

1 RESOLUTION NO. 2016-110

2
3 SPONSOR Mr. Pry

4
5 DATE April 11, 2016 COMMITTEE Planning

6
7 **A Resolution revising the assessments for the parcels of West Bath Estates for drainage**
8 **maintenance, for the Engineer, and declaring an emergency.**

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10 WHEREAS, County Council previously adopted Resolution No. 2000-561, which
11 approved the plat for West Bath Estates; and

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13 WHEREAS, by the adoption of Resolution No. 2016-111, this Council will be accepting
14 and approving a resubdivision entitled "West Bath Estates Replat No. 2"; and

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16 WHEREAS, said replat includes a drainage maintenance assessment provision signed by
17 all owners of parcels located within said subdivision, with said provision applying to subsequent
18 owners of the same parcels; and

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20 WHEREAS, assessments for drainage maintenance are authorized by Sections 6137.02
21 and 6137.03 of the Ohio Revised Code; and

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23 WHEREAS, the County Engineer seeks to revise the assessments for drainage
24 maintenance for said subdivision and to fully execute its powers and duties thereof; and

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26 WHEREAS, the Engineer has prepared a revised special assessment worksheet, attached
27 as Exhibit A, which apportions necessary charges for drainage maintenance among the
28 subdivision's benefited parcel owners; and

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30 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
31 that revising the assessments for the parcels of West Bath Estates, in Bath Township, in Council
32 District 5, for drainage maintenance, per attached Exhibit A, is necessary and in the best interest
33 of the County of Summit;

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

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38 SECTION 1

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40 A drainage maintenance fund for West Bath Estates, in Bath Township, in Council
41 District 5, is hereby revised.

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43 SECTION 2

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45 Owners of parcels within West Bath Estates subdivision shall be assessed for drainage
46 maintenance, per the revised special assessment worksheet attached as Exhibit A. Each
47 assessment is proportional to the estimated benefit to the respective parcel.
48

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2 PAGE TWO

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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

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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 West Bath Estates subdivision in Bath Township.

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16 SECTION 5

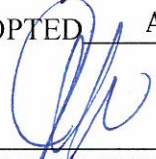
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18 Provided this resolution receives the affirmative vote of eight members, it shall take
19 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
20 effect and be in force at the earliest time provided by law.

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22 SECTION 6

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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.

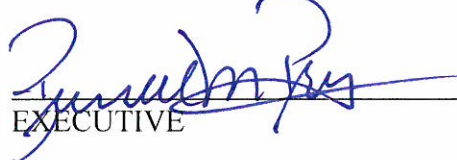
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31 INTRODUCED March 28, 2016

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33 ADOPTED April 11, 2016

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36 
37 CLERK OF COUNCIL


PRESIDENT OF COUNCIL

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39 APPROVED April 12, 2016

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42 
43 EXECUTIVE

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45 ENACTED EFFECTIVE April 12, 2016

Voice Vote: 9-0 YES: Crawford, Donofrio, Feeman, Kostandaras,
Prentice, Rodgers, Schmidt, Walters, Wilhite
ABSENT: Lee, Shapiro