

# County Council of Cuyahoga County, Ohio

## Resolution No. R2015-0071

<p>Sponsored by: <b>County Executive Budish on behalf of Cuyahoga County Planning Commission</b></p>	<p><b>A Resolution</b> authorizing the County Executive to accept dedication of land for Schady Elm Lane in Schady Reserve Subdivision (Phase 1), located in Olmsted Township, as a public street (60 feet total) with established setback lines, rights-of-way and easements; authorizing the County Executive to accept dedication of land on the southerly side of Schady Road, plus 10 additional feet (35 feet total) to public use in Schady Reserve Subdivision (Phase 1); authorizing the County Executive to accept dedication of easements for construction, maintenance and operation of public facilities and appurtenances in Schady Reserve Subdivision (Phase 1) to public use granted to the County of Cuyahoga and its corporate successors; authorizing the County Executive to execute the final Plat in connection with said dedications; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, pursuant to Ohio Revised Code Section 711.10, the County Planning Commission has authority to adopt regulations and procedures governing the proposed divisions of land to review and approve, approve with conditions, or to disapprove the proposed preliminary plan of new major subdivisions; and

WHEREAS, the Cuyahoga County Land Development Regulations originally adopted November 8, 2007 and amended December 9, 2010, require the County Planning Commission to refer the final dedication plat to the County “for acceptance of dedication of land for any public street, highway or other public ways, open space, or public easement on the final plat;” and

WHEREAS, the Cuyahoga County Planning Commission has granted conditional approval of the Final Plat for Schady Reserve Phase I on April 9, 2015; and

WHEREAS, pursuant to the above regulations, acceptance of the dedication of land for Schady Elm Lane in Schady Reserve Subdivision (Phase 1) as a public street (60 feet total) with established setback lines, right-of-way, and easements; accepting

and dedicating land on the southerly side of Schady Road, plus 10 additional feet (35 feet total) to public use in the Schady Reserve Subdivision (Phase 1); and also accepting and dedicating easements for the construction, maintenance, and operation of public facilities and appurtenances in the Schady Reserve Subdivision (Phase 1); and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

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

**SECTION 1.** That the County Council hereby authorizes the County Executive to accept dedication of land for Schady Elm Lane in Schady Reserve Subdivision (Phase 1), located in Olmsted Township, as a public street (60 feet total) with established setback lines, rights-of-way and easements; to accept dedication of land on the southerly side of Schady Road, plus 10 additional feet (35 feet total) to public use in Schady Reserve Subdivision (Phase 1); to accept dedication of easements for construction, maintenance and operation of public facilities and appurtenances in Schady Reserve Subdivision (Phase 1) to public use granted to the County of Cuyahoga and its corporate successors.

**SECTION 2.** That the County Executive is authorized to execute the final Plat in connection with said dedications of land.

**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 4.** 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 Ms. Simon, the foregoing Resolution was duly adopted.

Yeas: Simon, Greenspan, Miller, Germana, Jones, Brown, Hairston and Brady

Nays: None

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County Council President                      Date

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County Executive                                      Date

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Clerk of Council                                      Date

First Reading/Referred to Committee: April 14, 2015

Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC018

April 28, 2015