RESOLUTION NO. 2012-129

SPONSOR Mr. Pry

DATE April 2, 2012

FIRST READING PASSAGE REQUESTED
(S. Burgess)

COMMITTEE Public Works

A Resolution authorizing the Executive to enter into agreements for the acquisition of rights-of-way for the improvement of the Cleveland-Massillon Road Bridge, No. BAR-017-0708, over Hudson Run, located in the City of Barberton, Council District 7, at a cost not to exceed $3,445.00, for the Engineer, and declaring an emergency.

WHEREAS, Resolution No. 2011-017 previously authorized agreements with the State of Ohio Department of Transportation ("ODOT"), for the improvement of the Cleveland-Massillon Road Bridge over Hudson Run, Bridge No. BAR-017-0708, located in the City of Barberton ("Project"); and, also known by ODOT Project ID number ("PID") 84395, and

WHEREAS, rights-of-way ("ROW") are needed for the Project; and

WHEREAS, ROW acquisition is considered a local cost which must be borne in whole by the local public agency performing a project, in this case being the County of Summit; and

WHEREAS, acquisition of the subject ROW will promote proceeding with the Project to bid; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that the acceptance and approval of the aforementioned ROW acquisitions are necessary and in the best interest of the County of Summit;

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

SECTION 1

In return for certain Standard Highway, Utility, Sanitary and temporary right-of-way ("ROW") easements needed for the improvement of the Cleveland-Massillon Road Bridge over Hudson Run, located in the City of Barberton, Council District 7, ODOT PID 84395, the Executive is hereby authorized to execute agreements of purchase of said ROW, under which the owners of said ROW will be paid a combined amount not to exceed $3,445.00, said owners and their respective payments (the negotiated value of their Standard Highway(SH), Utility(U), Sanitary(S) and Temporary(T) Easements) being as follows:

<table>
<thead>
<tr>
<th>Property Owners</th>
<th>Negotiated Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>A) Heritage Place Limited Partnership-Parcel</td>
<td>$ 2,040.00</td>
</tr>
<tr>
<td># 1 SH, U, S, T Easements</td>
<td></td>
</tr>
<tr>
<td>B) Robert C. &amp; Kay F. Grubb, Trustees-</td>
<td>$ 1,105.00</td>
</tr>
<tr>
<td>Parcel # 2 SH, U, T Easements</td>
<td></td>
</tr>
<tr>
<td>C) Ohio Edison Company-Parcel # 5 U, T</td>
<td>$ 300.00</td>
</tr>
<tr>
<td>Easements</td>
<td></td>
</tr>
</tbody>
</table>
RESOLUTION NO. 2012-129

PAGE TWO

SECTION 2

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 that it promotes an immediately needed county highway improvement project.

SECTION 3

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 4

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 ___________ April 2, 2012

ADOPTED ___________ April 2, 2012

CLERK OF COUNCIL

APPROVED ___________ April 2, 2012

EXECUTIVE

ENACTED EFFECTIVE ___________ April 2, 2012

Voice Vote: 11-0. YES: Comunale, Crawford, Feeman, Kostandaras Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro