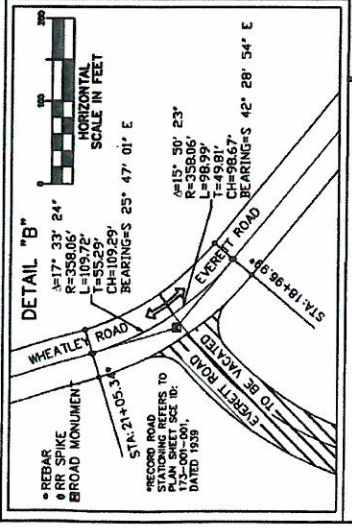
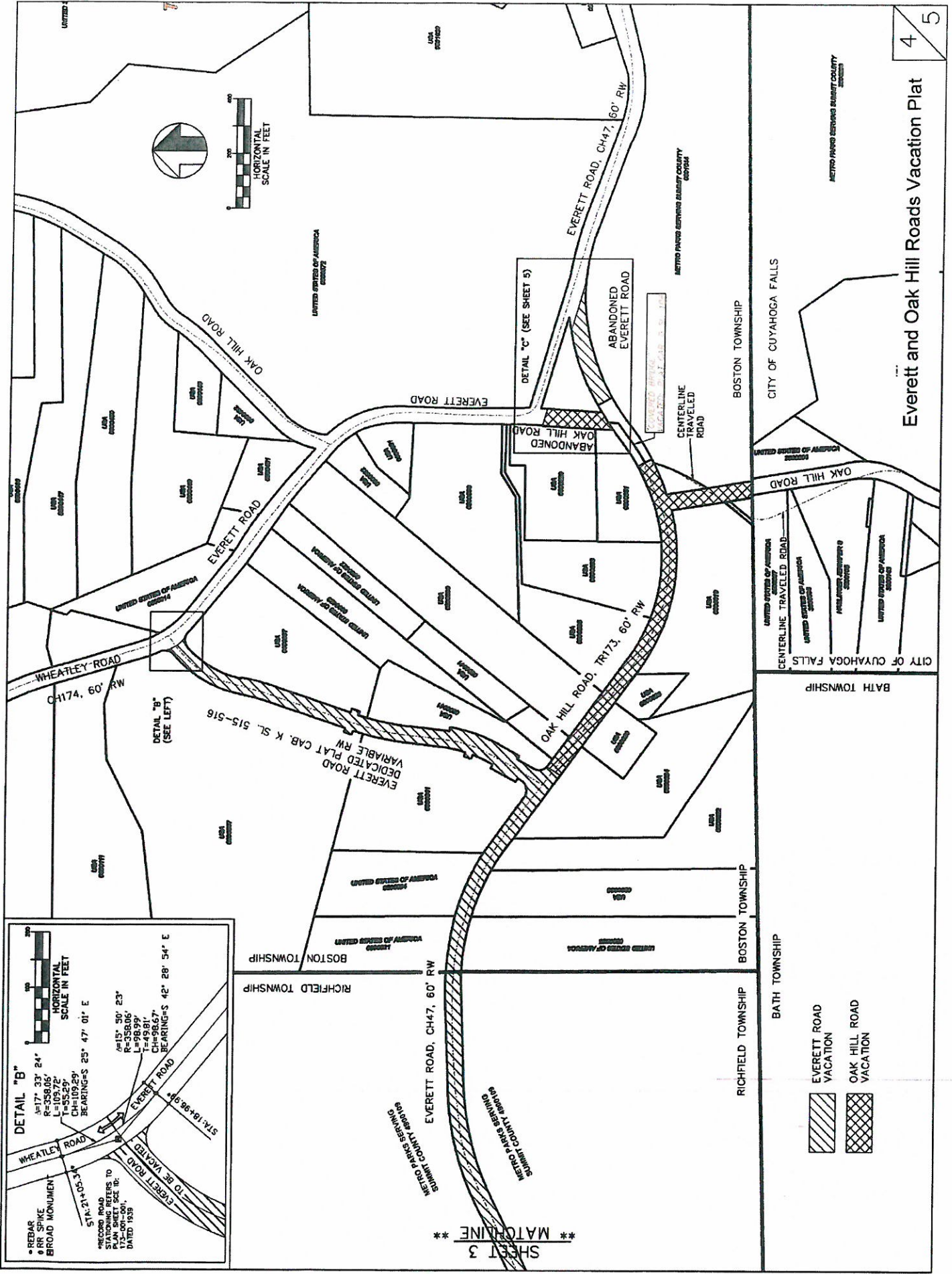


