

1 RESOLUTION NO. 2022-116

2
3 SPONSOR Executive Shapiro

4
5 DATE April 25, 2022

COMMITTEE Public Works

6
7 **A Resolution authorizing the Executive to execute a partial release of a sanitary sewer**
8 **easement originally granted in a plat for New Seasons Phase Two, Parcel No. 2816780**
9 **recorded in Reception No. 56679751 of the Records of the County of Summit, Ohio, located**
10 **in the City of Green, in Council District 8, for the Executive's Department of Sanitary**
11 **Sewer Services, and declaring an emergency.**

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13 WHEREAS, New Seasons Phase Two is a residential development located in the City of
14 Green, in Council District 8, to be built by New Seasons JV, LLC (the "Developer"); and

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16 WHEREAS, on September 28, 2021, the Developer recorded a plat for New Seasons
17 Phase 2 and granted an easement to the County of Summit on Parcel No. 2816780 for the
18 purpose of serving New Seasons Phase Two; and

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20 WHEREAS, the Developer has subsequently changed its plans, and now wishes to build
21 a structure on a portion of property where the easement is located, and therefore that portion of
22 the easement is no longer necessary for sanitary sewer purposes; and

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24 WHEREAS, the Developer requests that the County abandon and release a portion of the
25 easement so that the property thereon may be used freely, as further set forth in Exhibit A, a copy
26 of which is attached to this Resolution hereto and incorporated fully herein; and

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28 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
29 that authorizing the Executive to execute the aforementioned release of easement is necessary
30 and in the best interest of the County of Summit;

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

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35 SECTION 1

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37 The Executive is hereby authorized to execute the Partial Release of a sanitary sewer
38 easement, substantially in the form attached to this Resolution as Exhibit A hereto and
39 incorporated fully herein, which shall release and abandon a certain portion the sanitary sewer
40 easement on Parcel No. 2816780, recorded in Reception No. 56679751 of the Records of the
41 County of Summit, Ohio, located in the City of Green, in Council District 8.

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43 SECTION 2

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45 This Resolution is hereby declared an emergency in the interest of the health, safety and
46 welfare of the residents of the County of Summit and for the further purpose of immediately
47 authorizing the Executive to execute said partial release of easement and allow development of
48 the parcel to proceed.

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1 RESOLUTION NO. 2022-116

2 PAGE TWO

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4 SECTION 3


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

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10 SECTION 4

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12 It is found and determined that all formal actions of this Council concerning and relating
13 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
14 deliberations of this Council and of any of its committees that resulted in such formal action,
15 were in meetings open to the public, in compliance with all legal requirements, including Section
16 121.22 of the Ohio Revised Code.


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19 INTRODUCED April 11, 2022

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21 ADOPTED April 25, 2022

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25 CLERK OF COUNCIL


PRESIDENT OF COUNCIL

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27 APPROVED April 26, 2022

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30
31 EXECUTIVE

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33 ENACTED EFFECTIVE April 28, 2022

Voice Vote - YES: 11-0: Darrow, DeVitis, Dickinson, Donofrio, Feeman, McKenney, Rodgers, Schmidt, Sims, Walters, Wilhite