

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0244

Sponsored by: **County Executive FitzGerald/Department of Public Works/Division of County Engineer and Councilmember Miller**

A Resolution approving revised Right-of-Way plans in connection with replacement of Bellaire Road Bridge No. 24 over Big Creek and replacement of West 130th Street Bridge No. 64 over a branch of Big Creek in the City of Cleveland and Village of Linndale; approving acquisition of required Right-of-Way; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and declaring the necessity that this Resolution become immediately effective.

WHEREAS, the County Executive/Department of Public Works has recommended approval of the revised Right-of-Way plans in connection with the replacement of Bellaire Road Bridge No. 24 over Big Creek and the replacement of West 130th Street Bridge No. 64 over a branch of Big Creek in the City of Cleveland and Village of Linndale; and

WHEREAS, legislation declaring that public convenience and welfare required the rehabilitation of Bellaire Road Bridge No. 24 over Big Creek was adopted on May 21, 1996, by the Board of County Commissioners in Resolution No. 962007; and

WHEREAS, subsequently, the Ohio EPA had caused revisions to be made to the construction plans which resulted in the necessary revisions to the Right-of-Way plans; and

WHEREAS, the changes in the Right-of-Way plans will include 5 additional property owners, while deleting 4 prior property owners that were necessary for the project completion; and

WHEREAS, revisions to the Right-of-Way plans will not result in any changes to the funding nor create an increase to the budget for the project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. The County Council hereby approves the revised Right-of-Way plans in connection with the replacement of Bellaire Road Bridge No. 24 over Big Creek and the replacement of West 130th Street Bridge No. 64 over a branch of Big Creek in the City of Cleveland and Village of Linndale.

SECTION 2. That the County Executive through the Department of Public Works is hereby authorized to acquire the Right-of-Way necessary for said improvement.

SECTION 3. That special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement.

SECTION 4. It is necessary that this Resolution become immediately effective in order to maintain the schedule of the project in order to maintain project funding deadlines, and the Right-of-Way acquisition cannot begin until authority is granted. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

SECTION 5. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

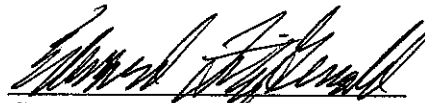
On a motion by Mr. Germana, seconded by Mr. Miller, the foregoing Resolution was duly adopted.

Yeas: Miller, Brady, Germana, Gallagher, Schron, Conwell, Rogers, Simon, Greenspan and Connally


Nays: None


County Council President

12-11-12
Date


County Executive

12/12/12
Date


Clerk of Council

12/11/2012
Date

First Reading/Referred to Committee: November 27, 2012
Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested on the Floor: November 27, 2012

Journal CC008
December 11, 2012