

1 RESOLUTION NO. 2010-454

2
3 SPONSOR Mr. Pry and Mr. Kostandaras

4
5 DATE October 29, 2010 COMMITTEE: Planning

6
7
8 **A Resolution assessing the residents of The Hammonds subdivision, located in Bath**
9 **Township, Council District 1, for drainage maintenance, for the Engineer, and declaring an**
10 **emergency.**

11
12 WHEREAS, by Resolution No. 2010-453, this Council will be approving the plat for
13 The Hammonds subdivision; and

14
15 WHEREAS, said plat included a drainage maintenance assessment provision signed by
16 all owners of parcels located within said Subdivision, with said provision applying to subsequent
17 owners of the same parcels; and

18
19 WHEREAS, assessments for drainage maintenance also are permitted by Sections
20 6137.02 and 6137.03 of the Ohio Revised Code ("O.R.C."); and

21
22 WHEREAS, the County Engineer seeks to establish a drainage maintenance fund for said
23 Subdivision and to fully execute its powers and duties thereof; and

24
25 WHEREAS, the County Engineer has prepared a Special Assessment Worksheet, which is
26 attached and marked as Exhibit 'A', which apportions necessary charges for drainage
27 maintenance among the Subdivision's benefited parcel owners;

28
29 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
30 of Ohio, that:

31
32 SECTION 1

33
34 A drainage maintenance fund for The Hammonds subdivision, located in Bath Township,
35 Council District 1, is hereby established.

36
37 SECTION 2

38
39 Owners of parcels within The Hammonds subdivision shall be assessed for drainage
40 maintenance per the attached Special Assessment Worksheet, Exhibit 'A' hereof. Each
41 assessment is proportional to the estimated benefit to the respective parcel.

42
43 SECTION 3

44
45 Pursuant to O.R.C. Section 6137.03 the Clerk of Council shall certify the attached
46 assessments to the County Fiscal Officer for placement on the next succeeding tax duplicate to
47 be collected and paid.

48

1 RESOLUTION NO. 2010-454

2 PAGE TWO

3
4 SECTION 4

5
6 This resolution is hereby declared an emergency in the interest of the health, safety, and
7 welfare of the citizens of the County of Summit, and for the further reason to immediately fund
8 necessary drainage maintenance in The Hammonds subdivision.

9
10 SECTION 5

11
12 Provided this resolution receives the affirmative vote of eight members, it shall take
13 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
14 effect and be in force at the earliest time provided by law.

15
16 SECTION 6

17
18 It is found and determined that all formal actions of this Council concerning and relating
19 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
20 deliberations of this Council and of any of its committees that resulted in such formal action,
21 were in meetings open to the public, in compliance with all legal requirements, including Section
22 121.22 of the O.R.C.

23
24
25 INTRODUCED October 18, 2010

26
27
28 ADOPTED October 29, 2010

29
30
31 Shirley P. Green
32
33 CLERK OF COUNCIL

[Signature]
for PRESIDENT OF COUNCIL

34
35
36
37
38 APPROVED October 29, 2010

39
40
41 Russell M. Pugh by Add
42 EXECUTIVE

43
44
45
46 October 29, 2010
47
48 ENACTED EFFECTIVE

Voice Vote: 9-0 YES: Komunale, Crossland, Feeman Kostandaras, Prentice,
Rodgers, Schmidt, Shapiro, Smith Absent: Crawford, Poda

EXHIBIT 'A'
SPECIAL ASSESSMENT WORKSHEET

PROJECT: The Hammonds
Bath Township - Council District 1
DRAINAGE MAINTENANCE DISTRICT NO.1

ASSESSMENT CODE: C25-000-0000

| PARCEL NUMBER | ROUTING NUMBER | SUB LOT # | SQ FT | ACREAGE | ACREAGE W/ STREETS | ANNUAL PAYMENT W/ STREETS | SEMI-ANNUAL PAYMENT |
|---------------|----------------|-----------|---------|---------|--------------------|---------------------------|---------------------|
| | | 1 | 126,280 | 2.899 | 2.9670 | \$48.71 | 24.35 |
| | | 2 | 119,180 | 2.736 | 2.8040 | \$48.71 | 24.35 |
| | | 3 | 125,061 | 2.871 | 2.9390 | \$48.71 | 24.35 |
| | | 4 | 114,171 | 2.621 | 2.6890 | \$48.71 | 24.35 |
| | | 5 | 113,866 | 2.614 | 2.6820 | \$48.71 | 24.35 |
| | | 6 | 109,248 | 2.508 | 2.5760 | \$48.71 | 24.35 |
| | | 7 | 153,244 | 3.518 | 3.5860 | \$48.71 | 24.35 |
| | | 8 | 379,103 | 8.703 | 8.7710 | \$48.71 | 24.35 |
| | | 9 | 110,686 | 2.541 | 2.6090 | \$48.71 | 24.35 |
| | | 10 | 322,300 | 7.399 | 7.4670 | \$48.71 | 24.35 |
| | | 11 | 117,568 | 2.699 | 2.7670 | \$48.71 | 24.35 |
| | | 12 | 137,258 | 3.151 | 3.2190 | \$48.71 | 24.35 |

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

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10-454

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