

1 RESOLUTION NO. 2010-106

2
3 SPONSOR Mr. Pry

4
5 DATE May 24, 2010

COMMITTEE Public Works

6
7 **A Resolution assessing the residents of Marmont Office Park, Replat of Lots 26, 27, 46 and**
8 **47 of the Brookmont Acres Allotment, located in Copley Township, Council District 5, for**
9 **drainage maintenance, for the Engineer, and declaring an emergency.**

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11 WHEREAS, County Council previously adopted Resolution No. 2006-424, which
12 approved the plat for Marmont Office Park, Replat of Lots 26, 27, 46 and 47 of the Brookmont
13 Acres Allotment; and

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15 WHEREAS, said plat included a drainage maintenance assessment provision signed by
16 all owners of parcels located within said Subdivision, with said provision applying to subsequent
17 owners of the same parcels; and

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19 WHEREAS, assessments for drainage maintenance also are permitted by Sections
20 6137.02 and 6137.03 of the Ohio Revised Code; and

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22 WHEREAS, the County Engineer seeks to establish a drainage maintenance fund for said
23 Subdivision and to fully execute its powers and duties thereof; and

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25 WHEREAS, the County Engineer has prepared a Special Assessment Worksheet, which
26 is attached and marked as Exhibit A, which apportions necessary charges for drainage
27 maintenance among the Subdivision's benefited parcel owners;

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

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32 SECTION 1

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34 A drainage maintenance fund for Marmont Office Park, Replat of Lots 26, 27, 46 and 47
35 of the Brookmont Acres Allotment, located in Copley Township, Council District 5, is hereby
36 established.

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38 SECTION 2

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40 Owners of parcels within Marmont Office Park, Replat of Lots 26, 27, 46 and 47 of the
41 Brookmont Acres Allotment shall be assessed for drainage maintenance per the attached Special
42 Assessment Worksheet, Exhibit A hereof. Each assessment is proportional to the estimated
43 benefit to the respective parcel.

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45 SECTION 3

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47 Pursuant to O.R.C. Section 6137.03 the Clerk of Council shall certify the attached
48 assessments to the County Fiscal Officer for placement on the next succeeding tax duplicate to
49 be collected and paid.

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2 PAGE TWO

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4 SECTION 4

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6 This Resolution is hereby declared an emergency in the interest of the health, safety, and
7 welfare of the citizens of the County of Summit, and for the further reason to immediately fund
8 necessary drainage maintenance in the Marmont Office Park Replat of Lots 26, 27, 46 and 47 of
9 the Brookmont Acres Allotment.

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11 SECTION 5

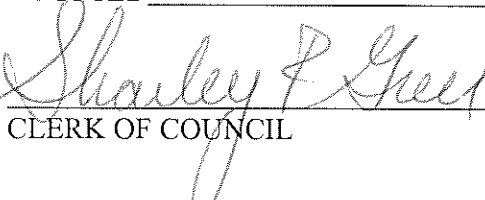
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13 Provided this Resolution receives the affirmative vote of eight members, it shall take
14 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
15 effect and be in force at the earliest time provided by law.

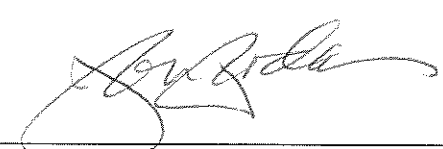
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17 SECTION 6

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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
23 121.22 of the Ohio Revised Code.

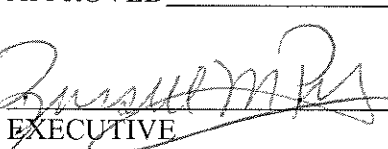
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26 INTRODUCED March 15, 2010

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29 ADOPTED May 24, 2010

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33 CLERK OF COUNCIL

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37 PRESIDENT OF COUNCIL

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40 APPROVED May 24, 2010

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42 
EXECUTIVE

ENACTED EFFECTIVE May 24, 2010

Voice Vote: 10-0 YES: Comunale, Crawford, Crossland, Feeman, Kostandaras
Poda, Prentice, Rodgers, Schmidt, Shapiro, ABSENT: Smith

EXHIBIT 'A'

SPECIAL ASSESSMENT
WORKSHEET

PROJECT: Marmont Office Park, Re-Plat of Lots 26, 27,
46 and 47 of the Brookmont Acres Allotment
Copley Township - Council District 5
DRAINAGE MAINTENANCE DISTRICT NO.1

ASSESSMENT CODE: C25-000-0000

PARCEL NUMBER	ROUTING NUMBER	SUB LOT #	SQ FT	ACREAGE	ACREAGE W/ STREETS	ANNUAL PAYMENT W/ STREETS	SEMI-ANNUAL PAYMENT
1508043		1	49,272	1.1311	1.3864	312.23	156.12
1508044		2	65,150	1.4956	1.7509	394.33	197.16
1508045		3	58,313	1.3387	1.5939	358.98	179.49
1508046		4*	105,000	2.4105	2.6657	600.37	300.18
1508047		5*	42,504	0.9758	1.2310	277.24	138.62
1508048		6*	68,988	1.5837	1.8390	414.17	207.09
1508049		7*	76,932	1.7661	2.0213	455.25	227.62
1508050		8	44,238	1.0156	1.2708	286.21	143.10
1508051		9	66,626	1.5295	1.7847	401.96	200.98

* Lot areas adjusted to exclude areas within riparian setback

Term of Assessment: Permanent, subject to review for adjustments
pursuant to Ohio Revised Code 6137.11