

RESOLUTION NO. 2009-394

SPONSOR Mr. Kostandaras

DATE November 2, 2009

COMMITTEE: Planning

A Resolution conforming the boundaries of Twinsburg Township to the limits of the City of Twinsburg, subsequent to the approved annexation of 1.1478 acres from Twinsburg Township to the City of Twinsburg, for the County of Summit Council, and declaring an emergency.

WHEREAS, this Council previously enacted Resolution No. 2009-229, which granted the annexation of 1.1478 acres of land from Twinsburg Township to the City of Twinsburg; and

WHEREAS, subsequent to the approval of the annexation, the City of Twinsburg adopted Resolution No. 154-2009, a copy of which is attached hereto as Exhibit A and incorporated herein by reference, whereby the City of Twinsburg has petitioned County Council, pursuant to Ohio Revised Code Section 503.07, to adjust the boundaries of Twinsburg Township to conform and make them identical to the limits of the City of Twinsburg for the recently annexed area, said area being depicted in Exhibit A; and

WHEREAS, following receipt of a petition pursuant to Ohio Revised Code Section 503.07, the subsequent action by County Council to conform boundaries is a ministerial act to implement the intent of all parties that the annexed land be solely within the municipal boundaries of the City and no longer part of the Township.

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

SECTION 1

This Council hereby adjusts and conforms the boundaries of Twinsburg Township in order to make them identical to the limits of the City of Twinsburg, pursuant to Section 503.07 of the Ohio Revised Code, for the 1.1478 acres of land recently annexed from Twinsburg Township to the City of Twinsburg, as set forth on Exhibit A, attached hereto and incorporated herein by reference.

SECTION 2

The Clerk of Council is hereby directed to send a certified copy of this Resolution to the County Fiscal Officer- Recording Department, the County Engineer and the Summit County Board of Elections.

SECTION 3

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 conform the boundaries and act upon the petition filed pursuant to Ohio Revised Code Section 503.07.

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SECTION 4

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.

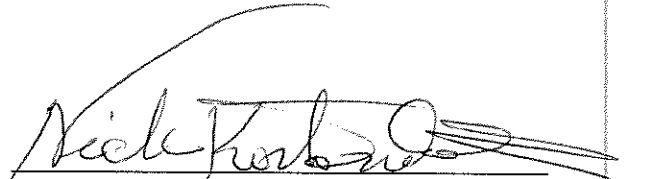
SECTION 5

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,

INTRODUCED October 19, 2009

ADOPTED November 2, 2009


CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED November 2, 2009


EXECUTIVE

ENACTED EFFECTIVE November 2, 2009

Voice Vote: 11-0 YES: Comunale, Crawford, Crossland, Feeman, Kostandaras Poda, Prentice, Rodgers, Schmidt, Shapiro, Smith

EXHIBIT A

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Distributed to Council on 09/18/09
Emailed to Council 09/18/09

CITY OF TWINSBURG, OHIO

ORDINANCE 154-2009

FILE COPY

AN ORDINANCE ADJUSTING THE BOUNDARIES FOR THE CITY OF TWINSBURG TO CONFORM TO THE APPROVED ANNEXATION 1.1478 ACRES FROM TWINSBURG TOWNSHIP TO THE CITY OF TWINSBURG FOR THE COUNCIL AND DECLARING AN EMERGENCY

WHEREAS, by passage of Resolution 123-2009, a copy of which is attached hereto as Exhibit "A", the City of Twinsburg has petitioned the County Council pursuant to Ohio Revised Code 503.07 to adjust the boundaries of Twinsburg Township to conform to the approved annexation of 1.1478 acres from Twinsburg Township to the City of Twinsburg; and

WHEREAS, the 1.1478 acres of the approved annexation to be transferred from Twinsburg Township to the City of Twinsburg by this adjustment of the township line are set forth in the description attached hereto as Exhibit "B"; and

WHEREAS, following receipt of a petition pursuant to Ohio Revised Code 503.07, the subsequent action by County Council to conform boundaries is a ministerial act to implement the intent of all parties that the annexed land be solely within the municipal boundaries of the City and no longer part of the Township.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Twinsburg, County of Summit and State of Ohio:

SECTION I: Exhibit "A" and Exhibit "B" attached hereto incorporated by references herein as if fully written.

SECTION II: The lines of City of Twinsburg and Twinsburg Township are hereby made identical in part to the lines of the municipal corporation of the City of Twinsburg, Summit County, Ohio as set forth in Exhibit "B" attached hereto.

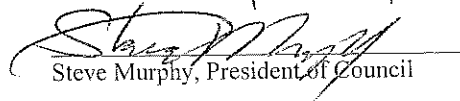
SECTION III: The acting Clerk of Council is hereby directed to send a certified copy of this Ordinance to the County Fiscal Officer, the County Engineer, and the Summit County Board of Elections.

SECTION IV: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting or meetings of this Council and any of its committees that resulted in such formal action, were in meetings open to the public and in full compliance with all legal requirements, including without limitations, those set forth in Section 121.22 of the Ohio Revised Code.

SECTION V: That this Ordinance is hereby declared to be an emergency measure, necessary for the immediate preservation of the public peace, health, safety welfare and convenience of the citizens of the City of Twinsburg, and for the additional reason that it is necessary to be in compliance with the state and federal regulations, and it shall take effect immediately upon its passage and approval of the Mayor; otherwise, it shall take effect and be in force at the earliest period allowed by law.

PASSED: September 23, 2009

APPROVED: September 23, 2009


Steve Murphy, President of Council

Submitted to the Mayor for approval this
23 day of September, 2009

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Approved by the Mayor 9/23, 2009

Katherine A. Procop
Katherine A. Procop, Mayor

ATTEST:

Lisa Spraggins
Lisa Spraggins
Secretary of Law Director

1st Rdg. 9/22/09
2nd Rdg. _____
3rd Rdg. _____

Passed: 9/22/09
Yes 7 No 0

CERTIFICATE OF POSTING

I, Lisa Spraggins, Secretary of Law Director, of the City of Twinsburg, State of Ohio, do hereby certify that publication of the foregoing ordinances, resolutions was duly made by posting true copies thereof at five of the most public places in said City as determined by Section 113.02 of the Codified Ordinances of the City of Twinsburg; each for a period of fifteen days commencing on the 23 day of September, 2009.

Lisa Spraggins
Lisa Spraggins
Secretary of Law Director
City of Twinsburg

FILE COPY

RECEIVED
CITY OF SUMMIT
COUNCIL
09 OCT 14 AM 10:54

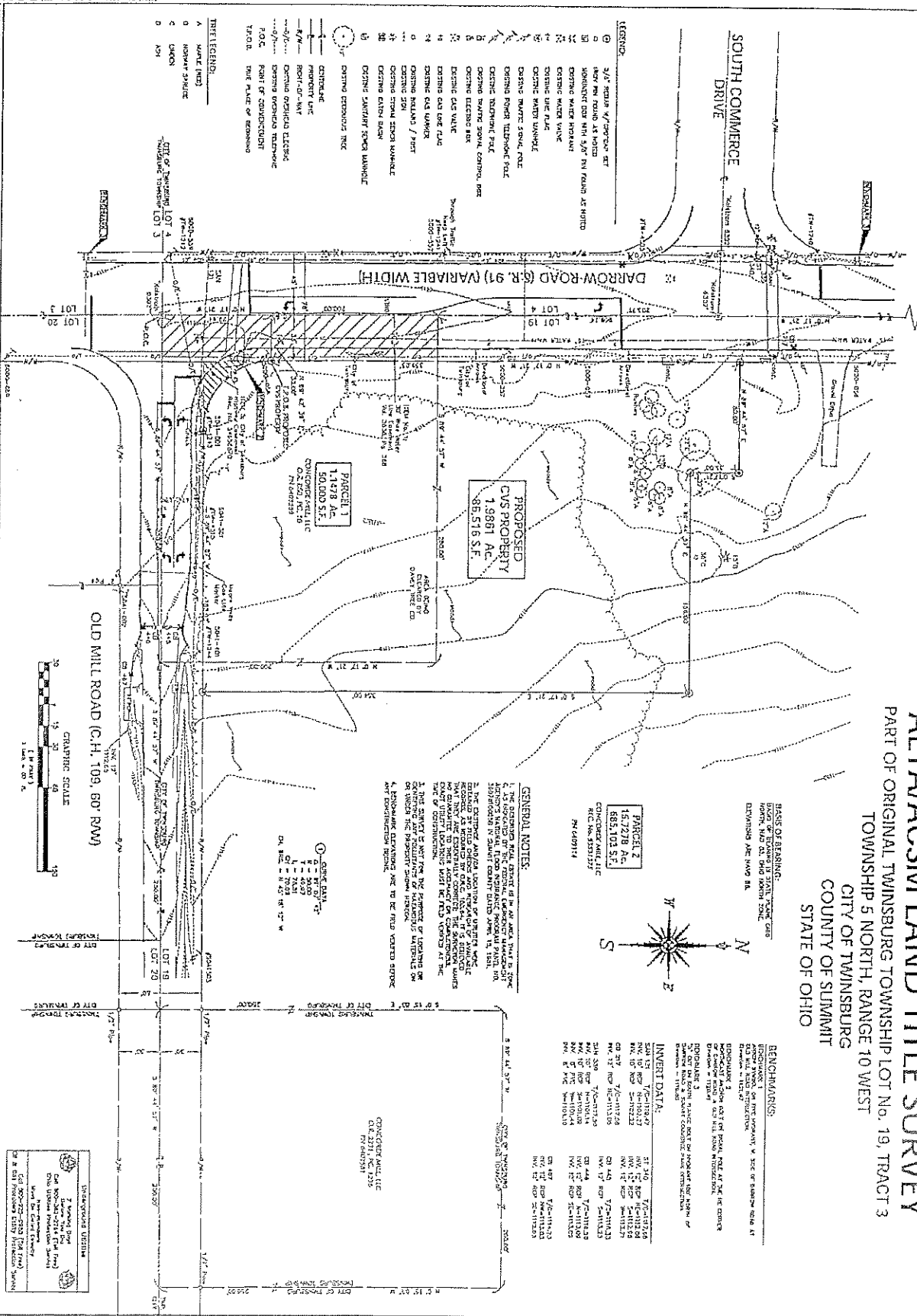
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EXHIBIT "A"

Starting at the Southwest corner of Lot No. 19 and the centerline intersection of Darrow Road, SR 91, with Old Mill Road, C.H. 109; thence south $85^{\circ} 25'$ East, 500.00 ft. along the South line of Lot No. 19 and said centerline of Old Mill Road to a point and the true place of beginning; thence North $4^{\circ} 34'$ East, 250.00 ft. to an iron pipe; passing over an iron pipe 30.00 ft. from said Lot and centerline; thence South $85^{\circ} 26'$ East 200.00 ft. to an iron pipe; thence South $4^{\circ} 34'$ West 250.00 ft. to said Lot and centerline; passing over an iron pipe, 30.00 ft. from the Lot and centerline; thence North $85^{\circ} 26'$ West 200.00 ft. along said Lot and centerline to the true beginning and containing 1.1478 acres of land, be the same more or less, but subject to all legal highways. Parcel #: 64-03581, TW-00033-06-003.00

CASE PARKWAY SOUTH

SOUTH COMMERCE DRIVE

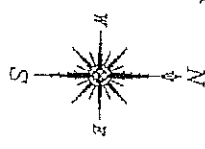


ALTA/MACSM LAND TITLE SURVEY

PART OF ORIGINAL TWINSBURG TOWNSHIP LOT No. 19, TRACT 3
TOWNSHIP 5 NORTH, RANGE 10 WEST
CITY OF TWINSBURG
COUNTY OF SUMMIT
STATE OF OHIO

BASE OF BEARINGS:
DIP OF TOWNSHIP 5 NORTH, RANGE 10 WEST
COUNTY OF SUMMIT, OHIO
ELEVATION ABOVE MEAN SEA LEVEL

PARTICULAR 1
1.62718 AC.
1,9861 AC.
85,516 S.F.



GENERAL NOTES:

1. THE DESCRIBED REAL ESTATE IS IN AND UNDER THE CONTROL OF THE CITY OF TWINSBURG, OHIO, AND IS SUBJECT TO THE CITY'S ZONING ORDINANCES AND OTHER LOCAL ORDINANCES.
2. THE DESCRIBED REAL ESTATE IS SUBJECT TO THE CITY'S ZONING ORDINANCES AND OTHER LOCAL ORDINANCES.
3. THE SURVEY IS NOT TO BE CONSIDERED AS A GUARANTEE OF THE CITY'S ZONING ORDINANCES OR OTHER LOCAL ORDINANCES.
4. THE SURVEY IS NOT TO BE CONSIDERED AS A GUARANTEE OF THE CITY'S ZONING ORDINANCES OR OTHER LOCAL ORDINANCES.

BENCHMARKS:

MARK	DESCRIPTION	ELEVATION
BM 1	1/4\"/>	

INVERT DATA:

MARK	DESCRIPTION	ELEVATION
IN 1	1/4\"/>	

2 of 2

201704
2008227.00

ALTA/MACSM SURVEY
N.E. CORNER OF DARROW ROAD (SR 81)
& OLD MILL ROAD

CITY OF TWINSBURG
COUNTY OF SUMMIT



EXHIBIT "B"