

1 RESOLUTION NO. 2014-373

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3 SPONSOR Mr. Pry, Mr. Kostandaras

4
5 DATE September 8, 2014 COMMITTEE Planning

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7 **A Resolution approving an agreement between the City of Twinsburg, the Township of**
8 **Twinsburg and property owners concerning the interpretation of the corporate boundary**
9 **line between the City and Township, in Council District 1, for the Executive's Department**
10 **of Community and Economic Development and the Engineer, and declaring an emergency.**

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12 WHEREAS, on January 22, 1997, a petition was filed with the Clerk of the Summit
13 County Council proposing that 81.7150 acres of land located in Twinsburg Township be annexed
14 into the incorporated City of Twinsburg; and

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16 WHEREAS, on May 20, 1997, after compliance with all legal requirements and pursuant
17 to Resolution No. 97-245, this Council duly approved the aforesaid annexation; and

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19 WHEREAS, on October 15, 1997, pursuant to Twinsburg City Ordinance 138-1997 and
20 as required by Section 709.04 of the Ohio Revised Code, the City of Twinsburg accepted the
21 annexed territory into its municipal corporation; and

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23 WHEREAS, on November 4, 1997, all necessary documents required to complete the
24 annexation were duly filed with the County Fiscal Office; and

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26 WHEREAS, on April 18, 2000, the owner of the property annexed filed a subdivision
27 dedication plat titled "Abrams Farm, Phase I" with the County Fiscal Office showing their
28 property/parcel lines running concurrently with the corporate and township boundary line; and

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30 WHEREAS, on October 5, 2000, after an engineering survey and to reflect the depiction
31 of additional easements and other modifications, the owner of the property commonly known as
32 "Abrams Farm, Phase I" caused a new dedication plat to be filed with the County Fiscal Office
33 and the aforesaid plat injected some minor ambiguity concerning the boundary line between
34 Abrams Farm, Phase I and the adjacent property to the north of that property with said property
35 parcel line also being the corporate boundary line between the City and Township of Twinsburg;
36 and

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38 WHEREAS, on June 26, 2001, pursuant to Section 5301.21 of the Ohio Revised Code,
39 the respective property owners entered into a written agreement concerning the parcel line of
40 their properties and said owners then re-recorded the Abrams Farm, Phase I subdivision plat with
41 the County Fiscal Office establishing an unambiguous and definitive parcel line between their
42 respective properties; and

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44 WHEREAS, on October 17, 2012, pursuant to Section 1103.07 of the Codified
45 Ordinances of the County of Summit, the owners of the property to the north of the Abrams
46 Farm Subdivision, Phase I filed a preliminary development plan titled "Steffan Woods
47 Subdivision" with the Summit County Planning Commission ("SCPC") and said plan thereafter
48 received conditional approval from the SCPC on November 15, 2012; and
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4 WHEREAS, the owners of the Steffan Woods Subdivision have requested clarification
5 from the County, City and Township concerning the exact boundary line between the City and
6 Township of Twinsburg due to the 1997 annexation, the multiple re-plats and the boundary line
7 agreement among the property owners; and

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9 WHEREAS, after a review of all pertinent materials by the County Engineer, the
10 Executive's Department of Community and Economic Development, the owner of the Steffan
11 Woods Subdivision, the City of Twinsburg and the Township of Twinsburg (the "Parties") have
12 determined and agree that the corporate boundary line runs concurrently with the parcel line
13 separating the properties commonly known as the Abrams Farm Subdivision, Phase I and the
14 Steffan Woods Subdivision as preliminarily and conditionally approved by the Summit County
15 Planning Commission on November 15, 2012; and

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17 WHEREAS, the Parties memorialized their review, interpretation and agreement in a
18 formal written document, a copy of which is attached to this Resolution and marked as Exhibit
19 A; and

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21 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
22 that approving the establishment of the corporate boundary line as set forth in the boundary line
23 agreement between the property owners and the City and Township of Twinsburg is necessary
24 and in the best interest of the County of Summit;

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

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29 SECTION 1

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31 This Council hereby approves the establishment of the corporate boundary line as set
32 forth in the boundary line agreement between the property owners and the City and Township of
33 Twinsburg.

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35 SECTION 2

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37 This Council hereby authorizes the County Executive to execute a copy of the agreement
38 concerning the interpretation of the corporate boundary line between the City of Twinsburg and
39 the Township of Twinsburg attached to this Resolution as Exhibit A on behalf of the County of
40 Summit, Ohio.

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42 SECTION 3

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44 The owners of the subdivision commonly known as Steffan Woods or any subsequent
45 owner of that property submitting any plat for approval to this Council shall, in addition to all
46 other plat requirements imposed by law, place language on the plat which references and
47 incorporates the agreement concerning the interpretation of the corporate boundary line per
48 attached Exhibit A and said owner(s) shall also submit a fully executed copy of the agreement at
49 the time any such plat is filed for record with the County Fiscal Office.
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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 purpose of immediately
8 clarifying the boundary line for purposes of allocation of real property taxes to the respective
9 local governments and school districts

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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 any of its committees that resulted in such formal action, were
22 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 August 18, 2014

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28 ADOPTED September 8, 2014

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32 CLERK OF COUNCIL


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38 PRESIDENT OF COUNCIL

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40 APPROVED September 9, 2014


EXECUTIVE

ENACTED EFFECTIVE September 9, 2014

Voice Vote: 11-0 YES: Comunale, Crawford, Feeman, Kostandaras
Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro