

1 RESOLUTION NO. 2014-006

**First Reading Passage Requested**  
**(S. Burgess)**

2  
3 SPONSOR Mr. Pry

4  
5 DATE January 6, 2014

COMMITTEE Public Works

6  
7 **A Resolution authorizing appropriation proceedings of property owned by Betty Jo**  
8 **Schmidt, nka Bette Jo Nagy, needed for the acquisition of warranty deeds and temporary**  
9 **easements for replacing the existing TWT-012-0140 structure that carries Ravenna Road**  
10 **over Tinkers Creek, located in the Township of Twinsburg, in Council District 1, in an**  
11 **amount not to exceed \$ 450.00, for the Engineer, and declaring an emergency.**

12  
13 WHEREAS, the existing single span reinforced concrete arch bridge has reached the end  
14 of its service life and will be replaced with a single span galvanized steel beam bridge, and the  
15 new bridge will be aesthetically enhanced with false arch fascia members in this scenic setting as  
16 a reminder of the existing bridge, and Ravenna Road will be raised approximately 3.5 feet across  
17 the bridge, necessitating the improvement of approximately .09 miles of Ravenna Road with new  
18 full depth pavement, approach slabs, guardrail, storm sewers, grading, and pavement markings,  
19 grading and tree removal will be performed in the southeast quadrant of the Ravenna Road and  
20 Old Mill Road intersection to improve intersection sight distance; and

21  
22 WHEREAS, a right-of-way acquisition is considered a local cost which must be borne in  
23 whole by the local public agency performing a project, in this case being the County of Summit;  
24 and

25  
26 WHEREAS, the County of Summit, despite negotiations, has been unable to acquire all  
27 of the right-of-way necessary for the project; and

28  
29 WHEREAS, the County of Summit and Betty Jo Schmidt, nka Bette Jo Nagy, are unable  
30 to agree upon the purchase price of right-of-way on property owned by Betty Jo Schmidt, nka  
31 Bette Jo Nagy; and

32  
33 WHEREAS, it is necessary to acquire said right-of-way by court proceedings under the  
34 provisions of Section 5555.09 and Chapter 163 of the Ohio Revised Code; and

35  
36 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
37 that it is necessary and in the best interest of the County of Summit to authorize appropriation  
38 proceedings of property owned by Betty Jo Schmidt nka Bette Jo Nagy needed for the project;

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 County of Summit hereby declares its intention to appropriate a warranty deed (WD-  
46 6) and temporary easement (T-6) for highway purposes in the real property described by attached  
47 Exhibit A, said purposes to include the replacement of the bridge on Ravenna Road over Tinkers  
48 Creek, said property being owned by Betty Jo Schmidt, nka Bette Jo Nagy ("Owner"), located in  
49 the Township of Twinsburg, in Council District 1, and designated as Parcels WD-6 and T-6.  
50

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2 PAGE TWO

3  
4 SECTION 2

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6 The County Prosecutor is hereby directed to prepare and file on behalf of the County of  
7 Summit, Ohio, proceedings for appropriation, under the provisions of Chapter 163 of the Ohio  
8 Revised Code, of said easement and temporary right-of-way.

9  
10 SECTION 3

11  
12 The County Engineer, through the County Fiscal Officer, is hereby authorized to draw by  
13 voucher upon the County of Summit and pay into the Court of Common Pleas at the time of the  
14 filing of a complaint for the appropriation of said easement and temporary right-of-way, under  
15 the provisions of Chapter 163 of the Ohio Revised Code, in an amount not to exceed \$450.00.

16  
17 SECTION 4

18  
19 This Resolution is hereby declared an emergency in the interest of the health, safety and  
20 welfare of the citizens of the County of Summit, and for the further reason that it promotes an  
21 immediately needed county highway improvement project in the Township of Twinsburg.

22  
23 SECTION 5

24  
25 Provided this Resolution receives the affirmative vote of eight members, it shall take  
26 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
27 effect and be in force at the earliest time provided by law.

28  
29 SECTION 6

30  
31 It is found and determined that all formal actions of this Council concerning and relating  
32 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
33 deliberations of this Council and of any of its committees that resulted in such formal action,  
34 were in meetings open to the public, in compliance with all legal requirements, including Section  
35 121.22 of the Ohio Revised Code.  
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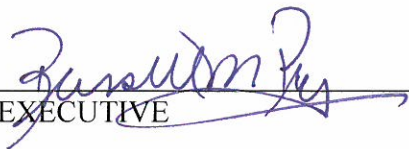
INTRODUCED January 6, 2014

ADOPTED January 6, 2014

  
\_\_\_\_\_  
CLERK OF COUNCIL

  
\_\_\_\_\_  
PRESIDENT OF COUNCIL

APPROVED January 7, 2014

  
\_\_\_\_\_  
EXECUTIVE

ENACTED EFFECTIVE January 7, 2014

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