

1 RESOLUTION NO. 2014-004

First Reading Passage Requested
(S. Burgess)

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3 SPONSOR Mr. Pry

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5 DATE January 6, 2014

COMMITTEE Public Works

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7 **A Resolution authorizing appropriation proceedings of property owned by Robert S. McGregor and Sharon Alice McGregor needed for the acquisition of warranty deeds and temporary easements for replacing the existing TWT-012-0140 structure that carries Ravenna Road over Tinkers Creek, located in the Township of Twinsburg, in Council District 1, in an amount not to exceed \$ 4,711.00, for the Engineer, and declaring an emergency.**

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14 WHEREAS, the existing single span reinforced concrete arch bridge has reached the end of its service life and will be replaced with a single span galvanized steel beam bridge, and the new bridge will be aesthetically enhanced with false arch fascia members in this scenic setting as a reminder of the existing bridge, and Ravenna Road will be raised approximately 3.5 feet across the bridge, necessitating the improvement of approximately .09 miles of Ravenna Road with new full depth pavement, approach slabs, guardrail, storm sewers, grading, and pavement markings, grading and tree removal will be performed in the southeast quadrant of the Ravenna Road and Old Mill Road intersection to improve intersection sight distance; and

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23 WHEREAS, a right-of-way 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

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27 WHEREAS, the County of Summit, despite negotiations, has been unable to acquire all of the right-of-way necessary for the project; and

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33 WHEREAS, the County of Summit and Robert S. McGregor and Sharon Alice McGregor are unable to agree upon the purchase price of right-of-way on property owned by Robert S. McGregor and Sharon Alice McGregor; and

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37 WHEREAS, it is necessary to acquire said right-of-way by court proceedings under the provisions of Section 5555.09 and Chapter 163 of the Ohio Revised Code; and

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41 WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the County of Summit to authorize appropriation proceedings of property owned by Robert S. McGregor and Sharon Alice McGregor needed for the project;

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

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47 SECTION 1

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52 The County of Summit hereby declares its intention to appropriate a warranty deed (WD-3) and temporary easement (T-3) for highway purposes in the real property described by attached Exhibit A, said purposes to include the replacement of the bridge on Ravenna Road over Tinkers Creek, said property being owned by Robert S. McGregor and Sharon Alice McGregor ("Owners"), located in the Township of Twinsburg, in Council District 1, and designated as Parcels WD-3 and T-3.

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2 PAGE TWO

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4 SECTION 2

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6 The County Prosecutor is hereby directed to prepare and file on behalf of the County of
7 Summit, Ohio, proceedings for appropriation, under the provisions of Chapter 163 of the Ohio
8 Revised Code, of said easement and temporary right-of-way.

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10 SECTION 3

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12 The County Engineer, through the County Fiscal Officer, is hereby authorized to draw by
13 voucher upon the County of Summit and pay into the Court of Common Pleas at the time of the
14 filing of a complaint for the appropriation of said easement and temporary right-of-way, under
15 the provisions of Chapter 163 of the Ohio Revised Code, a sum not to exceed \$4,711.00.

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17 SECTION 4

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19 This Resolution is hereby declared an emergency in the interest of the health, safety and
20 welfare of the citizens of the County of Summit, and for the further reason that it promotes an
21 immediately needed county highway improvement project in the Township of Twinsburg.

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23 SECTION 5

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

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29 SECTION 6

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31 It is found and determined that all formal actions of this Council concerning and relating
32 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
33 deliberations of this Council and of any of its committees that resulted in such formal action,
34 were in meetings open to the public, in compliance with all legal requirements, including Section
35 121.22 of the Ohio Revised Code.

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37 INTRODUCED January 6, 2014

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39 ADOPTED January 6, 2014

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42 CLERK OF COUNCIL


PRESIDENT OF COUNCIL

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44 APPROVED January 7, 2014

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47 EXECUTIVE

January 7, 2014
ENACTED EFFECTIVE

Voice Vote: 10-0 YES: Comunale, Crawford, Feeman, Kostandaras,
Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt
ABSENT: Shapiro