

1 RESOLUTION NO: 2011-160

**First Reading Passage Requested**  
**(B. McDowall & Clerk of Council)**

2  
3 SPONSOR Mr. Pry

4  
5 DATE April 18, 2011

COMMITTEE Planning

6  
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 petition of Sagamore Hills Township**  
9 **and Northfield Center Township, in Council District 1 to vacate a part of Stanford Road, in**  
10 **Council District 1, pursuant to Chapter 5553 of the Ohio Revised Code and Codified**  
11 **Ordinance Section 125.03 of the County of Summit, Ohio, for the Executive, the Engineer,**  
12 **and Council, declaring an emergency.**

13  
14 WHEREAS, Stanford Road is a County thoroughfare which is bordered by both  
15 Sagamore Hills Township and Northfield Center Township and upon which there exists a bridge  
16 (No. NOR-038-0154) which has been listed on the County of Summit's bridge inventory and  
17 which has, therefore, been owned and maintained by the County of Summit, Ohio; and

18  
19 WHEREAS, Sagamore Hills Township and Northfield Center Township have enacted  
20 Resolutions pursuant to Section 5553.045 of the Ohio Revised Code and Section 125.03 of the  
21 Codified Ordinances of the County of Summit, Ohio, requesting this Council vacate a portion of  
22 Stanford Road located in the respective townships, copies of the aforesaid Resolutions and other  
23 petition documentation being filed with the Clerk of Council on or about April 8, 2011; the  
24 respective Township Resolutions are attached and marked as Exhibits "A" and "B"; and

25  
26 WHEREAS, the vacation of that part of Stanford Road requested in the Township  
27 Resolutions would return ownership of the underlying land to MetroParks, Serving Summit  
28 County ("MPSSC") and the National Parks Service ("NPS"); and

29  
30 WHEREAS, MPSSC and NPS have provided a Letter of Intent to the County of Summit  
31 Executive and County Council to undertake said ownership and future maintenance and to  
32 allocate responsibility between them as they may agree from time to time, a copy of the affidavit  
33 of Marvin D. Evans manifesting the intent of MPSSC and NPS is attached and marked as Exhibit  
34 "C"; and

35  
36 WHEREAS, pursuant to Section 5553.045(B) of the Ohio Revised Code and Section  
37 125.03(a) of the Codified Ordinances of the County of Summit, Ohio, the County Engineer has  
38 reviewed a proposed vacation plat, a copy of which is attached and marked as Exhibit "D";

39  
40 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
41 of Ohio, that:

42  
43 Section 1

44  
45 The Clerk of Council shall set the date of May 16, 2011, at 5:30 p.m. for the public  
46 hearing on the vacation petition as required pursuant to Section 5553.945(C) of the Ohio Revised  
47 Code and Section 125.03(e) of the County of Summit Codified Ordinances of the County of  
48 Summit, Ohio, to determine whether the proposed vacation of that portion of Stanford Road as  
49 requested by the Resolutions of Sagamore Hills and Northfield Townships would be for the  
50 public convenience or welfare.

51

3  
4 Section 2

5  
6 The Clerk of Council shall set the date of April 27, 2011 at 2:00 p.m. as the time for a  
7 public viewing of the proposed vacation site pursuant to the requirements of Section 125.03(e) of  
8 the Codified Ordinances of the County of Summit, Ohio.

9  
10 Section 3

11  
12 The Clerk of Council shall cause notice by regular U.S. mail to be made to the abutting  
13 landowners informing the property owners of the date set for the public hearing, and the Clerk  
14 shall comply with all notice requirements as set forth in Section 5553.045(C) of the Ohio  
15 Revised Code.

16  
17 Section 4

18  
19 The Clerk of Council shall set the date of June 6, 2011, for a final hearing on the Petition  
20 of Sagamore Hill and Northfield Center Townships to vacate a portion of Stanford Road.

21  
22 Section 5

23  
24 This Resolution is hereby declared to be an emergency in the interest of the health, safety  
25 and welfare of the citizens of the County of Summit and for the further reason of allowing  
26 ownership and maintenance of the road and bridge on Stanford Road to immediately transfer.

27  
28 Section 6

29  
30 Provided this Resolution receives the affirmative vote of eight members, it shall take  
31 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
32 effect and be in force at the earliest time provided by law.

33  
34 Section 7

35  
36 It is found and determined that all formal actions of this Council concerning and relating  
37 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
38 deliberations of this Council and of any of its committees that resulted in such formal action,  
39 were in meetings open to the public, in compliance with all legal requirements, including Section  
40 121.22 of the Ohio Revised Code.

1 RESOLUTION NO. 2011-160

2 PAGE THREE

3  
4 INTRODUCED April 18, 2011

5  
6 ADOPTED April 18, 2011

7  
8  
9   
10 CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL

11  
12 APPROVED April 18, 2011

13  
14   
15  
16 EXECUTIVE

17  
18 ENACTED EFFECTIVE April 18, 2011

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

RESOLUTION 10-14  
Adopted 3-8-10  
Page 1 of 2

SAGAMORE HILLS TOWNSHIP  
VACATION OF STANFORD ROAD

RESOLUTION introduced by Mr. Hunt.

WHEREAS, Stanford Road is located between Brandywine Road west to the Boston Township border within Sagamore Hills Township and Northfield Center Township; and,

WHEREAS, Stanford Road no longer has any private land owners other than the Cuyahoga Valley National Park; and,

WHEREAS, Stanford Road primarily provides access to Brandywine Falls and Cuyahoga Valley National Recreation Area through a parking area off of Stanford Road just a few hundred feet from Brandywine Road; and,

WHEREAS, the MetroParks of Summit County is planning to realign the hike and bike trail and anticipates the need for additional parking at Brandywine Falls; and,

WHEREAS, the MetroParks of Summit County has proposed to expand the Brandywine Falls parking lot and the plan includes using the right-of-way now occupied by Stanford Road for such parking area; and,

WHEREAS, the realignment and proposed parking lot expansion of MetroParks of Summit County will include the right-of-way that currently occupies Stanford Road that is shared between Sagamore Hills Township and Northfield Center Township; and,

WHEREAS, MetroParks of Summit County has requested Sagamore Hills Township and Northfield Center Township support vacating Stanford Road; and,

WHEREAS, Sagamore Hills Township desires that Stanford Road be vacated and requests that the Summit County Council approve the abandonment of Stanford Road from Brandywine Road west to the Boston Township border; and,

WHEREAS, Sagamore Hills has been in support of abandonment of Stanford Road between Brandywine Road and the Boston Township border for the past ten (10) years.

NOW THEREFORE BE IT RESOLVED by the Board of Trustees of Sagamore Hills Township, Summit County, Ohio that Sagamore Hills Township supports the vacation and abandonment of its right-of-way of Stanford Road between Brandywine Road and the Boston Township border and the MetroParks of Summit County plan to expand the parking area for Brandywine Falls in anticipation for the need of additional parking at Brandywine Falls for their expansion of the hike and bike trail.

RESOLUTION seconded by Chair Barrett.



Being called for adoption; the Roll Call Vote was as follows:

Richard H. Barrett, aye. Richard H. Barrett  
Richard H. Barrett,  
Chair

Rose Mary Snell, absent  
Rose Mary Snell,  
Vice Chair

James P. Hunt, aye. James P. Hunt  
James P. Hunt,  
Trustee

Attest:  
Scott Gale  
Scott Gale, Fiscal Officer



9546 Brandywine Road, Northfield Center Township, Ohio 44067-2408

Phone: (330) 467-7646

Fax: (330) 650-0815

Email: townhall@northfieldcenter.com

Web Site: www.northfieldcenter.com

**TRUSTEES**

Paul G. Buescher, Chair

Brent A. Sommer, Vice-Chair

Richard H. Reville

**FISCAL OFFICER**

Monica James

**ADMINISTRATOR**

Samuel J. Ciocco

April 5, 2011

Alan Brubaker, P.E., P.S.  
Summit County Engineer  
538 E. South Street  
Akron, Ohio 44308-1843

Dear Mr. Brubaker:

I, Monica James, Fiscal Officer of Northfield Center Township, Summit County Ohio do certify that the following Resolution was unanimously approved by the Northfield Center Township Trustees:

**Resolution No. 10/03-01f: To recommend to the County to vacate the Northfield Center portion of Old Stanford Road and authorize Sagamore Hills Trustee Rose Mary Snell to present the vacation proposal on behalf of Northfield Center Township and Sagamore Hills Township to Summit County Council, per the MetroParks letter, dated February 8, 2010.**

Please do not hesitate to contact me via phone at 33-0.57.7647 ext. 4 or email at [fiscal.officer@northfieldcenter.com](mailto:fiscal.officer@northfieldcenter.com).

