

# County Council of Cuyahoga County, Ohio

## Resolution No. R2019-0060

<p>Sponsored by: <b>County Executive Budish/Department of Public Works</b></p> <p>Co-sponsored by: <b>Councilmember Brown</b></p>	<p><b>A Resolution</b> authorizing the vacation of a certain portion of Warrensville Center Road located in the City of Shaker Heights in connection with intersection improvements; setting the date, time and place for a view and setting the date, time and place for a final hearing in connection with said vacation; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Public Works has requested authorization to vacate a certain portion of Warrensville Center Road located in the City of Shaker Heights, Ohio (the "Property") in connection with intersection improvements; and

WHEREAS, pursuant to the authority granted under Ohio Revised Code §5553.02, County Council is authorized to vacate a public road, or a portion thereof, when it is of the opinion that it will be for the public convenience or welfare to do so; and

WHEREAS, the County Council has determined that the vacation of the Property is for the public convenience or welfare and, therefore, should be properly vacated pursuant to §5553.04 of the Ohio Revised Code; 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 said proposed vacation of the Property shall be viewed by members of the County Council on the 25th day of March, 2019 at 10:00 a.m. local time, commencing at the southwest corner of the intersection of Chagrin Boulevard and Warrensville Center Road in the City of Shaker Heights.

**SECTION 2.** That the final hearing upon said proposed vacation of the Property shall be held on the 17th day of April, 2019 at 10:00 a.m. local time in the C. Ellen Connally Council Chambers, 4<sup>th</sup> Floor, Cuyahoga County Administrative Headquarters, 2079 East 9<sup>th</sup> Street, Cleveland, Ohio 44115.

**SECTION 3.** That the Clerk of Council is hereby directed to give notice of both such view and final hearing as provided by law and is hereby instructed to transmit a copy of this Resolution to the Director of the Cuyahoga County Department of Public Works and to the Director of the Ohio Department of Natural Resources.

**SECTION 4.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional 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 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. Tuma, seconded by Ms. Brown, the foregoing Resolution was duly adopted.

Yeas: Brown, Simon, Baker, Miller, Tuma, Gallagher, Schron, Conwell, Jones and Brady

Nays: None

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County Council President

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Date

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County Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Deputy Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: February 26, 2019  
Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested on the Floor: March 12, 2019

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