** MATCHLINE **
SHEET 4
METRO PARKS SERVING SUMMIT COUNTY 4800771
METRO PARKS SERVING SUMMIT COUNTY 4800771



EVERETT ROAD VACATION

Everett and Oak Hill Roads Vacation Plat



SHEET 3
 ** MATCHLINE **

DETAIL "C"



The Basis of Bearing is Grid North of the Ohio State Plane Coordinate System (North Zone), NAD83(1986) adjustment, as determined by GPS survey of December 2007.

ABBREVIATIONS:

- MONUMENTS:**
 BSKP = BOAT SPIKE FOUND
 CMON = CONCRETE MONUMENT
 DH = DRILL HOLE
 GMON = GEODETIC MONUMENT
 IS = IRON BAR
 MCON = METAL CONCRETE PIPE
 MAGS = "MAG" NAIL SET
 MONBOX = ROAD MONUMENT BOX
 PIPE = "PINCHED" PIPE
 RB = REBAR
 RBS = 3/4 INCH REBAR SET
 RRSKS = RAIL ROAD SPIKE SET
 SCON = STONE CONCRETE MONUMENT
 SANS = SURVEY MARK NAIL SET
 STONE = STONE MONUMENT
- OTHER:**
 CALC = CALCULATED POINT
 CL = CENTERLINE
 DEED = DEED INFORMATION
 DPT = DEED POINT
 PC = POINT OF CURVATURE
 PI = POINT OF INTERSECTION
 POT = POINT ON TANGENT
 PT = POINT OF TANGENCY
 R & REC = RECORD
 RW = RIGHT OF WAY POINT
 SCE = SUMMIT COUNTY ENGINEER
- N = NORTH
 E = EAST
 S = SOUTH
 W = WEST



SYMBOL LEGEND	
	RAIL ROAD SPIKE
	MONUMENT FOUND AS NOTED
	CONCRETE RW MONUMENT
	NAIL FOUND
	3/4" REBAR w/OP "SUMMIT COUNTY ENGINEER" SET
	PROPERTY LINE

Parcel # 06000272
 ATTN: BROWN/EVERETT RD
 Address: 3508 OAK HILL RD
 UNITED STATES OF AMERICA
 Owner Information Name:
 ATTN LAND RESOURCES DIV
 60 RIVERFRONT DR
 OMAHA, NE 68102

