RESOLUTION NO. 2022-068

SPONSOR___ Executive Shapiro

DATE_____________________________ COMMITTEE ___ Public Works

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

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

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

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

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

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

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

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

SECTION 1

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

SECTION 2

The Prosecutor is hereby directed to prepare and file on behalf of the County of Summit, Ohio, proceedings for appropriations of said easement, under the provisions of Chapters 163 and 5555 of the Ohio Revised Code.
SECTION 3

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

SECTION 4

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

SECTION 5

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

SECTION 6

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

INTRODUCED March 14, 2022

ADOPTED

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CLERK OF COUNCIL    PRESIDENT OF COUNCIL

APPROVED

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EXECUTIVE

ENACTED EFFECTIVE