Sincerely,

Monica James  
Fiscal Officer

**BRIDGE MAINTENANCE AGREEMENT BETWEEN METROPARKS,  
SERVING SUMMIT COUNTY AND THE NATIONAL PARKS SERVICE  
RELATED TO THE VACATION OF A PORTION OF STANFORD ROAD  
LOCATED IN NORTHFIELD CENTER TOWNSHIP AND SAGAMORE  
HILLS TOWNSHIP**

STATE OF OHIO            )  
  
COUNTY OF SUMMIT    )

ss:    **AFFIDAVIT OF MARVIN D. EVANS**

I, Marvin D. Evans, having been duly sworn, do depose and state that:

1.       I am an Assistant Prosecuting Attorney for the County of Summit.
2.       I have been employed by the County in this position since 2002.
3.       I have personal knowledge of the facts that are the subject of this affidavit.
4.       Pursuant to resolutions passed by the trustees of both Northfield Center Township and Sagamore Hills Township, it is intended that a portion of Stanford Rd. located in those townships will be vacated by Summit County Council.
5.       The vacation of Stanford Rd. will return ownership of the underlying land to MetroParks, Serving Summit County ("MPSSC") and the National Parks Service ("NPS").
6.       Within the area to be vacated there exists a bridge (No. NOR-038-0154) that, heretofore, has been owned and maintained by the County of Summit and has been listed on the County of Summit's bridge inventory.
7.       Pursuant to law, and with the agreement of both MPSSC and NPS, ownership and maintenance of said bridge will transfer to MPSSC and NPS upon the vacation of Stanford Rd. by Summit County Council.
8.       MPSSC and NPS have provided a Letter of Intent to the Summit County Executive and Summit County Council to undertake said ownership and maintenance and to allocate responsibility between them as they may agree from time to time.



**55765806**  
Pg: 1 of 4  
03/10/2011 03:19P  
MISC            0.00

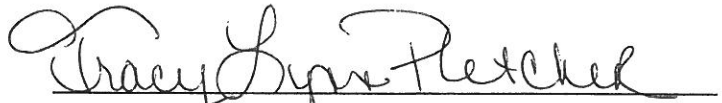
9. This affidavit and the attached Letter of Intent signed on behalf of both MPSSC and NPS is being recorded to make a permanent record of the intent to transfer ownership and maintenance responsibility to MPSSC and NPS, and their intent to accept the same.
10. This affidavit will be referenced on the plat recorded pursuant to R.C. 5553.10.

FURTHER AFFIANT SAYETH NAUGHT.



Name: MARVIN D. EVANS

Sworn to and subscribed before me, a notary public, on March 9, 2011.

  
Notary Public

TRACY L. PLETCHER, Notary Public  
Residence - Summit County  
State Wide Jurisdiction, Ohio  
My Commission Expires Feb. 24, 2015

*This document prepared by Marvin Evans.*



John A Donofrio, Summit Fiscal Officer

55765806  
Pg: 2 of 4  
03/10/2011 03:19P  
MISC 0.00



11-160



January 4, 2011

Mr. Marvin D. Evans  
Summit County  
Assistant Prosecuting Attorney  
53 University Ave., 6th Floor  
Akron, OH 44308-1680

RE: STANFORD RD AND COUNTY BRIDGE VACATION SAGAMORE HILLS AND  
NORTHFIELD CENTER TOWNSHIPS

Dear Mr. Evans

Enclosed is a letter signed by the Cuyahoga Valley National Park Superintendent and the Metro Parks, Serving Summit County Director-Secretary. This letter describes the future disposition of the vehicular bridge currently owned by Summit County that is part of the planned vacation of Stanford Road in Sagamore Hills and Northfield Center townships.

If you have any questions regarding this matter please contact me at 330-867-5511 or Dennis Hamm at 440-546-5902.

Sincerely,

David C. Whited, ASLA  
Chief of Planning & Development

CC Dennis Hamm, CVNP  
Rose Mary Snell, Sagamore Hills Twp  
Paul Wilkerson, P.E., MPSSC

975 Treaty Line Road  
Akron, Ohio 44313-5837  
330-867-5511  
fax 330-867-4711  
summitmetroparks.org



55765806  
Pg: 3 of 4  
03/10/2011 03:19P  
MISC 0.00

John A. Donofrio, Summit Fiscal Officer



# United States Department of the Interior

NATIONAL PARK SERVICE

Cuyahoga Valley National Park

15610 Vaughn Road

Brecksville, Ohio 44141-3097

11-160

IN REPLY REFER TO:  
CUVA L30

December 22, 2010

To: Russell M. Pry, Summit County Executive  
Summit County Council

From: Stan Austin, Superintendent, Cuyahoga Valley National Park  
Keith Shy, Director-Secretary, MetroParks, Serving Summit County

Subject: Stanford Road Vacation and Associated Bridge Disposition

This Letter of Intent is in regard to the vehicular bridge along Stanford Road in Sagamore Hills and Northfield Center townships that is currently a part of the planned vacation Stanford Road between Brandywine Road and the township lines (just east of Latta Lane). The purpose of this letter is to clarify tentative plans for the long term assignment of responsibility for the bridge.

