

1 RESOLUTION NO. 2014-177

2
3 SPONSOR Mr. Pry

4
5 DATE April 28, 2014 COMMITTEE Planning

6
7 **A Resolution amending the assessments of the residents of The Forest At Kings Creek in**
8 **Richfield Township, in Council District 1, for drainage maintenance, for the Engineer, and**
9 **declaring an emergency.**

10
11 WHEREAS, this Council previously approved the plat for The Forest At Kings Creek
12 with Resolution No. 2002-428; and

13
14 WHEREAS, this Council previously approved a replat for The Forest At Kings Creek
15 with Resolution No. 2012-175; and

16
17 WHEREAS, this Council will be approving a replat for The Forest At Kings Creek by
18 Resolution No. 2014-176; and

19
20 WHEREAS, said plat included a drainage maintenance assessment provision signed by
21 all owners of parcels located within said subdivision, with said provision applying to subsequent
22 owners of the same parcels; and

23
24 WHEREAS, assessments for drainage maintenance also are permitted by Sections
25 6137.02 and 6137.03 of the Ohio Revised Code; and

26
27 WHEREAS, the County Engineer seeks to amend the drainage maintenance assessments
28 for said subdivision and to fully execute its powers and duties thereof; and

29
30 WHEREAS, the County Engineer has prepared a special assessment worksheet, which is
31 attached as Exhibit A, which apportions necessary charges for drainage maintenance among the
32 subdivision's benefited parcel owners;

33
34 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
35 that amending the assessments of the residents of The Forest At Kings Creek in Richfield
36 Township, in Council District 1 is necessary and in the best interest of the County of Summit;

37
38 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
39 of Ohio, that:

40
41 SECTION 1

42
43 A drainage maintenance fund for The Forest At Kings Creek in Richfield Township, in
44 Council District 1, is hereby amended.

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46 SECTION 2

47
48 Owners of parcels within The Forest At Kings Creek subdivision shall be assessed for
49 drainage maintenance per the special assessment worksheet attached as Exhibit A. Each
50 assessment is proportional to the estimated benefit to the respective parcel.
51

1 RESOLUTION NO. 2014-177

2 PAGE TWO

3
4 SECTION 3

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6 Pursuant to Section 6137.03 of the Ohio Revised Code, the Clerk of Council shall certify
7 the attached assessments to the County Fiscal Officer for placement on the next succeeding tax
8 duplicate to be collected and paid.

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10 SECTION 4

11
12 This Resolution is hereby declared an emergency in the interest of the health, safety, and
13 welfare of the citizens of the County of Summit, and for the further reason to immediately fund
14 necessary drainage maintenance in The Forest At Kings Creek subdivision.

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16 SECTION 5

17
18 Provided this Resolution receives the affirmative vote of eight members, it shall take
19 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
20 effect and be in force at the earliest time provided by law.

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22 SECTION 6

23
24 It is found and determined that all formal actions of this Council concerning and relating
25 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
26 deliberations of this Council and of any of its committees that resulted in such formal action,
27 were in meetings open to the public, in compliance with all legal requirements, including Section
28 121.22 of the Ohio Revised Code.

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31 INTRODUCED April 14, 2014

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33 ADOPTED April 28, 2014

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37 CLERK OF COUNCIL

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39 APPROVED April 29, 2014

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43 EXECUTIVE

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45 ENACTED EFFECTIVE April 29, 2014

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