

1 RESOLUTION NO. 2020-063

2 SPONSOR Ms. Shapiro

3 DATE March 30, 2020

4 COMMITTEE: Public Works

5  
6  
7 **A Resolution authorizing the County Executive to execute agreements for the acquisition of**  
8 **slope easements and temporary easements as part of the West Bath Road Landslide Repair**  
9 **Project, located in Bath Township, Council District 4, in a total amount not to exceed**  
10 **\$1,372.18, for the Engineer, and declaring an emergency.**

11  
12 WHEREAS, there is a public need to stabilize the landslide affecting approximately 500  
13 feet of West Bath Road near the North Revere Road intersection, and the County intends to  
14 undertake the West Bath Road Landslide Repair Project, located in Bath Township, Council  
15 District 4 (the "Project"); and

16  
17 WHEREAS, certain land must be acquired by the County to be utilized as a public right-  
18 of-way as part of the Project; and

19  
20 WHEREAS, acquisition of lands for public rights-of-way for the Project is considered a  
21 local cost, which must be borne in whole by the local public agency performing the Project, in  
22 this case being the County of Summit; and

23  
24 WHEREAS, the County has negotiated terms for agreements for the acquisition of slope  
25 easements and temporary easements with two property owners in Bath Township, Council  
26 District 4 to serve as the necessary public right-of-way for the Project; and

27  
28 WHEREAS, this Council has determined, after reviewing all pertinent information, that it  
29 is necessary and in the best interest of the County of Summit to authorize the County Executive  
30 to execute the aforementioned agreements for the acquisition of standard highway and temporary  
31 easements;

32  
33 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
34 of Ohio, that;

35  
36 SECTION 1

37  
38 The County Executive is hereby authorized to execute agreements and any other  
39 necessary related documents with the owners of said property, at the addresses set forth below,  
40 for the acquisition of slope easements and temporary easements (4-SL and 4-T), both as  
41 described by Exhibit A, attached hereto and incorporated herein as if fully rewritten, located in  
42 Bath Township, in Council District 4, in a total amount not to exceed \$1,372.18, as part of the  
43 West Bath Road Landslide Repair Project:

<u>Property Owners</u>	<u>Negotiated Value</u>
44 45 Charles William Zindle 46 136 South Rose Blvd 47 PPN-0400459 48	\$ 300.00
49 50 Rex A. Crider and Rodney J. Antilla 51 2966 West Bath Road 52 PPN-0403504	\$1,072.18

1 RESOLUTION NO. 2020-063

2 PAGE TWO

3  
4 SECTION 2

5  
6 This Resolution is hereby declared an emergency in the interest of the health, safety and  
7 welfare of the residents of the County of Summit, and for the further reason that it immediately  
8 authorizes the execution of the aforementioned agreements so that the West Bath Road Landslide  
9 Repair Project may continue in an expeditious manner.

10  
11 SECTION 3

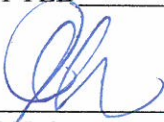
12  
13 Provided this Resolution receives the affirmative vote of eight members, it shall take  
14 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
15 effect and be in force at the earliest time provided by law.

16  
17 SECTION 4

18  
19 It is found and determined that all formal actions of this Council concerning and relating  
20 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
21 deliberations of this Council and of any of its committees that resulted in such formal action,  
22 were in meetings open to the public, in compliance with all legal requirements, including Section  
23 121.05 of the Ohio Revised Code.

24  
25 INTRODUCED March 16, 2020

26  
27  
28 ADOPTED March 30, 2020

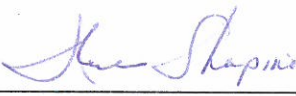
29  
30  
31 

32 CLERK OF COUNCIL

33  
34  
35   
36  
37  
38

39 PRESIDENT OF COUNCIL

APPROVED March 31, 2020

36  
37  
38 

39 EXECUTIVE

March 31, 2020  
ENACTED EFFECTIVE

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