**Background:** The underlying ownership of land beneath the bridge is split down the middle of the road right-of-way between MetroParks, Serving Summit County [MPSSC] to the south and the United States of America (National Park Service [NPS] Cuyahoga Valley National Park) to the north. Therefore, upon vacation of the road and bridge, ownership of the bridge will be split between MPSSC and NPS. Both parties understand the potential problems that could arise out of joint ownership of the bridge and, therefore, while transferring all ownership of the bridge to one party is not practical, MPSSC and the NPS have tentatively agreed to assign full responsibility for the bridge to the NPS. The planned assignment would be completed through a Memorandum of Agreement or similar instrument.

The NPS is further committed to accept responsibility for the condition of bridge and will undertake appropriate actions necessary to ensure public safety. Depending on long term plans for the vacated road and immediate vicinity, such actions could include maintenance of the existing bridge, replacement or removal.

*We, the undersigned, jointly agree to the information provided above.*

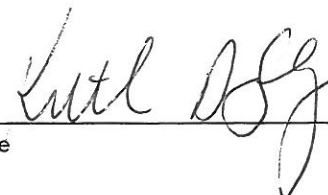
**National Park Service; Cuyahoga Valley National Park**

Stan Austin, Superintendent  
15610 Vaughn Road  
Brecksville, OH 44141

  
Signature \_\_\_\_\_ Date 12/22/10

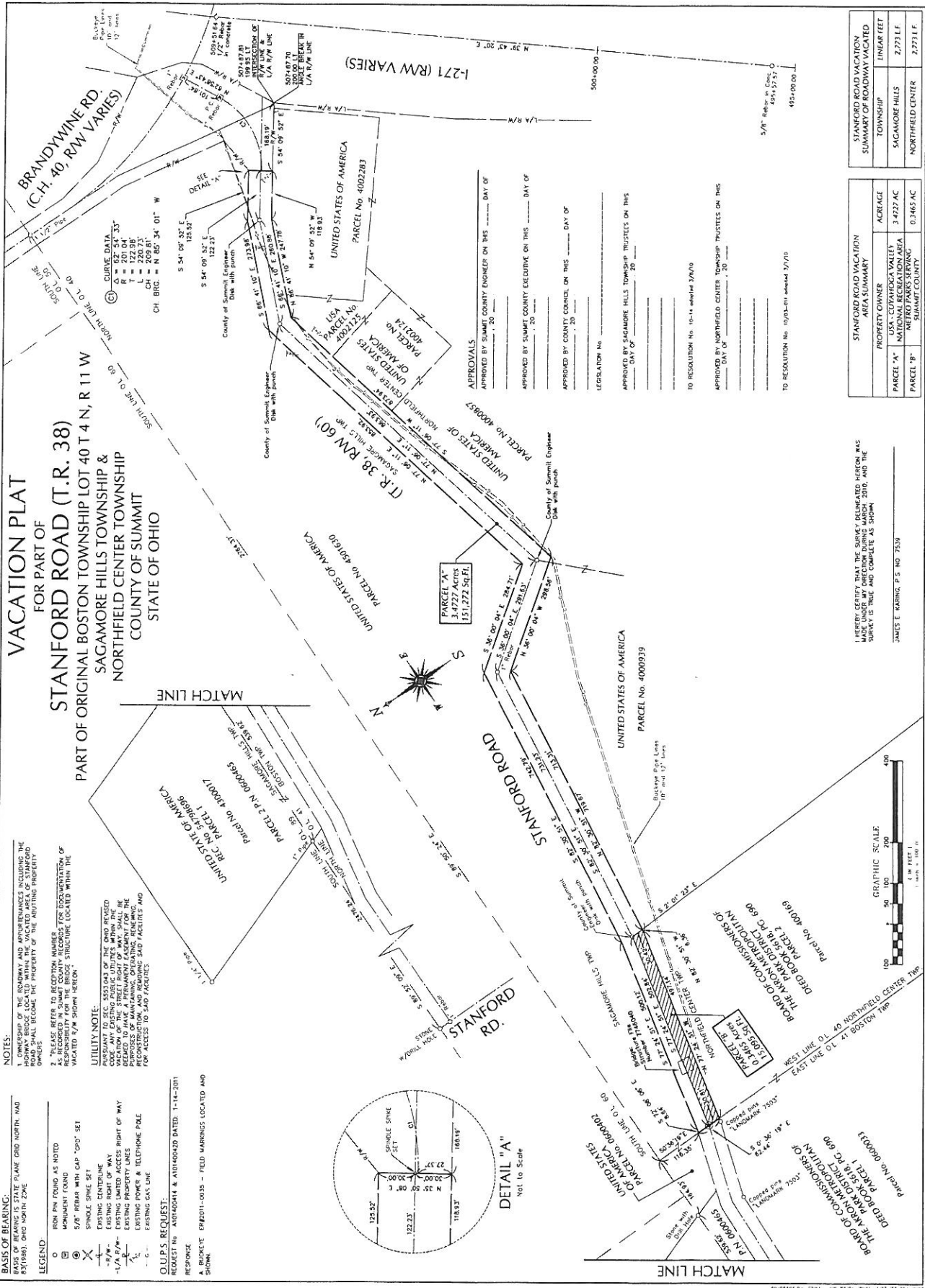
**MetroParks, Serving Summit County**

Keith D. Shy, Director-Secretary  
975 Treaty Line Road  
Akron, OH 44313-5837

  
Signature \_\_\_\_\_ Date 1/3/11



55765806  
Pg: 4 of 4  
03/10/2011 03:19P  
MISC 0.00



| REV | DATE | DESCRIPTION |
|-----|------|-------------|
|     |      |             |
|     |      |             |

|                                     |  |
|-------------------------------------|--|
| STANFORD ROAD VACATION AREA SUMMARY |  |
| PROPERTY OWNER                      | USA - COPAFEDGA VALLEY NATURAL RESOURCES TRUST |
