

1 RESOLUTION NO. 2022-068

2
3 SPONSOR Executive Shapiro

4 March 28, 2022

5 DATE _____

6 COMMITTEE Public Works

7 **A Resolution authorizing appropriation proceedings for a standard highway easement over**
8 **the real property known as Parcel No. 0401232 needed for the Revere Road Bridge**
9 **Replacement Project, located in Bath Township, in Council District 4, for the Engineer,**
10 **and declaring an emergency.**

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12 WHEREAS, a standard highway easement is needed for the Revere Road Bridge
13 Replacement Project (the "Project"), located in Bath Township, in Council District 4; and

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15 WHEREAS, the County of Summit, despite negotiations, has been unable to acquire all
16 of the right-of-way necessary for the Project; and

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18 WHEREAS, the County of Summit and Laurie K. Chervenik are unable to agree upon the
19 purchase price for right-of-way on the real property known as Parcel No. 0401232, owned by
20 Laurie K. Chervenik partly due to her requesting additional work be done on a separate issue
21 before signing the highway easement purchase agreement; and

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23 WHEREAS, the Engineer is evaluating the property owner's request, but needs
24 appropriation proceedings started in order to get the Project built on schedule. This resolution
25 allows the Engineer's Office to deposit the original good faith offer funds with the Courts to
26 proceed with the Project; and

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28 WHEREAS, it is necessary to acquire said right-of-way by court proceedings under the
29 provisions of Section 5555.09 and Chapter 163 of the Ohio Revised Code; and

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31 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
32 that it is necessary and in the best interest of the County of Summit to authorize appropriation
33 proceedings for said easement over the real property owned by Laurie K. Chervenik needed for
34 the Project; and

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36 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
37 of Ohio, that;

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39 SECTION 1

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41 The County of Summit hereby declares its intention to appropriate a standard highway
42 easement (Parcel 1-SH) over the real property described by Exhibit A, attached hereto and
43 incorporated herein as if fully rewritten, for the Revere Road Bridge Replacement Project, said
44 real property being owned by Laurie K. Chervenik - Trustee, located in Bath Township, in
45 Council District 4.

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47 SECTION 2

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49 The Prosecutor is hereby directed to prepare and file on behalf of the County of Summit,
50 Ohio, proceedings for appropriations of said easement, under the provisions of Chapters 163 and
51 5555 of the Ohio Revised Code.
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2 PAGE TWO

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4 SECTION 3

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6 The Engineer, through the Fiscal Officer, is hereby authorized to draw by voucher upon
7 the County of Summit and pay into the Court of Common Pleas at the time of the filing of a
8 complaint for the appropriation of said slope easement and temporary easement, under the
9 provisions of Chapter 163 of the Ohio Revised Code, in an amount not to exceed \$1,023.00.

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11 SECTION 4

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13 This Resolution is hereby declared an emergency in the interest of the health, safety, and
14 welfare of the residents of Summit County, and for the further reason that it will allow
15 commencement of an immediately needed improvement to the County's highway system.

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17 SECTION 5

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

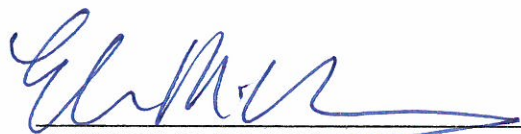
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23 SECTION 6

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25 It is found and determined that all formal actions of this Council concerning and relating
26 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
27 deliberations of this Council and of any of its committees that resulted in such formal action,
28 were in meetings open to the public, in compliance with all legal requirements, including Section
29 121.22 of the Ohio Revised Code.

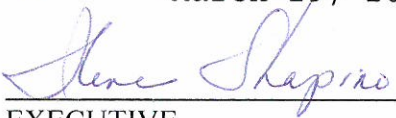
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32 INTRODUCED March 14, 2022

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34 ADOPTED March 28, 2022

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38 CLERK OF COUNCIL


PRESIDENT OF COUNCIL

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40 APPROVED March 29, 2022

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44 EXECUTIVE

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46 ENACTED EFFECTIVE March 29, 2022

Voice Vote - YES: 9-0: Darrow, DeVitis, Donofrio, McKenney,
Rodgers, Schmidt, Sims, Walters, Wilhite
ABSENT: Dickinson, Feeman