

RESOLUTION NO. 2009-075

SPONSOR Mr. Pry

DATE September 14, 2009

COMMITTEE: Public Works

**An amended Resolution assessing the residents of Swan Lake Phase IV, Copley Township, Council District 5, for drainage maintenance, for the Engineer, and declaring an emergency.**

WHEREAS, by Ordinance No. 2003-698, this Council approved the plat for Swan Lake Phase IV; and

WHEREAS, said plat included a drainage maintenance assessment provision signed by all owners of parcels located within said Subdivision, with said provision applying to subsequent owners of the same parcels; and

WHEREAS, assessments for drainage maintenance also are permitted by Sections 6137.02 and 6137.03 of the Ohio Revised Code; and

WHEREAS, the County Engineer seeks to establish a drainage maintenance fund for said Subdivision and to fully execute its powers and duties thereof; and

WHEREAS, the Engineer has prepared a Special Assessment Worksheet, which is attached and marked as **amended** "Exhibit A", which apportions necessary charges for drainage maintenance among the Subdivision's benefited parcel owners;

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

#### SECTION 1

A drainage maintenance fund for Swan Lake Phase IV, located in Copley Township, Council District 5, is hereby established.

#### SECTION 2

Owners of parcels within Swan Lake Phase IV shall be assessed for drainage maintenance per the attached **amended** Special Assessment Worksheet, Exhibit A hereof. Each assessment is proportional to the estimated benefit to the respective parcel.

#### SECTION 3

Pursuant to O.R.C. § 6137.03 the Clerk of Council shall certify the attached assessments to the County Fiscal Officer for placement on the next succeeding tax duplicate to be collected and paid.

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SECTION ~~3~~ 4

This Resolution is hereby declared an emergency in the interest of the health, safety, and welfare of the citizens of the County of Summit, and for the further reason to immediately fund necessary drainage maintenance.

SECTION ~~4~~ 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 ~~5~~ 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 2, 2009 June 22, 2009 - Time Extended 4 months

ADOPTED September 14, 2009

*Sharilyn F. Greer*  
CLERK OF COUNCIL

*Nick Kostandaras*  
PRESIDENT OF COUNCIL

APPROVED September 15, 2009

*Russell R. King*  
EXECUTIVE

ENACTED EFFECTIVE September 15, 2009

Voice Vote: 10-0 YES: Comunale, Crawford, Crossland, Feeman, Kostandaras  
Poda, Prentice, Rodgers, Schmidt, Smith ABSENT: Shapiro

**RESOLUTION NO. 2009-075****AMENDED EXHIBIT 'A'****CERTIFIED  
SPECIAL ASSESSMENT  
WORKSHEET**PROJECT: **Swan Lake Phase IV**ASSESSMENT CODE: **C25-000-0000****Copley Township****DRAINAGE MAINTENANCE DISTRICT NO. 2**

PARCEL NUMBER	ROUTING NUMBER	SUB LOT #	SQ FT	ACREAGE	ACREAGE W/ STREETS	ANNUAL PAYMENT W/ STREETS	SEMI-ANNUAL PAYMENT
1507481		78	58,288	1.3381	1.5178	161.94	80.97
1507482		79	68,921	1.5822	1.7619	187.98	93.99
1507483		80	67,026	1.5387	1.7184	183.34	91.67
1507484		81	65,636	1.5068	1.6865	179.94	89.97
1507485		82	65,601	1.5060	1.6857	179.85	89.93
1507486		83	65,601	1.5060	1.6857	179.85	89.93
1507487		84	65,601	1.5060	1.6857	179.85	89.93
1507488		85	64,813	1.4879	1.6676	177.92	88.96
1507489		86	126,028	2.8932	3.0729	327.86	163.93
1507490		87	28,192	0.6472	0.8269	88.22	44.11
1507491		88	30,749	0.7059	0.8856	94.48	47.24
1507492		89	21,789	0.5002	0.6799	72.54	36.27
1507493		90	22,059	0.5064	0.6861	73.20	36.60
1507494		91	22,059	0.5064	0.6861	73.20	36.60
1507495		92	32,866	0.7545	0.9342	99.67	49.83
1507496		93	34,269	0.7867	0.9664	103.10	51.55
1507497		94	29,686	0.6815	0.8612	91.88	45.94
1507787		95R	22,904	0.5258	0.7055	75.27	37.63
1507788		96R	22,120	0.5078	0.6875	73.35	36.67
1507789		97R	24,359	0.5592	0.7389	78.83	39.42
1507501		98	28,379	0.6515	0.8312	88.68	44.34
1507502		99	29,882	0.6860	0.8657	92.36	46.18
1507503		100	22,473	0.5159	0.6956	74.21	37.11
1507504		101	26,824	0.6158	0.7955	84.87	42.44
1507505		102	22,446	0.5153	0.6950	74.15	37.07
1507506		103	22,420	0.5147	0.6944	74.08	37.04
1507507		104	21,858	0.5018	0.6815	72.71	36.35
1507508		105	21,937	0.5036	0.6833	72.90	36.45
1507509		106	30,226	0.6939	0.8736	93.20	46.60
1507510		107	29,690	0.6816	0.8613	91.89	45.95
1507511		108	21,880	0.5023	0.6820	72.76	36.38

**Term of Assessment: Permanent, subject to review for adjustments pursuant to Ohio Revised Code 6137.11**