RESOLUTION NO.  2014-363  

SPONSOR    Mr. Pry  

DATE        August 18, 2014  COMMITTEE    Public Works  

A Resolution authorizing the County Executive to execute a partial release of sanitary sewer easement originally granted in the Sanitary Sewer Easement recorded in Reception No. 5530918 of the Records of the County of Summit, Ohio, in Permanent Parcel No. 0401788 located in the Township of Bath, Council District 5, for the Executive’s Department of Environmental Services, and declaring an emergency.

WHEREAS, On February 8, 2006, Mapleview Commons, LLC (“Mapleview”) granted the County a Sanitary Sewer Easement on Permanent Parcel No. 0401788, located in the Township of Bath, (“Original Easement”) for the purpose of serving a commercial development with sanitary sewer service;

WHEREAS, CAM, Inc., the developer of the above referenced parcel, has subsequently changed its plans, and now wishes to build a structure on a portion of where the Original Easement is located, and therefore that portion of the Original Easement is no longer necessary for sanitary sewer purposes; and

WHEREAS, CAM, Inc., requests that the County abandon and release a portion of the Original Easement so that the property thereon may be used freely, as further described in Exhibit A of this Resolution;

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that authorizing the Executive to execute the aforementioned release of easement is 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

The County Executive is hereby authorized to execute the Partial Release of Easement, substantially in the form attached to this Resolution as Exhibit A, which shall release and abandon a certain portion the Sanitary Sewer Easement recorded in Reception No. 5530918 of the Records of the County of Summit, Ohio, on Permanent Parcel No. 0401788 in the Township of Bath.

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 purpose of immediately authorizing the Executive to execute said partial release of easement and allow development of the parcel to proceed.
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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 August 18, 2014

ADOPTED August 18, 2014

CLERK OF COUNCIL

APPROVED August 19, 2014

EXECUTIVE

ENACTED EFFECTIVE August 19, 2014

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