

1 RESOLUTION NO: 2021-323

First Reading Passage Requested
(Clerk of Council)

2 SPONSORS: Ms. Walters

3 DATE October 25, 2021

COMMITTEE Planning

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7 **A Resolution setting dates for this Council to conduct a public viewing, and setting a date**
8 **for a final hearing, to consider the vacation of excess right-of-way along Akron-Cleveland**
9 **Road between Wyoga Lake Road and the Boston Heights corporate line located in Boston**
10 **Township, in Council District 1, pursuant to Chapter 5553 of the Ohio Revised Code and**
11 **Section 125.03 of the Codified Ordinances of the County of Summit, for Council, and**
12 **declaring an emergency.**

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14 WHEREAS, the Summit County Engineer's Office has requested the vacation of excess
15 right-of-way along Akron-Cleveland Road between Wyoga Lake Road and the Boston Heights
16 corporate line located in Boston Township, in Council District 1; and

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18 WHEREAS, the Summit County Engineer's Office has requested the aforementioned
19 vacation of excess right-of-way pursuant to Sections 5553.04 and 5553.05 of the Ohio Revised
20 Code. Copies of the Engineer's request and the Engineer's Report were filed with the Clerk of
21 Council on or about September 29, 2021, are attached and marked as Exhibit "A"; and

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23 WHEREAS, the vacation of the portions of excess right-of-way requested will transfer
24 ownership of the underlying land to the abutting property owners.

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

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29 SECTION 1

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31 The Clerk of Council shall set the date of **November 19, 2021 at 2:00 p.m.** as the time
32 for a public viewing of the proposed vacation site pursuant to the requirements of Section
33 5553.05 of the Ohio Revised Code and Section 125.03(e) of the Codified Ordinances of the
34 County of Summit.

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36 SECTION 2

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38 The Clerk of Council shall set the date of **November 22, 2021 at 4:30 p.m.** for the final
39 hearing on the vacation as required by Section 5553.05 of the Ohio Revised Code and Section
40 125.03(e) of the County of Summit Codified Ordinances of the County of Summit, to determine
41 whether the proposed vacation of excess right-of-way along Akron-Cleveland Road between
42 Wyoga Lake Road and the Boston Heights corporate line located in Boston Township requested
43 by the Summit County Engineer would be for the public convenience or welfare.

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45 SECTION 3

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47 The Clerk of Council shall cause notice by regular U.S. mail to be made to the abutting
48 landowners and the applicable Township, informing them of the date set for the public hearings,
49 and the Clerk shall comply with all other public notice requirements as set forth in Section
50 5553.05 of the Ohio Revised Code.

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2 PAGE TWO

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4 SECTION 4

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6 This Resolution is hereby declared to be an emergency in the interest of the health, safety
7 and welfare of the citizens of the County of Summit and for the further reason of timely setting
8 the proper hearing and viewing dates and providing for proper notice of the same without undue
9 delay.

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11 SECTION 5


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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
15 effect and be in force at the earliest time provided by law.


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17 SECTION 6

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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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26 INTRODUCED October 25, 2021

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28 ADOPTED October 25, 2021

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32 CLERK OF COUNCIL

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35 PRESIDENT OF COUNCIL

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37 APPROVED October 26, 2021

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39 
40 EXECUTIVE

ENACTED EFFECTIVE October 27, 2021