

1 RESOLUTION NO: 2018-313

First Reading Passage Requested
(Clerk of Council)

2
3 SPONSORS Mr. Wilhite, Mr. Koehler

4
5 DATE August 20, 2018

COMMITTEE Planning

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7 **A Resolution setting dates for this Council to conduct a public viewing, a public hearing,**
8 **and setting a date for a final hearing, to consider the vacation of Parkwood Drive, in**
9 **Council District 1, pursuant to Chapter 5553 of the Ohio Revised Code and Section 125.03**
10 **of the Codified Ordinances of the County of Summit, for Council, and declaring an**
11 **emergency.**

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13 WHEREAS, Parkwood Drive is an unimproved road right-of-way which is situated in the
14 County of Summit, Northfield Center Township, District 1; and

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16 WHEREAS, the Petitioner has filed a petition pursuant to Section 5553.04 of the Ohio
17 Revised Code alleging that the road right-of-way is useless as part of the road system, and
18 requesting that this Council vacate the unimproved road right-of-way in the respective township.
19 Copies of the aforesaid petition and other documentation filed with the Clerk of Council on or
20 about July 10, 2018, are attached and marked as Exhibit "A"; and

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22 WHEREAS, the vacation of Parkwood Drive requested in the petition would return
23 ownership of the underlying land to the Petitioner as an abutting property owner and to the other
24 abutting property owners; and

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26 WHEREAS, pursuant to Section 5553.06 of the Ohio Revised Code and Section
27 125.03(a) of the Codified Ordinances of the County of Summit, Ohio, the petitioners have
28 prepared a proposed vacation plat, subject to the approval of the County Engineer, a copy of
29 which is attached and marked as Exhibit "B";

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31 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
32 of Ohio, that:

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34 SECTION 1

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36 The Clerk of Council shall set the date of **September 21, 2018 at 2:00 p.m.** as the time
37 for a public viewing of the proposed vacation site pursuant to the requirements of Section
38 5553.05 of the Ohio Revised Code and Section 125.03(e) of the Codified Ordinances of the
39 County of Summit.
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2 PAGE TWO

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4 SECTION 2

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6 The Clerk of Council shall set the date of **October 1, 2018, at 4:30 p.m.** for the public
7 hearing on the vacation as required pursuant to Section 5553.05 of the Ohio Revised Code and
8 Section 125.03(e) of the County of Summit Codified Ordinances of the County of Summit, to
9 determine whether the proposed vacation of Oakdale Street as requested by the petition would be
10 for the public convenience or welfare.

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12 SECTION 3

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14 The Clerk of Council shall set the date of **October 15, 2018 at 4:30 p.m.** for a final
15 hearing on the Petition to vacate the unimproved road right-of-way.

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17 SECTION 4

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19 The Clerk of Council shall cause notice by regular U.S. mail to be made to the
20 abutting landowners and the applicable Township, and the Ohio Director of Natural Resources
21 informing them of the date set for the public hearings, and the Clerk shall comply with all public
22 notice requirements as set forth in Section 5553.05 of the Ohio Revised Code.

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24 SECTION 5

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26 Pursuant to section 5553.06 of the Ohio Revised Code, The Engineer shall submit a
27 written report on the vacation containing the Engineer's opinion for or against the vacation on or
28 before the date of the final hearing.

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30 SECTION 6

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32 This Resolution is hereby declared to be an emergency in the interest of the health, safety
33 and welfare of the citizens of the County of Summit and for the further reason of timely setting
34 the proper hearing and viewing dates and providing for proper notice of the same without undue
35 delay.

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37 SECTION 7

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

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43 SECTION 8

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45 It is found and determined that all formal actions of this Council concerning and relating
46 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
47 deliberations of this Council and of any of its committees that resulted in such formal action,
48 were in meetings open to the public, in compliance with all legal requirements, including Section
49 121.22 of the Ohio Revised Code.

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INTRODUCED August 20, 2018

ADOPTED August 20, 2018




CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED August 21, 2018



EXECUTIVE

ENACTED EFFECTIVE August 21, 2018

Voice Vote: YES 11-0 - Dickinson, Donofrio, Feeman, Hamilton, Koehler, Prentice, Rodgers, Schmidt, Soyars, Walters, Wilhite