| ACREAGE                             | 3.4227 AC                                      |
| PARCEL "A"                          | USA - COPAFEDGA VALLEY NATURAL RESOURCES TRUST |
| ACREAGE                             | 3.4227 AC                                      |
| PARCEL "B"                          | SUMMIT COUNTY                                  |
| ACREAGE                             | 0.3465 AC                                      |

|   |                   |
|---|-------------------|
| STANFORD ROAD VACATION SUMMARY OF ROADWAY VACATED |                   |
| TOWNSHIP  | SAGAMORE HILLS    |
| LINEAR FEET                                       | 2,773 LF          |
| TOWNSHIP  | NORTHFIELD CENTER |
| LINEAR FEET                                       | 2,773 LF          |

I HEREBY CERTIFY THAT THE SURVEY DELINEATED HEREON WAS MADE IN ACCORDANCE WITH THE SURVEYING ACTS OF 2010, AND THE SURVEY IS TRUE AND COMPLETE AS SHOWN.

JAMES E. WARRING, P.S. NO. 7639

**VACATION PLAT**  
FOR PART OF  
**STANFORD ROAD (T.R. 38)**  
PART OF ORIGINAL BOSTON TOWNSHIP LOT 40 T 4 N, R 11 W  
SAGAMORE HILLS TOWNSHIP &  
NORTHFIELD CENTER TOWNSHIP  
COUNTY OF SUMMIT  
STATE OF OHIO

**APPROVALS:**  
APPROVED BY SUMMIT COUNTY ENGINEER ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_  
APPROVED BY SUMMIT COUNTY EXCLUSIVE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_  
APPROVED BY COUNTY COUNCIL ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

**LEGISLATION NO. \_\_\_\_\_**  
APPROVED BY SAGAMORE HILLS TOWNSHIP TRUSTEES ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_  
TO RESOLUTION NO. 10-144 ADOPTED 3/19/10  
APPROVED BY NORTHFIELD CENTER TOWNSHIP TRUSTEES ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_  
TO RESOLUTION NO. 10/103-001 ADOPTED 3/1/10

**STANFORD ROAD VACATION**  
SUMMIT COUNTY  
20071199.00

**1 of 1**

NORTHFIELD CENTER TWP., SUMMIT CO., OHIO

STANFORD RD. (T.R. 38)

VACATION PLAT