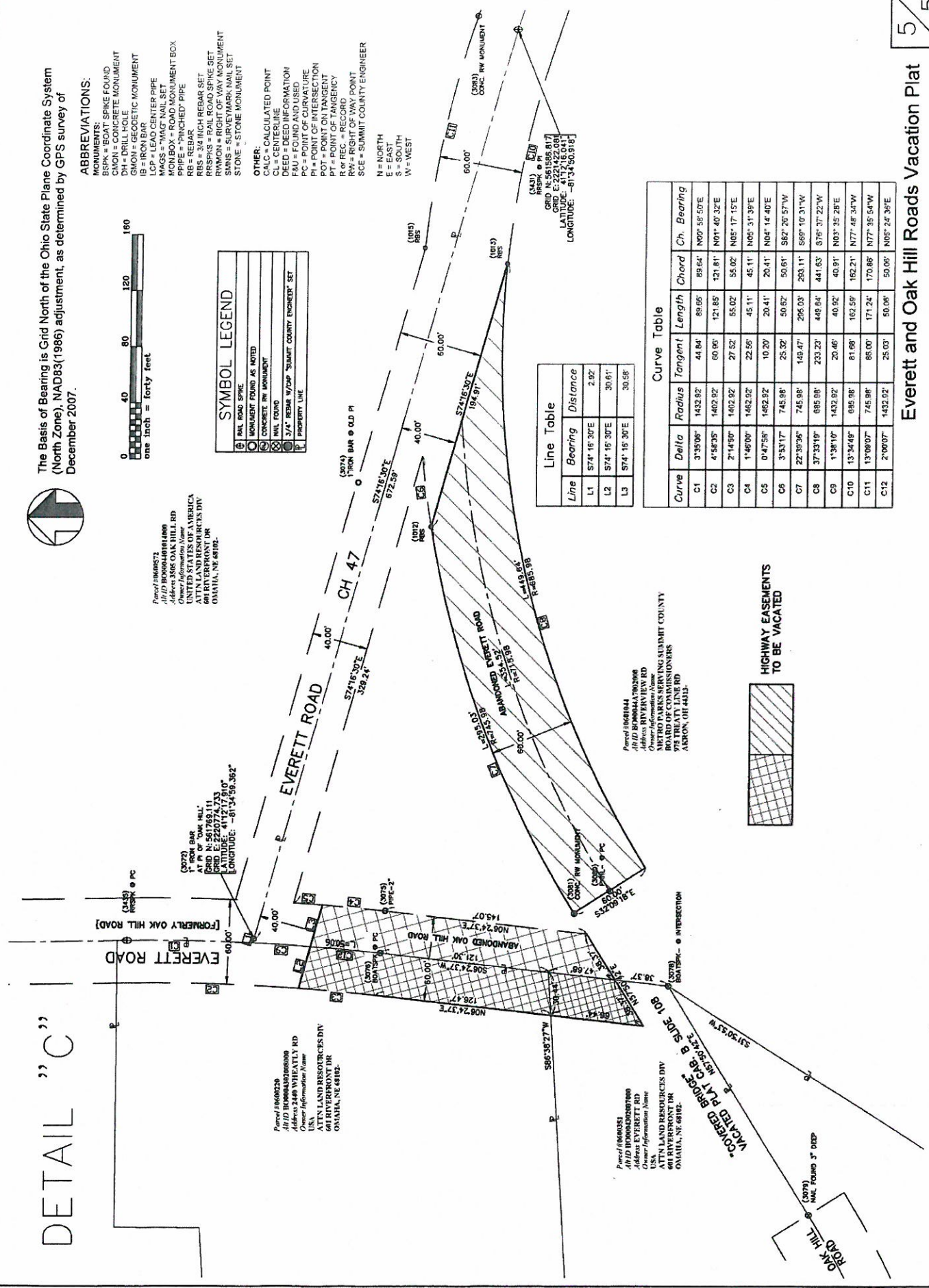
Parcel # 06000273
 ATTN: BROWN/EVERETT RD
 Address: 3508 OAK HILL RD
 USA
 Owner Information Name:
 ATTN LAND RESOURCES DIV
 60 RIVERFRONT DR
 OMAHA, NE 68102

Parcel # 06000331
 ATTN: BROWN/EVERETT RD
 Address: EVERETT RD
 USA
 Owner Information Name:
 ATTN LAND RESOURCES DIV
 60 RIVERFRONT DR
 OMAHA, NE 68102

Parcel # 06000441
 ATTN: BROWN/EVERETT RD
 Address: RIVERVIEW RD
 USA
 Owner Information Name:
 ARTURO PARKS SERVING SUMMIT COUNTY
 978 TRACY LINE RD
 AKRON, OH 44313



HIGHWAY EASEMENTS TO BE VACATED



Line Table	
Line	Bearing Distance
L1	S74°15'30"E 2.92'
L2	S74°15'30"E 30.61'
L3	S74°15'30"E 30.58'

Curve Table					
Curve	Delta	Radius	Tangent Length	Chord	Ch. Bearing
C1	3°35'05"	1432.92'	44.84'	89.68'	N09°56'50"E
C2	4°58'35"	1402.82'	60.66'	121.81'	N01°40'32"E
C3	2°14'50"	1402.92'	27.52'	55.02'	N05°17'15"E
C4	1°45'00"	1462.92'	22.56'	45.11'	N05°31'39"E
C5	0°47'38"	1462.92'	10.20'	20.41'	N06°14'40"E
C6	3°33'17"	745.98'	25.32'	50.62'	S82°20'57"W
C7	22°39'36"	745.98'	149.47'	296.03'	S69°10'31"W
C8	37°33'10"	685.98'	233.23'	448.64'	S76°37'22"W
C9	1°38'10"	1452.92'	20.46'	40.92'	N03°35'28"E
C10	13°54'49"	685.98'	81.66'	162.59'	N77°48'34"W
C11	13°08'07"	745.98'	66.00'	171.24'	N77°35'54"W
C12	2°00'07"	1432.92'	25.03'	50.06'	N05°24'36"E

Everett and Oak Hill Roads Vacation Plat